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## In my view: Putting human rights, justice, and equity at the centre is the only credible pathway for Indigenous peoples

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Indigenous peoples in the Amazon have long fought to protect their lands, forests, waters and their living beings – not just for their own sake but for the benefit of the entire planet. At the frontline of defending the Amazon, indigenous peoples have often risked their lives and been subject to persecution, criminalisation, threats, intimidation and assassinations. They now face the destruction of their cultures and livelihoods due to climate change, leading to cultural, spiritual and economic impoverishment and inequality.

Global policy makers increasingly promote what they call the green transition. But many indigenous peoples, who struggle daily to protect the environment, view this warily as a new form of colonialism, imposed in a way that often ignores or violates their rights. Rather than talking about a green transition, we should talk about transitioning away from fossil fuels and decarbonising the economy. In this context, policy makers in OECD countries ought to put human rights, justice and equity at the centre of all such policies.

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**Human rights.** The rights of indigenous peoples are enshrined in international instruments like the United Nations Declaration on the Rights of Indigenous Peoples and the International Labour Organization Convention No. 169 as well as the American Convention on Human Rights, national constitutions and judicial decisions. Yet, purported climate change mitigation projects like hydroelectric power plants, bioenergy plantations, mining and carbon offset projects have involved serious human rights violations. In this regard, I call for the following of global and OECD policy makers:

- Meet domestic and international human rights obligations through adopting binding human rights due diligence regulations, including binding free, prior and informed consent.
- Provide support for indigenous human rights defenders, including access to justice.
- Adopt biodiversity and human rights no-go zones for mining, oil extraction and other harmful activities in the Amazon with the full participation of indigenous peoples in decision making and exclude diplomatic or financial support for projects in such no-go zones.

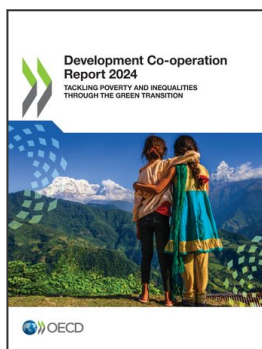
- Ensure that indigenous peoples' rights, as enshrined in the United Nations Declaration on the Rights of Indigenous Peoples, are central to any climate change mitigation and adaptation, biodiversity, bioeconomy, and renewable energy policies or action plans, and ensure that such policies are developed with full and effective consultation with indigenous peoples and their effective participation in decision making.
- Abolish investor state dispute settlement mechanisms because they are incompatible with human rights and environmental protection and perpetuate poverty and inequality.

**Justice.** Indigenous peoples in the Amazon now face a dire situation and the possible collapse of the Amazon rainforest, and we are reaching several tipping points where the very survival of the indigenous peoples who have tirelessly fought to protect nature in the Amazon is at risk. It is unfair that indigenous peoples must bear the brunt of the negative impacts of both climate change and efforts for climate change mitigation and adaptation. For the transition to a decarbonised economy to be just, I call for the following:

- Recognise the differentiated historical roles, responsibilities and duties in climate change mitigation and adaptation. Co-operate with indigenous peoples in the remediation of historical and ongoing injustices against them, such as environmental impacts from oil exploitation and mining extraction.
- Indigenous peoples to be consulted and co-operated with on any policies or action plans on the energy transition in line with their right to free, prior and informed consent.
- Adopt and implement effective policies, regulations and laws to address unsustainable consumption patterns, reduce demand for minerals and biomass and combat all illegal extraction and trade of gold and timber in the Amazon in co-operation with indigenous peoples.

**Equity.** Indigenous peoples in the Amazon and elsewhere are diverse. There is also diversity within indigenous communities. The transition to a decarbonised economy must be equitable for all groups, including women, youth, children, elders and people with disabilities. For the transition to be equitable, I call for the following:

- Provide flexible funding without using intermediaries directly to indigenous peoples – including to women and youth, indigenous human rights defenders, indigenous peoples' representative institutions, and grassroots indigenous-led organisations or networks – to support them to mobilise, convene and build capacity to exercise their rights and their own social, cultural and economic priorities.
- Support indigenous-led climate change mitigation and adaptation activities such as renewable energy and conservation, including with emergency funds to address drought, flooding and wildfires.
- Support the participation of indigenous peoples, including women and youth, in decision making in international forums such as the OECD, the United Nations Framework Convention on Climate Change and the Convention on Biological Diversity as well as national and subnational decision-making bodies.



**From:**

## **Development Co-operation Report 2024**

Tackling Poverty and Inequalities through the Green Transition

**Access the complete publication at:**

<https://doi.org/10.1787/357b63f7-en>

### **Please cite this chapter as:**

Gualinga, Helena (2024), "In my view: Putting human rights, justice, and equity at the centre is the only credible pathway for Indigenous peoples", in OECD, *Development Co-operation Report 2024: Tackling Poverty and Inequalities through the Green Transition*, OECD Publishing, Paris.

DOI: <https://doi.org/10.1787/10af578e-en>

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