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Rights of Indigenous Peoples

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Note by the Secretary-General

The Secretary-General has the honour to transmit to the General Assembly the interim report of the Special Rapporteur on the rights of Indigenous Peoples, Albert Kwokwo Barume, in accordance with Human Rights Council resolution [51/16](#).

* [A/80/150](#).



Interim report of the Special Rapporteur on the rights of Indigenous Peoples, Albert Kwokwo Barume

Identification, demarcation, registration and titling of Indigenous Peoples' lands: practices and lessons

Summary

In the first part of the present report, the Special Rapporteur on the rights of Indigenous Peoples, Albert Kwokwo Barume, sets out his activities since being appointed and taking up his functions in January 2025. In the second part of the report, he explores the current global challenges facing Indigenous Peoples' right to traditional territories, focusing on fundamental notions about the importance of land, territories and resources. He provides a foundational understanding of the rights and then reviews regional trends with regard to identification, demarcation, registration and titling; the criminalization of Indigenous land rights defenders; and the interplay between Indigenous Peoples' ancestral territories and international security. He calls for a paradigm shift, whereby States would consider Indigenous Peoples to be allies and partners in matters of international security affairs.

I. Introduction

1. The present report is submitted by the Special Rapporteur on the rights of Indigenous Peoples, Albert Kwokwo Barume, as his first report to the General Assembly, pursuant to Human Rights Council resolution 51/16. In the first part of the report, he provides details of his activities as a mandate holder since his appointment. The second part is devoted to the theme of Indigenous Peoples' rights to lands, territories and resources, including their identification, demarcation, registration and titling.

II. Activities

2. The Special Rapporteur took up his functions on 1 January 2025. He dedicated the initial months of his mandate to raising awareness of and promoting Indigenous Peoples' rights, engaging with and listening to Indigenous Peoples around the world, and learning from them about current issues, trends, concerns and priorities.

3. From 10 to 14 February, in Rome, the Special Rapporteur attended the Indigenous Peoples' Forum at the International Fund for Agricultural Development and the Governors' Dialogue with Indigenous Peoples. On those occasions, he emphasized that the right to self-determination is foundational for Indigenous Peoples, as it enables the realization of other rights, such as the rights to food, cultural identity and dignity. He highlighted the importance of food sovereignty as a culturally rooted, rights-based concept that empowers Indigenous Peoples to define and sustain their own food systems. He called for renewed pride in traditional foods as essential pathways to justice and sustainability.

4. From 18 to 21 February, the Special Rapporteur engaged in team-building activities at the University of Colorado Boulder, in the United States of America, along with academics, experts and staff of the Office of the United Nations High Commissioner for Human Rights (OHCHR). The purpose of the gathering was to set up the external team that supports the Special Rapporteur, in view of the very limited financial and human support that the Office can afford to provide.

5. From 24 to 28 February, the Special Rapporteur was in Bangkok for the 2025 Asia preparatory meeting on United Nations mechanisms and procedures relating to Indigenous Peoples, organized by the Asia Indigenous People's Pact. On that occasion, the Special Rapporteur held public and private meetings with a wide range of representatives of Indigenous Peoples.

6. From 5 to 8 March, the Special Rapporteur travelled to Nairobi, where he participated in a regional meeting of African Indigenous leaders on strategic engagement with his mandate. During the event, he explained the main elements of his mandate, leading participants to identify the main issues and entry points in the various subregions of Africa, as well as priorities and operational approaches for advancing Indigenous Peoples' rights in the African context. The meeting highlighted the importance of engagement with the African Commission on Human and Peoples' Rights and collaboration with its Working Group on Indigenous Populations/Communities and Minorities in Africa.

7. From 15 to 21 March, the Special Rapporteur travelled to Australia, on invitation from civil society and academia, to undertake a lecture tour through the cities of Brisbane, Melbourne, Canberra and Sydney in order to promote the United Nations Declaration on the Rights of Indigenous Peoples and to contribute to a celebration organized by the Foundation for Aboriginal and Islander Research Action to mark the International Day for the Elimination of Racial Discrimination. In his

lectures, he focused on the core principles underpinning the international norm of equality among States and individuals, which he recognized as a fundamental pillar supporting international stability and fostering friendly relations among nations.

8. On 27 March, the Special Rapporteur was the keynote presenter at an online workshop with Kanak Indigenous Peoples in the Pacific, organized by the OHCHR Regional Office for the Pacific and Geneva-based experts. The event brought together participants from Kanak communities and focused on international instruments and mechanisms relating to Indigenous Peoples. He provided an overview of the primary activities related to his mandate and outlined ways in which organizations, representatives and communities of Indigenous Peoples could engage with it. He also discussed jurisprudence relevant to Indigenous Peoples.

9. Also on 27 March, the Special Rapporteur served as the lead speaker at an online meeting with Indigenous and civil society organizations from Eastern Africa, organized by the Regional Office of OHCHR in Nairobi. His presentation and subsequent discussions addressed the conceptualization of Indigenous Peoples in Africa and examined the human rights challenges that they encounter across the continent. He also highlighted emerging best practices pertaining to the protection and promotion of the rights of Indigenous Peoples in Africa.

10. On 10 April, the Special Rapporteur took part in an online webinar training session focused on the implementation of the United Nations Declaration on the Rights of Indigenous Peoples in Australia. The event was organized by the Diplomacy Training Program, which is based in Australia. Almost 100 people participated in the webinar. He made a presentation on key substantive issues covered by the Declaration. The Co-Chair of the First Peoples' Assembly of Victoria, Ngarra Murray, also participated as a keynote speaker, focusing on ongoing initiatives undertaken by the State of Victoria in relation to Indigenous Peoples.

11. From 20 to 30 April, the Special Rapporteur attended the twenty-fourth session of the Permanent Forum on Indigenous Issues, held at United Nations Headquarters in New York. He participated in 10 side events and 2 major live media programmes and held 25 bilateral meetings. In addition, when delivering his statement in the human rights dialogue of the Permanent Forum, he emphasized the urgent need for stronger recognition and protection of Indigenous Peoples' rights, particularly regarding land demarcation, legal recognition and protection from criminalization and violence. He highlighted such systemic challenges as underfunding, political resistance and environmental exploitation, while calling for a renewed global commitment to human rights and Indigenous inclusion in peace and security efforts. Despite those challenges, he expressed hope in the active engagement of young Indigenous leaders and called for reinvestment in human rights mechanisms.

12. In the same statement, the Special Rapporteur underscored the importance of holding the human rights dialogue during the first week of the session of the Permanent Forum, when most participants were still present in New York. The high cost of accommodation and living in the city made it financially unfeasible for many representatives of Indigenous Peoples to stay for the full two weeks. He also expressed deep concern over the continued decline in financial resources allocated to United Nations human rights mechanisms, particularly those dedicated to Indigenous Peoples. In 2024, due to funding constraints, mandate holders of the Human Rights Council had been unable to conduct a second country visit, a situation that persisted in 2025. In particular, both the current and former mandate holders had participated in the Permanent Forum using funding from outside the United Nations, even though their presence was mandated in a resolution of the Council.¹ He emphasized the

¹ Resolution 51/16, para. 2 (e).

urgent need for renewed investment in human rights mechanisms in order to ensure their effectiveness and uphold the norms-based international order.

13. From 2 to 5 May, the Special Rapporteur participated in the eighty-third ordinary session of the African Commission on Human and People's Rights, held in Banjul. On that occasion, he praised the Commission's leadership in shaping the human rights framework for Indigenous Peoples in Africa. He emphasized the unique human rights-based definition of Indigenous Peoples in Africa, one that was rooted in addressing systemic discrimination and land dispossession, and highlighted his mandate to amplify Indigenous voices, conduct thematic studies, engage in country visits and submit communications. Amid growing global threats to human rights, he called for a renewed commitment to equality, non-discrimination and international solidarity, urging the Commission to lead efforts in defending those principles. He held formal meetings with the Commission's Working Group on Indigenous Populations/Communities and Minorities in Africa to discuss venues for joint activities and collaboration.

14. On 7 May, the Special Rapporteur participated in an online training session on Indigenous Peoples, business and human rights organized by Indigenous Livelihood Enhancement Partners. He contributed to the segment on the topic "Advancing business and human rights in the work of special procedures and global/regional human rights mechanisms", covering numerous other mandates and regional human rights mechanisms. He provided a summary of recurrent abuses and violations of Indigenous Peoples' rights in the context of business activities.

15. On 14 May, the Special Rapporteur travelled to Brussels to engage in dialogue with the Subcommittee on Human Rights of the European Parliament. In his statement, he urged the European Union to lead global efforts to reaffirm human rights, particularly for Indigenous Peoples, amid growing global instability. He highlighted the increasing criminalization of Indigenous Peoples, the risks posed by extractive industries and green transition projects on Indigenous lands, and the need for stronger protections such as free, prior and informed consent. He also outlined the priorities of his mandate and called upon the European Union to align its policies with international standards for the rights of Indigenous Peoples, including by revising the Critical Raw Materials Act to fully respect free, prior and informed consent.

16. From 24 to 28 May, the Special Rapporteur attended the first World Congress of Indigenous Peoples and Local Communities of Forest Basins, which was organized by the Global Alliance of Territorial Communities in Brazzaville. As the keynote speaker, he provided an overview of international standards concerning Indigenous Peoples, highlighted recent developments and addressed key challenges faced across regions. He chaired a session entitled "Dialogue with the Special Rapporteur", in which representatives of Indigenous Peoples presented country-specific situations.

17. From 14 to 16 June, the Special Rapporteur visited the Cauca region of Colombia, for the Global Indigenous Land Forum organized by the International Land Coalition and hosted by the organization Consejo Regional Indígena del Cauca. In his statement, he emphasized the urgent need to secure Indigenous Peoples' land rights through proper identification, documentation, demarcation, registration and titling. Drawing on global consultations and regional visits, he highlighted systemic challenges across all continents, from weak legal protections and forced evictions to criminalization of land defenders and exclusion from governance. He underscored that Indigenous land rights are not just legal obligations, but are essential for peace, cultural survival and environmental stewardship. Despite ongoing threats, he pointed to successful community-led initiatives in such countries as the United Republic of Tanzania and the Philippines as models of hope. He called for international solidarity and action to ensure self-determination and justice for Indigenous Peoples.

18. On 17 and 18 June, the Special Rapporteur participated in the Global Land Forum, in Bogotá. In his keynote statement, he emphasized that the green energy transition, while essential, posed serious risks to Indigenous Peoples if it was not grounded in human rights. He warned that many renewable energy and climate projects, including hydroelectric dams and carbon credit schemes, were being implemented on Indigenous lands without proper consultation or consent, often replicating historical injustices, such as land grabs and displacement. He stressed that Indigenous Peoples must be central to the transition, not only because they were the rightful owners of those lands, but also because of their scientific knowledge and the need to redress past harms. He called for a just transition that ensured free, prior and informed consent, direct funding and meaningful participation of Indigenous Peoples, particularly women and young people, so that the green economy could become a path to justice and sustainability rather than a new form of dispossession.

19. From 18 to 22 June, the Special Rapporteur travelled to Panama to participate in dialogues with Indigenous Peoples as a tool for national cohesion, organized by Coordinadora Nacional de Pueblos Indígenas de Panamá. During that time, he met with Indigenous leaders and students from across the country and visited the Emberá, Kuna and Ngobe Buglé communities, including Arimae, Ipeti Embera, Piriati, Akua Yala and El Piro. The visit was conducted at a time when Panama was experiencing widespread social protests and many Indigenous community members felt that they were under unprecedented and targeted attacks. He highlighted the importance of the United Nations Declaration on the Rights of Indigenous Peoples as a remedial instrument to overcome historical injustices and safeguard Indigenous Peoples' rights in democratic States.

20. From 30 June to 2 July, the Special Rapporteur visited Nepal at the invitation of the organization Rights and Resources Initiative and took part in meetings and discussions focused on Indigenous Peoples' rights and the organization's activities related to land and resources. He delivered a keynote address emphasizing the distinctive nature of Indigenous Peoples' land rights, underscoring their foundation in the principle of self-determination and the international norm of non-racial discrimination. He concluded by urging solidarity among rights holders, with respect for diversity and distinct rights. During the visit to Nepal, he held meetings with the National Federation of Indigenous Nationalities, the National Foundation for Development of Indigenous Nationalities and the Indigenous Nationalities Commission. Those organizations serve as, respectively, a civil society federation, a government institution for public service delivery and a constitutional body responsible for monitoring the rights of Indigenous Peoples in Nepal.

21. From 3 to 12 July, the Special Rapporteur travelled to Indonesia to participate in human rights dialogues organized by Aliansi Masyarakat Adat Nusantara, with Indigenous Peoples and civil society organizations in Papua, POCO Leok (Flores) and Bogor (West Java). In particular, the dialogues provided an opportunity to highlight principles of international law concerning Indigenous Peoples' land rights, such as the grounding of those rights in the principles of self-determination and non-discrimination, and the recognition of customary ownership as the basis for processes of demarcation and titling. The information shared by Indigenous communities will be an important contribution to his continued work on those topics.

22. At the time of the submission of the present report, the Special Rapporteur was actively participating in the eighteenth session of the Expert Mechanism on the Rights of Indigenous Peoples, held from 14 to 18 July in Geneva.

23. Based on those experiences, the Special Rapporteur has witnessed and demonstrated the significant potential of his mandate to advance the promotion and protection of Indigenous Peoples' rights at the global level. However, the demand for

his engagement, attention and action continues to grow at an extraordinary pace, yet the declining resources allocated by Member States remain insufficient to meet the scale and urgency of the work required. He gratefully acknowledges the generous and unconditional support received from philanthropic organizations. Those contributions have been instrumental in enabling the establishment of an external team of human rights professionals to support his mandate. They have also made possible the aforementioned travel and direct engagement with Indigenous Peoples, which were often conducted in collaboration with host organizations. Nonetheless, no external support can be a substitute for a mandate that is fully funded and institutionally supported by OHCHR through the States Members of the United Nations. Only through such commitment can the full potential of the mandate be realized.

24. The Special Rapporteur therefore urges all Member States to provide robust and sustained support to the United Nations in general, in particular to OHCHR and the human rights mechanisms, especially those dedicated to the rights of Indigenous Peoples. The need to prioritize investment in human rights at the domestic and international levels has never been so urgent.

III. Land rights of Indigenous Peoples in the global context

A. Background

25. Rights to land, territories and resources (“rights to land” or “land rights”)² are fundamental to the self-determination, cultural preservation and very existence of Indigenous Peoples.³

26. The nature, scope and weight of those rights are clearly established in the United Nations Declaration on the Rights of Indigenous Peoples, International Labour Organization (ILO) Convention No. 169 (1989) concerning Indigenous and tribal peoples, regional human rights instruments, customary international law, national laws, regional and international jurisprudence and expert analysis by authoritative sources.⁴ The present report is therefore aimed at supporting the effective implementation of those rights, as required in article 27 of the Declaration, which reads as follows:

States shall establish and implement in conjunction with indigenous peoples concerned, a fair independent, impartial, open and transparent process, giving due recognition to indigenous peoples’ laws, traditions, customs and land tenure systems, to recognize and adjudicate the rights of indigenous peoples pertaining to their lands, territories and resources, including those which were traditionally owned or otherwise occupied or used. Indigenous peoples shall have the right to participate in this process.

27. As a thematic priority of his mandate, the Special Rapporteur aims to examine practices related to the identification, demarcation, registration and titling of Indigenous lands, territories and resources. The intention is to take stock, assess the challenges, gather lessons learned in promoting, protecting and guaranteeing those rights and encourage good practices. To this end, the Special Rapporteur issued a call

² These should be understood as including waters, maritime zones and sea areas traditionally used, occupied or otherwise possessed by Indigenous Peoples living in coastal, riverine or lake regions.

³ See [E/CN.4/Sub.2/2001/21](#).

⁴ See [A/59/258](#), [A/71/229](#), [A/74/149](#), [A/77/238](#), [A/78/162](#), [A/79/160](#), [A/HRC/24/41](#), [A/HRC/33/42](#), [A/HRC/36/46](#), [A/HRC/45/38](#), [A/HRC/54/31](#), [A/HRC/57/25](#), [E/CN.4/Sub.2/1986/7/Add.4](#) and [E/CN.4/2002/97](#). See also *State of the World’s Indigenous Peoples: Rights to Lands, Territories and Resources*, vol. V (United Nations publication, 2021).

for inputs and a questionnaire to inform his research and foster broad participation. In response, he received over 70 contributions.

28. In view of the amount and richness of the information received, which highlights both the complexity and the significance of the issue, the Special Rapporteur has decided to keep the discussion open and ongoing for two reporting cycles. The present report is therefore presented as an interim and introductory account; he plans to conduct regional consultations and issue a comprehensive final report in 2026.

B. Foundational understanding of Indigenous Peoples' rights to lands, territories and resources

29. Indigenous Peoples' land rights are unique in their nature, grounding, scope and purposes. In the present section, the Special Rapporteur outlines core principles of international law underpinning those rights. Those principles must guide States in the processes of identifying, demarcating, registering and titling the lands, territories and resources of Indigenous Peoples.

1. Indigenous Peoples' land rights are inherent

30. Indigenous Peoples' land rights are inherent and do not originate from State authority or recognition. They arise from Indigenous Peoples' long-standing and ancestral ownership, use and occupation of their lands as distinct nations, prior to colonization or the establishment of State boundaries. In the preamble to the United Nations Declaration on the Rights of Indigenous Peoples, it is reaffirmed that "inherent rights of indigenous peoples ... derive from their political, economic and social structures and from their cultures, spiritual traditions, histories and philosophies, especially their rights to their lands, territories and resources". This provision reaffirms that Indigenous Peoples' land rights exist regardless of State recognition; any demarcation, registration or titling is declaratory of pre-existing rights. As noted in a submission by one Indigenous People: "lands make us who we are". Inherent rights are intrinsically connected to their holders.

2. Indigenous Peoples' land rights are grounded in strong international law principles

31. As regards their legal source, Indigenous Peoples' land rights are grounded in and stem from their right to self-determination. They allow Indigenous Peoples to exercise greater control over their future as distinct nations with the right to "freely determine their political status and freely pursue their economic, social and cultural development".⁵ Moreover, these rights are also grounded in the international norm of non-racial discrimination. They also serve as a means of redress for the specific historical discrimination that in most cases resulted in dispossession of Indigenous Peoples' lands. Indigenous Peoples were dehumanized and demeaned as savage to justify the occupation and ownership of their ancestral lands. The self-determination and non-racial discrimination norms are generally accepted as part of customary international law binding on all States.⁶ This foundation makes Indigenous Peoples' land claims unique, legally strong and morally compelling. Few other rights holders have their land rights grounded in such international law principles.

⁵ See article 3 of the United Nations Declaration on the Rights of Indigenous Peoples.

⁶ See [A/74/10](#) and also Inter-American Court of Human Rights, *Juridical Condition and Rights of Undocumented Migrants*, Advisory Opinion OC-18/03 of 17 September 2003, requested by the United Mexican States, Series A, No. 18, para. 101.

3. Indigenous Peoples' land rights include full property rights

32. The customary land rights of Indigenous Peoples are protected, inter alia, under the universal human right to own property enshrined in article 17 of the Universal Declaration of Human Rights.⁷ Before colonization or the establishment of current State boundaries, Indigenous Peoples, just as all nations, held full customary ownership of their lands. In the *Mayagna (Sumo) Awas Tingni Community v. Nicaragua* case, the Inter-American Court of Human Rights affirmed that the right to property encompassed communal land traditionally possessed by Indigenous Peoples. The Court held that “possession of the land should suffice for indigenous communities lacking real title to property of the land to obtain official recognition of that property”.⁸ The African Court of Human and Peoples' Rights reached a similar determination in the *African Commission on Human and Peoples' Rights v. Republic of Kenya* case, affirming that the Ogiek Indigenous People holds ownership of its traditional lands.⁹ Consequently, the duty of the State is to protect the customary land ownership of Indigenous Peoples, including through demarcation and by registering their legal title to recognize that ownership.

4. Indigenous Peoples' land rights are permanent and cannot be limited in time

33. Indigenous land rights are permanent; they do not expire; and they are not subject to temporal limitations. This stems from articles 26 and 28 of the United Nations Declaration on the Rights of Indigenous Peoples, according to which Indigenous Peoples have the right to the lands, territories and resources that they have traditionally owned, occupied, or otherwise used or acquired, as well as the right to redress, including restitution, for the lands, territories and resources that have been confiscated, taken, occupied, used or damaged without their free, prior and informed consent. These provisions underscore that Indigenous Peoples cannot be denied land rights due to the passage of time without constant tenure, and that dispossession can occur only with their free, prior and informed consent and with due compensation. Importantly, the absence of current occupation, use or possession does not invalidate Indigenous Peoples' claims to their lands, territories and resources, nor does it preclude their right and the priority to regain ownership.¹⁰

34. In this context, the continued discussion in Brazil of the so-called *marco temporal* (“temporal framework”) proposition, which is intended to restrict Indigenous Peoples' land rights to territories physically occupied as of the date of the adoption of the Constitution (5 October 1988), represents a serious regression. It is a denial of the enduring and permanent nature of Indigenous Peoples' land rights, which is enshrined in the Constitution of Brazil. Despite having been declared unconstitutional by the Supreme Federal Court of Brazil, the *marco temporal* premise remains embedded in legislative proposals that threaten to annul existing land demarcations and undermine Indigenous Peoples' rights. As has been previously noted, this violates international human rights law and contradicts the jurisprudence of the Inter-American Court of Human Rights.¹¹

⁷ A/HRC/45/38, paras. 23 and 26; E/CN.4/Sub.2/1983/21/Add.4, para. 1. See also S. James Anaya, *Indigenous Peoples in International Law*, 2nd ed. (Oxford, Oxford University Press, 2004), pp. 141–148.

⁸ Inter-American Court of Human Rights, *Mayagna (Sumo) Awas Tingni Community v. Nicaragua*, Judgment, 31 August 2001, para. 151.

⁹ African Court of Human and Peoples' Rights, *African Commission on Human and Peoples' Rights v. Republic of Kenya*, Application No. 006/212, 26 May 2017, para. 128.

¹⁰ See communication BRA 2/2020. All communications mentioned in the present report are available from <https://spcommreports.ohchr.org/Tmsearch/TMDocuments>.

¹¹ See www.ohchr.org/en/press-releases/2025/06/brazil-must-abandon-marco-temporal-doctrine-once-and-all-says-un-expert.

35. Endorsed by the General Assembly in 1962, permanent sovereignty over natural resources is a principle of international law asserting a State's right to control and manage its own natural wealth and resources within its territory.¹² It has been argued that there is a discernible trend of extending the principle of permanent sovereignty over natural resources as a combined exercise of the rights to self-determination, to ownership of traditional lands and to free, prior and informed consent, something that "can help indigenous peoples exercise their right to permanent sovereignty within the nation state".¹³

5. Indigenous Peoples' land rights are a pillar for their other rights

36. Indigenous Peoples' land rights are also the foundation and "guarantee [for] other of their rights, including life, culture, dignity, health, water and food",¹⁴ as upheld in human rights jurisprudence¹⁵ and in numerous studies, including by the Expert Mechanism on the rights of Indigenous Peoples.¹⁶ If Indigenous Peoples' land rights are not secured, their other rights are unlikely to be protected. Land is, for Indigenous Peoples, the bedrock of their very existence as nations. It embodies their culture and livelihoods; it supports traditional governance; it sustains their languages; it preserves their knowledge; and it maintains their spiritual life, food systems, health and psychological well-being. This implies that States, in observance of their duties to uphold the other fundamental rights of Indigenous Peoples, must respect Indigenous Peoples' land rights.

37. Most recently, the Committee of Experts on the Application of Conventions and Recommendations of ILO has associated the recognition of Indigenous Peoples' land rights with States' obligation to prevent discrimination in employment and occupations. In a case concerning the Ompu Ronggur Indigenous People of Indonesia, the Committee reaffirmed that traditional occupations (such as farming, hunting and handicraft production) were "occupations" within the meaning of ILO Convention No. 111 (1958) on the elimination of discrimination in employment and occupation. As those occupations are dependent on access to land, insecure land tenure and biased approaches to traditional occupations "pose serious challenges to the enjoyment of equality of opportunity and treatment in respect of occupation". Consequently, the Committee requested the Government of Indonesia to secure access to lands for customary-law communities, including by reviewing the current legal framework and repealing any discriminatory aspects affecting the ability of those communities to engage in and continue to perform their traditional occupations.¹⁷

C. Regional trends according to the contributions received

38. As mentioned above, during the next reporting period, the Special Rapporteur aims to conduct regional consultations and to produce a final report on the

¹² See resolution 1803 (XVII).

¹³ Shawkat Alam and Abdullah Al Faruque, "From sovereignty to self-determination: emergence of collective rights of Indigenous Peoples in natural resources management", *The Georgetown Environmental Law Review*, vol. 32, No. 1 (2019), p. 59.

¹⁴ A/HRC/45/38, para. 11.

¹⁵ Inter-American Court of Human Rights, *Yakye Axa Indigenous Community v. Paraguay*, Judgment, 17 June 2005, para. 176; Inter-American Court of Human Rights, *Xákmok Kásek Indigenous Community v. Paraguay*, Judgment, 24 August 2010, para. 234. See also CCPR/C/21/Rev.1/Add.5 and Committee on Economic, Social and Cultural Rights general comment No. 21 (2009) on the right of everyone to take part in cultural life.

¹⁶ See A/HRC/45/38.

¹⁷ See https://normlex.ilo.org/dyn/nrmlx_en/f?p=NORMLEXPUB:13100:0::NO::P13100_COMMENT_ID%2CP13100_COUNTRY_ID:4416270%2C102938.

identification, demarcation, registration and titling of the lands, territories and resources of Indigenous Peoples. Therefore, in the present section of the report he offers a preliminary summary of the main findings from submissions received in response to the call for inputs, as well as additional information received, by geographical region.

39. The contributions from Africa reveal that Indigenous Peoples across the continent face systemic challenges in securing land rights. Legal recognition of customary tenure is often weak, while overlapping land claims and State ownership complicate matters. In some countries, legal frameworks exist but are poorly implemented and undermined by bureaucracy, political resistance, conservation measures and extractive industries. Mobile Indigenous Peoples, such as pastoralists and hunter-gatherers, are especially vulnerable. Gender disparities and lack of representation in decision-making further exacerbate these challenges.

40. In Asia, the information received shows that the situation is marked by a mix of partial legal recognition and systemic marginalization. In many countries, Indigenous land rights are ignored in favour of conservation, palm oil plantations, extractive industries and development projects, including those undertaken by Governments. In others, legal ambiguity and discrimination hinder land titling, particularly for extremely marginalized Indigenous Peoples, such as those in voluntary isolation and mobile communities who are at risk of extinction. Despite some constitutional protections, many Indigenous Peoples face forced evictions, criminalization and exclusion from land governance. In addition, reforms to digital land records threaten traditional systems.

41. The region of Latin America and the Caribbean presents a paradox. The contributions reveal strong legal frameworks that coexist with persistent failures in implementation. Many countries have important constitutional and international commitments to Indigenous Peoples' land rights, yet political resistance, economic pressures and corruption delay or cause the denial of land registration and titling. Even favourable court rulings are undermined by poor enforcement and lack of consultation. Gender-based exclusion, criminalization of land defenders and conflicts involving extractive industry are widespread. However, community-led initiatives and international legal victories offer hope.

42. Contributions from North America indicate that Indigenous Peoples' land rights are recognized in law, but procedural barriers and slow reforms persist. Despite landmark rulings, Indigenous Peoples face difficulties in registering and leveraging land titles. First Nations continue to seek restitution and self-determination through treaty processes. Unrecognized tribes remain excluded from land governance and environmental restoration. There is an urgent need to move towards consent-based decision-making and the effective participation of Indigenous legal traditions.

43. Lastly, contributions from the Pacific region indicate that land rights are deeply tied to historical injustices. In Australia, treaty processes and truth-telling initiatives are advancing, but systemic barriers remain. In New Zealand, the Treaty of Waitangi has not fully protected Māori land rights. In New Caledonia, the Kanak people continue to resist colonial land dispossession and seek restitution.

44. Overall, the contributions reveal that the injustices and discrimination against Indigenous Peoples, particularly over their land rights, persists. Despite the significant developments in the international legal framework and some landmark judicial decisions, as well as extensive research, studies and bibliography, the debt with Indigenous Peoples has not been settled. As indicated by the Expert Mechanism

on the Rights of Indigenous Peoples, “the implementation gap remains wide and failure to recognize land rights contributes to ongoing violence in many regions”.¹⁸

D. Criminalization of Indigenous Peoples’ human rights defenders

45. There is an increasing demand for the lands, territories and resources of Indigenous Peoples.¹⁹ This is confirmed by the inputs received for the present report and the communications issued since the start of the mandate of the Special Rapporteur. In turn, this demand is fuelling the alarming rise in the persecution and criminalization of Indigenous Peoples’ human rights defenders across all regions.²⁰ Indigenous land defenders are too often among those arrested, detained, sentenced and even killed. In its report for 2023 and 2024, Front Line Defenders indicates that 31 per cent of at least 300 human rights defenders killed in 2023 were Indigenous Persons or worked on Indigenous Peoples’ rights.²¹ This number is alarmingly disproportionate given that Indigenous Peoples represent around 5 per cent of the world’s population. That issue is further addressed below.

46. Some of the primary factors fuelling outsiders’ interests in the territories of Indigenous People, and thereby contributing to the criminalization of their human rights defenders, are closely linked to climate change. These include the expanding carbon market, the expansion of protected areas, the green energy transition and the rush for rare minerals. Ironically, Indigenous Peoples have contributed the least to climate change, but are often disproportionately affected by its consequences because of their direct dependence on lands and natural resources. Moreover, as mentioned above, they are adversely affected by some of the key strategies and measures to address climate change.

1. Carbon markets and conservation efforts

47. Governments in almost all regions are showing a growing interest in Indigenous Peoples’ lands in order to gain access to carbon market resources and comply with the Kunming-Montreal Global Biodiversity Framework. In target 3 of the Framework, Parties are called upon to ensure that, by 2030, at least 30 per cent of terrestrial and inland water areas, and of marine and coastal areas, are protected through various area-based conservation measures. In the target, Indigenous and traditional territories are recognized as a distinct pathway for conservation of biodiversity, and the need for recognizing and respecting the rights of Indigenous Peoples, including the rights to traditional territories, is recognized. In 2021, international human rights non-governmental organizations cautioned that, without stronger safeguards for Indigenous Peoples, most of the area included in the 30 per cent target provided for under the Framework could result in exclusionary protected areas.²² Today, the Special Rapporteur continues to receive reports from Indigenous Peoples regarding the expansion of protected areas into their lands without due regard for international standards, particularly the requirement for free, prior and informed consent.

¹⁸ A/HRC/45/38, para. 3.

¹⁹ *State of the World’s Indigenous Peoples: Rights to Lands, Territories and Resources*, vol. V (United Nations publication, 2021).

²⁰ See A/HRC/39/17.

²¹ See www.frontlinedefenders.org/en/resource-publication/global-analysis-202324.

²² See <https://minorityrights.org/target-to-protect-30-of-earth-by-2030-a-disaster-for-people-and-bad-for-the-planet/>.

2. Extractive industries, the green energy transition and the rush for rare minerals

48. Indigenous Peoples are already adversely affected by extractive industries,²³ and large-scale energy projects are being pushed into their lands, often without free, prior and informed consent.²⁴ This pressure has intensified in recent years, with the global rush for transition minerals.²⁵ Some observers estimate that over 50 per cent of energy transition projects are located on or near Indigenous Peoples' lands.²⁶ This trend is already causing the criminalization of defenders of the human rights of Indigenous Peoples, including Indigenous defenders, a trend that is likely to increase in the coming years.

49. In numerous Asian countries, for instance, the expansion of nickel mining, which is critical for electric vehicle batteries, has led to the displacement of Indigenous communities and the militarization of their ancestral lands. Despite legal protections, Indigenous leaders opposing those projects have faced threats, harassment and even violence, something that highlights the deepening risks that they face in the name of the green transition.²⁷

50. The expansion in Latin America of the so-called "lithium triangle" has sparked opposition from Indigenous Peoples. They argue that the projects threaten their water sources and violate their right to free, prior and informed consent. Despite promises of sustainable development, many Indigenous leaders report exclusion from decision-making processes and increasing pressure on their territories in the name of the global energy transition.²⁸

E. International security and Indigenous Peoples' territories

51. Indigenous Peoples' territories can significantly contribute to international security, as outlined below, but States often ignore that potential. The Special Rapporteur will continue to pay attention to this issue, seeking to engage with stakeholders over the coming years.

1. Indigenous Peoples' territories and international security hotspots

52. Due to their geographical location, Indigenous Peoples' territories are particularly vulnerable to a range of issues, some of which are set out below.

Living in remote or borders areas

53. In many parts of the world, Indigenous Peoples live along borders, with their ancestral lands forming the final square metres of States' national territories. Other Indigenous Peoples live across countries, as their ancestral lands stretch over several national territories due to arbitrarily drawn boundary lines.²⁹ These border areas are strategically located, rich in natural resources and biodiversity, and frequently attract

²³ See A/HRC/24/41.

²⁴ See A/HRC/36/46.

²⁵ Ibid.

²⁶ International Energy Agency, "Blueprint for action on just and inclusive energy transitions", June 2025, available at www.iea.org/reports/blueprint-for-action-on-just-and-inclusive-energy-transitions. See also <https://blogs.worldbank.org/en/energy/protecting-indigenous-peoples-rights->.

²⁷ See A/HRC/9/9/Add.1, paras. 437–440, and communication IDN 1/2019. See also communication GTM 6/2023.

²⁸ See E/CN.17/2011/16 and communications ARG 4/2024 and ARG 11/2024. See also E/C.19/2022/9 and www.business-humanrights.org/en/latest-news/argentina-indigenous-communities-raise-environmental-human-rights-concerns-over-lithium-mining-companies-activities/.

²⁹ E/CN.4/Sub.2/1986/7/Add.4, para. 379. See also A/79/160.

competing geopolitical interests. They remain largely untouched by urban development and experience minimal or ineffective State presence, as well as limited access to public services. A key factor contributing to the difficult living conditions of Indigenous Peoples in those remote areas is the legacy of forced displacement and dispossession of land rights, which has frequently pushed them into those isolated or borderland regions.³⁰ Most Indigenous Peoples now reside on the last remnants of their ancestral lands, with nowhere further to retreat.

Armed conflicts

54. Indigenous Peoples' territories are often the theatre of armed conflict, which has a disproportionate impact on Indigenous women, children and older persons.³¹ Although Indigenous Peoples are rarely parties to these conflicts, they are often caught in the crossfire and suffer disproportionately from the consequences, which include forced recruitment and displacement. Their territories often become military targets or source of income for armed groups.

55. The situation in Colombia illustrates the challenges for Indigenous Peoples in the context of prolonged armed conflict. The country has endured more than six decades of internal conflict, during which Indigenous Peoples, who represent over 4 per cent of the population and inhabit territories covering approximately 30 per cent of the national land, have faced disproportionate harm. The conflict, largely driven by disputes over land, has subjected Indigenous Peoples to killings, forced recruitment, displacement, disappearances and other forms of mistreatment, placing several groups at risk of extinction. Initially excluded from peace negotiations, Indigenous Peoples later secured participation in the partial peace process that culminated in the 2016 peace agreement. In particular, the agreement includes a prominent "ethnic chapter" and led to the establishment of the Special Jurisdiction for Peace, which recognizes land as a subject of rights, something that marks as an important step towards addressing historical injustices. The Guardia Indígena (Indigenous guards) are community-based, unarmed security forces that protect their territories, mediate local disputes and monitor human rights violations; they are recognized as legitimate security actors in peace zones.³²

56. In the Democratic Republic of the Congo, the Batwa Indigenous Peoples in the Ituri and Kivu regions have been affected by ongoing armed conflict. Although they are not involved in the fighting, their ancestral lands have become militarized zones, which are targeted for their natural resources. Armed groups have displaced the Batwa and exposed them to violence; Indigenous women and children have been particularly affected.³³

Terrorism and organized crime

57. Due to the absence of strong and deterrent State institutions and public services, often compounded by the erosion of traditional governance structures, Indigenous Peoples' territories have increasingly become vulnerable to infiltration by terrorist groups and organized crime. Chronic neglect by Governments fosters discontent among forgotten populations and creates a power vacuum that is then exploited by criminal networks and extremist groups that exploit communities' resentments and disenfranchisement, including for recruitment purposes.

³⁰ See [A/HRC/54/52](#) and [A/HRC/EMRIP/2019/2/Rev.1](#).

³¹ See [A/HRC/57/47/Add.1](#).

³² Ibid.

³³ See communication COD 1/2025 and www.ohchr.org/en/press-releases/2025/02/un-experts-call-urgent-humanitarian-relief-and-political-solution-protect.

58. In the Sahel region, extremist groups linked to Da'esh and Al-Qaida have taken advantage of the power vacuum in parts of Mali, Burkina Faso and the Niger to establish a significant presence,³⁴ including training camps on traditional territories of the Amazigh (Touareg) Indigenous Peoples.

59. In South and Central America, trafficking networks take advantage of the absence of the State's presence in certain areas to engage in complex operations for trafficking in narcotics and people. For example, in the Darien region, between Colombia and Panama, Indigenous territories have become major routes for trafficking in persons and drugs.³⁵

Migration

60. Indigenous Peoples are deeply affected when their territories become routes for migrants. States may increase their presence through militarization and surveillance, frequently without Indigenous Peoples' consent, thereby undermining territorial rights and self-governance.³⁶ Infrastructure linked to migration control can damage sacred sites, disrupt traditional livelihoods and strain local resources. Indigenous communities offering humanitarian support to migrants are often criminalized, while women and girls face heightened risks of violence and exploitation.

61. For example, in Panama, Indigenous Peoples have not been consulted in the creation and implementation of policies to deal with a current migratory crisis, including in relation to the creation of shelters and reception centres for people on the move across Indigenous territories.³⁷ However, as concluded in a report by the Expert Mechanism on the Rights of Indigenous Peoples, "indigenous land can play a significant role in 'protecting' national territories on the border, in particular where State authorities are lacking: this burden is often overlooked by the State and others".³⁸

Competing geopolitical interests

62. The territories of many Indigenous Peoples are located in areas of major competing geopolitical interests of States. As result, they are often put under great pressure, militarized or otherwise occupied in the name of strategic national interest or security, with geopolitical interests overruling international law.³⁹

63. The territories of Arctic Indigenous Peoples, such as those of the Inuit in Greenland and across the borders of the Russian Federation, the United States and Canada, are increasingly caught in the cross-hairs of global interests. Greenland, which is home to Inuit communities and rich in rare earth minerals, has drawn strategic attention from numerous countries due to its strategic location, emerging shipping routes and its untapped energy reserves, oil, minerals and other resources.⁴⁰

64. Similarly, Sami territories across the Russian Federation, Norway, Sweden and Finland experience militarization, resource extraction and reduced Indigenous cooperation, particularly since the onset of the war in Ukraine. These pressures

³⁴ See S/2024/556. See also <https://press.un.org/en/2025/sc15990.doc.htm> and <https://news.un.org/en/story/2022/06/1119992>.

³⁵ See A/HRC/59/49/Add.2 and A/HRC/59/49/Add.1.

³⁶ A/HRC/EMRIP/2019/2/Rev.1, para. 45.

³⁷ See communication PAN 1/2023.

³⁸ A/HRC/EMRIP/2019/2/Rev.1, para. 62.

³⁹ E/C.19/2025/7, paras. 66–70.

⁴⁰ A/HRC/54/52, para. 15.

threaten Indigenous Peoples' rights, livelihoods and ability to sustain cultural and ecological continuity across borders.⁴¹

2. States' current responses to international security challenges in Indigenous Peoples' territories

65. Many major international security challenges involve ancestral territories of Indigenous Peoples; however, States often do not include Indigenous Peoples in their efforts to address these matters. Instead, Indigenous Peoples are ignored, their territories are militarized, and they are considered adversaries.

66. Indigenous Peoples can be ignored in international security discussions. Although Indigenous Peoples' territories are linked to international security challenges, States have mostly excluded them from security frameworks and policymaking. However, Indigenous Peoples possess traditional knowledge and skills – such as a detailed understanding of their local environments, cultural and spiritual practices, and social structures – that can be critically relevant to international security. Trafficking networks and extremist groups have utilized the knowledge and skills of Indigenous Peoples to expand their activities. By excluding Indigenous Peoples from the design and implementation of security policies, despite their deep knowledge of and connection to these areas, Governments miss an opportunity. The current State-centred paradigm of international security fails to see this potential.

67. Security Council resolution [2686 \(2023\)](#), in which the potential contribution of ethnic, religious and confessional communities and religious leaders to peace and conflict resolution is recognized, does not include any reference to Indigenous Peoples. In the resolution, “relevant stakeholders” are encouraged to speak out against “hate speech and extremism that leads to or exacerbates armed conflict and impedes durable peace and reconciliation”; however, once more, no explicit reference is made to Indigenous Peoples as potential contributors to international security.

68. Similarly, in resolution [79/159](#), the General Assembly recognizes “the importance of meaningfully engaging Indigenous Peoples in peace agreement negotiations, transitional justice processes, conflict resolution, mediation and constructive arrangements”, but omits them from the international security discussion.

69. States have also addressed international and national security issues on Indigenous Peoples' territories through militarization, without their consent, notwithstanding article 30 of the United Nations Declaration on the Rights of Indigenous Peoples. As the Expert Mechanism on the Rights of Indigenous Peoples has stated, “militarization of Indigenous People's territories, rights and resources has been one of the major challenges for the realization of their rights”,⁴² and “Indigenous peoples experience pressure from States to host law enforcement and immigration authorities on their lands”.⁴³

70. In Chile, the Mapuche are reportedly suffering ongoing violations of fundamental rights due to the militarization of their ancestral territory by the Government, including the deployment of heavily armed forces and the renewal of the state of emergency. This situation is restricting their freedom of movement and ability to engage in traditional activities such as fishing and agriculture.⁴⁴

⁴¹ Ibid., paras. 39 and 55. See also <https://big-europe.eu/publications/2025-03-06-greenland-and-arctic-geopolitics>.

⁴² [A/HRC/54/52](#), para. 4.

⁴³ [A/HRC/EMRIP/2019/2/Rev.1](#), para. 62.

⁴⁴ See [A/HRC/54/NGO/170](#) and communications CHL 1/2025, CHL 1/2024, CHL 3/2024 and CHL 10/2021.

71. In the Philippines, United Nations experts have warned about the massive impact of military operations on the territory of the Lumad peoples, including forced displacement and destruction of homes and livelihoods due to conflict. The military presence has been associated with suspicions that Lumads are involved with militant groups, which has resulted in rights violations and a threat to their cultural existence.⁴⁵

72. Indigenous Peoples can be labelled as accomplices. States' approach to international security challenges in Indigenous Peoples' territories is often shaped by mistrust rooted in discrimination. This situation leads to harmful stereotypes that portray Indigenous Peoples as collaborators with illegal armed groups, criminals, terrorists, extremists or enemies of the State.⁴⁶ It is also one of the major causes of the criminalization of Indigenous human rights defenders, particularly those advocating for land rights.⁴⁷

73. This situation results in a triple victimization of Indigenous Peoples. First, they suffer from the absence of an effective or protective State support and the lack of accessible public services. Second, they become vulnerable to occupation, harassment or influence by extremist groups, insurgents or criminal networks that exploit the State's absence and seek to enslave or recruit vulnerable members of the community. Third, they are subjected to unjust accusations, persecution, stigmatization and criminalization by the State and society at large, often being falsely labelled as threats to national and international security or as enemies of progress and development.

3. Partnership between States and Indigenous Peoples for international security

74. Indigenous Peoples' territories could become an asset for international security. Indigenous Peoples in remote and border areas could become the first line of protection for international security. Their detailed traditional knowledge of their territories, their cultural and spiritual assets, their unique insights into managing natural resources and their resilience offer untapped potential for improving international security and countering extremism, radicalism, criminal networks, climate change and the depletion of livelihoods.

75. States must realize that the right of Indigenous Peoples to self-determination and lands are not a threat to territorial integrity, but potential key assets for national sovereignty, territorial integrity and international security. Consequently, limitations to those two pillar rights of Indigenous Peoples weaken international and national security.

76. For that to happen, however, there must be a shift in the current paradigm. States should move away from considering Indigenous Peoples living in international security hotspots as threats and instead engage in new partnerships built on trust, rights and mutual respect, as provided for in the preamble to the United Nations Declaration on the Rights of Indigenous Peoples. In addition, States should abide by the provisions of article 19 of the Declaration, which require consultation with Indigenous Peoples "before adopting and implementing legislative or administrative measures that may affect them".

77. There is a need for culturally sensitive and sustainable international security frameworks and policies. A notable example of Indigenous Peoples' inclusion in a national security strategy is the Inuit-Crown Partnership Committee of Canada, which was established in 2017. This mechanism enables Inuit leaders and federal Cabinet ministers to jointly identify and implement shared priorities, including those related

⁴⁵ See www.ohchr.org/en/press-releases/2017/12/philippines-warned-over-massive-impact-military-operations-mindanao.

⁴⁶ See communications BGD 12/2013 and BGD 8/2020.

⁴⁷ See [A/HRC/39/17](#) and communication IDN 4/2024.

to Arctic security. The Committee exemplifies how Indigenous Peoples can serve as strategic partners, rather than being considered as a liability, and can contribute invaluable traditional knowledge and regional expertise. By fostering trust and structured collaboration, the Committee enhances the cultural relevance and effectiveness of security policies in the Arctic. This model demonstrates the importance of integrating Indigenous Peoples' voices into decision-making processes to build resilient, community-informed approaches to sovereignty and defence.⁴⁸

78. This Inuit approach and good practice, along with the other few existing cases, should be documented and analysed further, with a view to strengthening the argument that Indigenous Peoples have a key role to play in international security. The Special Rapporteur is therefore seeking to collaborate with interested stakeholders for focused regional studies to provide more information that could assist the Security Council in evaluating the merits of a specific resolution on Indigenous Peoples and international security. Additional evidence may also provide information to States concerning the processes of demarcation, registration and titling of Indigenous Peoples' lands.

IV. Conclusions and recommendations

A. Conclusions

79. In the present interim report, the Special Rapporteur outlines the context in which Indigenous Peoples' land rights are situated at the global level. It is intended to provide background for further discussion and analysis in his final report.

80. Indigenous Peoples' lands are not mere commodities for sale, mortgage or cession; they are an integral part of the identity and cultural continuity of Indigenous Peoples, including future generations. Indigenous Peoples' land rights are unique in nature, scope, grounding and weight. These rights are considered inherent and permanent, involve collective ownership and serve as a pillar for other rights of Indigenous Peoples. They are universally accepted rights under international law, but reformulated to redress particular historical wrongs affecting peoples and nations that were dominated by others and culturally subsumed for decades. Indigenous Peoples' lands serve also as a foundation for numerous other rights, including those related to health, education, employment, spirituality, livelihoods and food sovereignty.

81. The interim evaluation of regional trends regarding the identification, demarcation, registration and titling of Indigenous Peoples' lands by States indicates a wide range of practices. Notable inconsistencies have been observed both across and within regions. Certain States are in the initial phases of demarcation. These are predominantly countries in which Indigenous Peoples continue to encounter challenges related to being recognized as such. While other States have enacted constitutional or statutory protections for Indigenous Peoples' lands, the implementation of these legal frameworks is often hindered by competing political, economic and environmental priorities. In some cases, countries are even backsliding after earlier progress.

82. Increasing external and State interests in Indigenous Peoples' lands, driven by carbon markets, conservation areas, the green energy transition and demand

⁴⁸ See www.itk.ca/wp-content/uploads/2025/06/An-Inuit-Vision-for-Arctic-Sovereignty-Security-Defence.pdf and www.ssoar.info/ssoar/bitstream/handle/document/91763/ssoar-politicsgovernance-2024-rodriques-Human_Security_of_Inuit_and.pdf?sequence=1&isAllowed=y.

for transition minerals, are affecting how those lands are identified, demarcated, registered and titled.

83. Increasing interest in Indigenous Peoples' lands appears to be contributing also to a growing trend of criminalization of Indigenous human rights defenders, especially those focused on protecting their territories. In its report for 2023 and 2024, Front Line Defenders indicates that 31 per cent of the human rights defenders killed in 2023 were Indigenous or worked on Indigenous Peoples' rights. That number is alarmingly disproportionate considering that Indigenous Peoples represent around 5 per cent of the world's population.

84. The issue of the territories or lands of Indigenous Peoples intersects with international security; however, States often do not recognize the potential contribution of Indigenous Peoples to international security. Numerous Indigenous Peoples' territories are situated along or span international borders, making them particularly vulnerable to extremist groups and organized criminal networks. These areas frequently experience conflict and migration, and are subjected to the competing geopolitical interests of States. States have responded to international security challenges within Indigenous territories primarily through the militarization of those areas, frequently disregarding Indigenous Peoples and at times viewing them as potential collaborators in activities perceived as threats to national interests.

85. States may be overlooking valuable opportunities to collaborate with Indigenous Peoples to strengthen international security within their strategically significant territories. Leveraging the knowledge, land rights, self-determination, cultural values and resilience of Indigenous Peoples can help to make them part of an effective first-line protection against extremism, trafficking, climate change and biodiversity loss on their lands. To achieve this goal, States should forge a new partnership with Indigenous Peoples on international security, as emerging examples show that their involvement enhances security. Such a partnership should be grounded in trust and rights, as stated in the United Nations Declaration on the Rights of Indigenous Peoples.

86. The Special Rapporteur will continue consultations and research to produce a comprehensive final report in the next reporting cycle. That report will further elaborate on the findings and recommendations presented herein. Stakeholders are invited to contribute to this ongoing dialogue, with the shared goal of advancing justice, dignity and the full realization of Indigenous Peoples' rights to their lands, territories and resources.

B. Recommendations

87. The Special Rapporteur emphasizes that the following recommendations must be implemented in full consultation and cooperation with Indigenous Peoples, ensuring their effective participation and free, prior and informed consent at every stage.

Support for human rights mechanisms

88. Member States should provide robust, sustained and predictable support to the United Nations, OHCHR and regional and national human rights mechanisms, particularly those dedicated to the rights of Indigenous Peoples.

Continued engagement and information-sharing

89. States, Indigenous Peoples and organizations, civil society and other stakeholders are encouraged to continue to share information on challenges, good practices and lessons learned regarding the identification, demarcation, registration and titling of Indigenous Peoples' lands.

Legal recognition and implementation of land rights

90. States should:

(a) Recognize Indigenous Peoples' rights to lands, territories and resources in national legal frameworks, in accordance with the United Nations Declaration on the Rights of Indigenous Peoples;

(b) Ensure that those frameworks include strong enforcement mechanisms and are effectively implemented, including through capacity-building and allocation of financial resources;

(c) Remove bureaucratic, procedural and administrative barriers that hinder the realization of those rights.

Recognition of the nature of Indigenous Peoples' land rights

91. States should explicitly recognize that Indigenous Peoples' land rights:

(a) Are inherent and do not derive from State recognition;

(b) Are grounded in international law, including the right to self-determination and the prohibition of discrimination;

(c) Include full property rights;

(d) Are permanent and not subject to temporal limitations;

(e) Are foundational to the realization of other human rights.

Addressing historical injustice and discrimination

92. States should examine how colonialism, racism and systemic discrimination have contributed to the dispossession of Indigenous Peoples' lands and take appropriate measures of redress, in accordance with the United Nations Declaration on the Rights of Indigenous Peoples.

Criminalization of Indigenous Peoples' human rights defenders

93. States should reverse the trend of criminalization of Indigenous Peoples' human rights defenders, particularly those defending their lands, and enhance national mechanisms for the protection of Indigenous lands defenders.

Customary law and tenure systems

94. States should:

(a) Recognize and protect the customary laws and land tenure systems of Indigenous Peoples;

(b) Ensure that those laws and systems are fully integrated into processes of identification, demarcation, registration and titling;

(c) Accept traditional occupation and use as a sufficient basis for the legal recognition of land rights.

Green transition, conservation and extractive industries

95. States should:

- (a) **Align all legislation, policies and projects related to the green energy transition, carbon markets and conservation with the human rights of Indigenous Peoples as enshrined in the United Nations Declaration on the Rights of Indigenous Peoples;**
- (b) **Establish strong safeguards to ensure that such initiatives do not result in violations of Indigenous Peoples' rights;**
- (c) **Guarantee that measures and developments affecting Indigenous Peoples' lands will proceed only with their free, prior and informed consent.**

Conflict, international security, migration and geopolitical interests

96. States should:

- (a) **Acknowledge the disproportionate impact of armed conflict, terrorism and migration on Indigenous Peoples and their territories;**
- (b) **Refrain from militarizing Indigenous lands or criminalizing Indigenous Peoples and their defenders;**
- (c) **Ensure that Indigenous Peoples participate in the design and implementation of security policies affecting their territories.**

Paradigm shift for international security: a new partnership between States and Indigenous Peoples

97. States should:

- (a) **Recognize Indigenous Peoples as key partners in national and international security;**
- (b) **Promote inclusive security strategies that value Indigenous knowledge, governance systems and territorial stewardship;**
- (c) **Establish mechanisms for the meaningful participation of Indigenous Peoples in peacebuilding, border governance and conflict prevention.**

Indigenous Peoples and international security

98. The Security Council is invited to consider adopting a resolution on Indigenous Peoples and international security.

C. Final report and continued dialogue

99. The Special Rapporteur will continue consultations and research on this theme. He invites all stakeholders to contribute to the preparation of the final report, in which he will further elaborate on these recommendations and propose specific implementation strategies.