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P8_TA(2018)0279

Violation of rights of indigenous peoples in the world**European Parliament resolution of 3 July 2018 on violation of the rights of indigenous peoples in the world, including land grabbing (2017/2206(INI))**

(2020/C 118/03)

The European Parliament,

- having regard to the Universal Declaration of Human Rights (UDHR) and other United Nations (UN) human rights treaties and instruments, in particular the UN Declaration on the Rights of Indigenous Peoples (UNDRIP), adopted by the General Assembly on 13 December 2007,
- having regard to International Labour Organisation (ILO) Convention No 169 on Indigenous and Tribal Peoples, as adopted on 27 June 1989,
- having regard to the European Convention for the Protection of Human Rights and Fundamental Freedoms,
- having regard to the International Covenant on Civil and Political Rights and to the International Covenant on Economic, Social and Cultural Rights,
- having regard to Articles 21, 22 and 47 of the Charter of Fundamental Rights of the European Union,
- having regard to the EU Strategic Framework on Human Rights and Democracy as adopted by the Foreign Affairs Council on 25 June 2012, and to the Action Plan on Human Rights and Democracy 2015-2019 adopted by the Council on 20 July 2015,
- having regard to the UN Declaration on Human Rights Defenders of 1998,
- having regard to the European Union's Human Rights Guidelines, in particular the EU Guidelines on Human Rights Defenders, and to the European Instrument for Democracy and Human Rights (EIDHR),
- having regard to its resolutions on cases of breaches of human rights, democracy and the rule of law,
- having regard to its resolution of 24 November 2016 on the situation of the Guarani-Kaiowá in the Brazilian state of Mato Grosso do Sul ⁽¹⁾,
- having regard to its resolution of 14 April 2016 on Honduras: situation of human rights defenders ⁽²⁾,
- having regard to its resolution of 12 March 2015 on Tanzania, notably the issue of land grabbing ⁽³⁾,

⁽¹⁾ Texts adopted, P8_TA(2016)0445.

⁽²⁾ OJ C 58, 15.2.2018, p. 155.

⁽³⁾ OJ C 316, 30.8.2016, p. 122.

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- having regard to the Annual Report on Human Rights and Democracy in the World 2016 and the European Union's policy on the matter ⁽¹⁾,
- having regard to UN General Assembly resolution 69/2 of 22 September 2014 adopting the outcome document of the World Conference on Indigenous Peoples 2014 ⁽²⁾,
- having regard to UN General Assembly resolution 71/178 of 19 December 2016 on rights of indigenous peoples, in particular paragraph 13 thereof proclaiming 2019 as the International Year of Indigenous Languages ⁽³⁾,
- having regard to the report of the UN Special Rapporteur on the rights of indigenous peoples to the UN Human Rights Council of 8 August 2017 ⁽⁴⁾,
- having regard to UN Human Rights Council resolution 26/9 of 26 June 2014 establishing an open-ended intergovernmental working group with the aim of drawing up an international legally binding instrument on transnational corporations and other business enterprises with respect to human rights ⁽⁵⁾,
- having regard to the process of the open-ended intergovernmental working group drawing up a Declaration on the Rights of Peasants and Other People Working in Rural Areas, established by the UN Human Rights Council on 13 October 2015 ⁽⁶⁾,
- having regard to the 2030 Agenda for Sustainable Development as adopted by the UN General Assembly on 25 September 2015,
- having regard to the UN Convention on Biological Diversity adopted on 22 May 1992,
- having regard to the Durban Accord and Action Plan adopted by the Vth International Union for Conservation of Nature (IUCN) World Parks Congress in 2003 ⁽⁷⁾,
- having regard to the Commission communication to the Council and the European Parliament of 19 October 2004 on EU Guidelines to support land policy design and reform processes in developing countries (COM(2004)0686),
- having regard to the UN Food and Agriculture Organisation's Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the context of National Food Security, endorsed by the UN Committee on World Food Security on 11 May 2012 ⁽⁸⁾,
- having regard to the Commission communication to the Council and the European Parliament on EU Forest Law Enforcement, Governance and Trade (FLEGT) Action Plan endorsed in 2003 (COM(2003)0251) and to the bilateral FLEGT Voluntary Partnership Agreements (VPAs) between the EU and partner countries,
- having regard to the UN Guiding Principles for Business and Human Rights and the UN Global Compact,

⁽¹⁾ https://eeas.europa.eu/sites/eeas/files/annual_report_on_human_rights_and_democracy_in_the_world_2016_0.pdf

⁽²⁾ <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N14/468/28/pdf/N1446828.pdf?OpenElement>

⁽³⁾ <https://undocs.org/en/A/RES/71/178>

⁽⁴⁾ <https://undocs.org/A/HRC/36/46/Add.2>

⁽⁵⁾ <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G14/082/52/PDF/G1408252.pdf?OpenElement>

⁽⁶⁾ <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G15/234/15/PDF/G1523415.pdf?OpenElement>

⁽⁷⁾ <https://cmsdata.iucn.org/downloads/durbanactionen.pdf>

⁽⁸⁾ <http://www.fao.org/docrep/016/i2801e/i2801e.pdf>

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- having regard to the Maastricht Principles issued on 28 September 2011, which clarify extra-territorial obligations of states on the basis of standing international law ⁽¹⁾,
 - having regard to the Council conclusions of 15 May 2017 on indigenous peoples ⁽²⁾,
 - having regard to the human rights provisions included in the Cotonou Agreement,
 - having regard to the Declaration of 9 August 2017 by the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, Federica Mogherini, on the occasion of the International Day of the World's Indigenous Peoples ⁽³⁾,
 - having regard to its decision to nominate Aura Lolita Chavez Ixcaquic for the Sakharov Prize for Freedom of Thought in 2017, as the first ever indigenous human rights defender to be nominated for the award,
 - having regard to the Paris Agreement of 12 December 2015 on climate change,
 - having regard to the joint staff working document of 21 September 2015 entitled 'Gender Equality and Women's Empowerment: Transforming the Lives of Girls and Women through EU External Relations 2016-2020' (SWD(2015)0182),
 - having regard to UN General Assembly resolution 64/292 of 3 August 2010 on the human right to water and sanitation ⁽⁴⁾,
 - having regard to its resolution of 25 October 2016 on corporate liability for serious human rights abuses in third countries ⁽⁵⁾,
 - having regard to its resolution of 13 September 2017 on corruption and human rights in third countries ⁽⁶⁾,
 - having regard to its resolution of 6 July 2017 on EU action for sustainability ⁽⁷⁾,
 - having regard to Rule 52 of its Rules of Procedure,
 - having regard to the report of the Committee on Foreign Affairs and the opinions of the Committee on Development and the Committee on Women's Rights and Gender Equality (A8-0194/2018),
- A. whereas the total population of indigenous peoples is estimated to be over 370 million people living in over 70 countries worldwide, representing around 5 % of the total world population, and whereas there are at least 5 000 distinct indigenous peoples; whereas despite their geographical dispersion these peoples face similar threats and challenges;
- B. whereas indigenous peoples enjoy a unique relationship with the land and the environment in which they live, using the natural resources available to establish unique knowledge systems, innovations and practices, which in turn shape a fundamental part of their identity and spirituality and are of great importance for the conservation and sustainable use of biodiversity; whereas indigenous peoples' traditional knowledge has been a significant contributing factor in the development of humanity; whereas commercialisation and/or marginalisation of indigenous peoples' knowledge threatens their role as the traditional holders and custodians of this knowledge;

⁽¹⁾ http://www.etoconsortium.org/nc/en/main-navigation/library/maastricht-principles/?tx_drblob_pi1%5BdownloadUId%5D=23

⁽²⁾ <http://data.consilium.europa.eu/doc/document/ST-8814-2017-INIT/en/pdf>

⁽³⁾ <http://www.consilium.europa.eu/en/press/press-releases/2017/08/08/hr-indigenous-peoples/pdf>

⁽⁴⁾ http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/64/292

⁽⁵⁾ OJ C 215, 19.6.2018, p. 125.

⁽⁶⁾ Texts adopted, P8_TA(2017)0346.

⁽⁷⁾ Texts adopted, P8_TA(2017)0315.

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- C. whereas indigenous peoples' communal rights arise by virtue of a traditional occupation of their territories and whereas the sense of belonging connecting them to these territories does not coincide with the concept of ownership as commonly conceived in western societies;
- D. whereas territories traditionally inhabited by indigenous peoples encompass approximately 22 % of the world's land surface and are estimated to hold 80 % of the planet's biodiversity; whereas indigenous reservations constitute an important barrier against deforestation; whereas the tropical forests inhabited by indigenous peoples and local communities contribute to storing carbon across the tropical forest biome, making them valuable in any strategy to address climate change; whereas indigenous people are among the most vulnerable to the negative impact generated by climate change owing to their lifestyle and close relationship with the land, which depend directly on the constant availability of natural resources;
- E. whereas land is a fundamental, limited and non-renewable natural resource which is an integral part of the natural wealth of every country;
- F. whereas human rights treaties recognise the right of indigenous peoples to their ancestral lands and resources and provide that states must consult indigenous peoples in good faith in order to obtain their free, prior and informed consent pertaining to projects that can have an impact on their traditional ways of life, that may threaten the natural resources they have traditionally cultivated, and continue to depend upon, or that can lead to the displacement of their populations and to a consequential loss of distinct cultural heritage, both tangible and intangible; whereas such consultations should take place before legislative and administrative measures are adopted or applied, in accordance with the right to self-determination of indigenous people, which implies their right to own, use, develop and control their lands, territories, waters, coastal seas and other resources; whereas indigenous peoples have a right to freely determine their political status, freely pursue their economic, social and cultural development and freely use their natural wealth and resources, and in no case are to be deprived of their means of subsistence;
- G. whereas the UNDRIP recognises indigenous peoples' collective and individual rights, in particular their right to their lands, possessions, natural resources, territories, culture, identity and language, to employment, health and education, and to determine freely their political status and economic development;
- H. whereas the collective and individual rights of indigenous peoples continue to be violated in various regions of the world by state and non-state actors, and as a result they continue to face physical, psychological and sexual violence as well as racism, exclusion, discrimination, forced evictions, destructive settlement, illegal or forced expropriation of their traditional domains or deprivation of access to their resources, livelihoods and traditional knowledge; whereas according to the UN, indigenous peoples are facing greater violations of their rights than was the case 10 years ago;
- I. whereas indigenous women face barriers to sexual and reproductive health and rights, including a lack of sexual and reproductive health advice, lack of access to facilities and supplies and legislation banning abortion even in cases of rape, which leads to high levels of maternal mortality, teenage pregnancy and sexually transmitted diseases;
- J. whereas indigenous women face widespread impunity regarding violations of their rights, especially due to the denial of their right to remedy and the lack of monitoring mechanisms and gender-disaggregated data;
- K. whereas states are ultimately responsible for guaranteeing the security, safety and rights of indigenous peoples, including those of indigenous environmental and human rights defenders;

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- L. whereas indigenous languages around the world continue to disappear at an alarming rate, in spite of the fact that languages are a basic component of human rights and fundamental freedoms and are essential to the realisation of sustainable development; whereas intergenerational transmission of indigenous knowledge is vital to addressing global environmental challenges; whereas a UN report published in 2016 ⁽¹⁾ estimates that 95 % of the almost 6 700 languages spoken in the world today are at risk of vanishing by the end of the century, the great majority of those threatened being indigenous languages; whereas states have an obligation to protect and promote indigenous peoples' languages to ensure that these peoples fully enjoy their cultural rights; whereas states should invest in measures to change socially rooted stereotypes;
- M. whereas in some countries large numbers of indigenous people have migrated to major urban centres, where feelings of detachment and loss of cultural values ensue; whereas their traditional knowledge and practices are not adapted to urban contexts and contemporary job market dynamics, which exposes them to poverty and new forms of exclusion and discrimination;
- N. whereas indigenous peoples face alarming poverty, disease and illiteracy rates, insufficient access to safe, clean water, sanitation, healthcare, education, employment and civil rights, including political participation and representation, and high rates of substance abuse and suicide among young people;
- O. whereas women in indigenous communities are particularly marginalised by a lack of access to healthcare, social services and economic opportunities, are discriminated against as a result of their gender, ethnicity and socio-economic backgrounds, leading to higher mortality rates, and are subject to distinct gender-based violence and femicide; whereas according to the UN, at least one indigenous woman in three is raped at some point in her life and rates of maternal mortality, teenage pregnancy and sexually transmitted diseases, including HIV/AIDS, are higher than the average; whereas women often face specific gender-based threats and obstacles, which must be understood from an intersectional perspective;
- P. whereas illicit drug trafficking disproportionately affects indigenous communities as demand for drugs continues to rise and illicit drug producers increasingly push indigenous communities from their traditional land; whereas indigenous people are often physically or economically forced to participate in the drug trade, particularly in transport operations; whereas armed conflicts increase the militarisation of indigenous lands and lead to human rights abuses and the use of excess force on indigenous communities;
- Q. whereas increasing demand and growing competition over natural resources is driving a 'global land rush' that in several countries is putting the territories traditionally inhabited and used by indigenous peoples and local communities under unsustainable pressure; whereas the exploitation of those natural resources by the agribusiness, energy, timber and mining sectors, among other extractive industries, illegal logging, large infrastructure and development projects, governments and the local population constitute one of the main causes of enduring conflict over land tenure and the main cause of water and soil contamination;
- R. whereas development cannot be measured on the basis of growth indicators, but should primarily take account of the reduction of poverty and inequality;
- S. whereas poorly regulated tourism can have a negative cultural and ecological impact on these communities and, in some cases, is the instigating factor in land grabbing;
- T. whereas forcible land grabbing by private companies is usually accompanied by the presence of private security or military forces, leading inter alia to an increase in direct and indirect violence on indigenous peoples' territories, directly affecting communities and, in particular, social leaders and women;

⁽¹⁾ <http://undocs.org/en/E/C.19/2016/10>

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- U. whereas nowadays there is a trend towards the militarisation of some reserves and protected areas, which sometimes overlap with the lands of indigenous and local communities, causing serious human rights violations;
- V. whereas civil conflicts in some countries are related to land rights and are the cause of forced displacements of indigenous and local communities, thus opening the door to land grabbing and landholding concentration;
- W. whereas land grabbing is a complex issue which requires a comprehensive international solution; whereas the protection of indigenous women and girls should be given particular emphasis;
- X. whereas land grabbing is not necessarily a result of foreign investment, and land grabs may also be conducted by governments and local communities;
- Y. whereas there has been an increase in private forms of compensation through which private undertakings offer financial compensation to women who are victims of violence in return for signing an agreement not to sue the undertaking; whereas states bear the primary responsibility for ensuring compliance with international commitments with respect to indigenous peoples' rights and must therefore be primarily responsible for avoiding infringements and promoting truth, justice and reparations for the victims;
- Z. whereas some indigenous peoples around the globe have decided to refuse contact with the outside world, living in voluntary isolation, lack the capacity to defend their own rights, and are therefore especially vulnerable when their rights are violated; whereas these communities are the most vulnerable on the planet and their existence is being imperilled, in particular by oil prospecting, deforestation, drug trafficking and the infrastructures associated with those activities;
- AA. whereas many indigenous peoples continue to be victims of murder, extrajudicial executions, mutilation, torture, rape, arbitrary detentions, physical assault, harassment and intimidation for defending the right to their ancestral territories and natural resources, including their access to water and food, and to their spiritual sites and sacred burial grounds;
- AB. whereas human rights defenders are among the most central and crucial agents of sustainable development, especially when it comes to building societal resilience, and are among the key actors in inclusive democratic governance; whereas these defenders work towards securing not only the rights of their peoples but also the environmental sustainability and natural heritage of all humanity; whereas indigenous human rights defenders and activists work to enable their communities to participate in political processes, social inclusion and economic empowerment and to democratically and peacefully make their voices heard in their respective countries and in the international community;
- AC. whereas in recent years there has been a disturbing increase in homicides, attacks and other forms of violence against human rights defenders and activists, who are among the key actors in sustainable development, in the context of the defence of the rights of indigenous peoples and local communities, environmental rights and land rights; whereas according to Front Line Defenders, of the 312 human rights defenders reportedly murdered around the world in 2017, 67 % were fighting for indigenous peoples' land and defending environmental rights against extractive projects; whereas indigenous human rights defenders often face the systemic impunity of the perpetrators of attacks against them;
- AD. whereas even though indigenous female human rights defenders play a vital role in the protection of women in indigenous communities, their activities have been criminalised and they have been subjected to various forms of violence, including harassment, rape and murder;
- AE. whereas the implementation of non-binding corporate social responsibility and voluntary regulation schemes needs to be improved to protect indigenous and local communities from the violation of their human rights, prevent land grabbing and ensure effective corporate accountability; whereas the lack of control and accountability mechanisms constitutes a major impediment to effective and adequate remedy;

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- AF. whereas a number of EU-based investors and companies, among many others, are involved in hundreds of land acquisition operations in Africa, Asia and Latin America, which in some cases has led to violations of the rights of indigenous and local communities; whereas EU-based actors may be implicated in human rights violations related to land grabbing in different ways, such as through EU-based private and finance companies, that finance land grabbing directly or indirectly, or through public-private partnerships; whereas in many cases, their multiple foreign ramifications can make it difficult to trace their roots directly to countries of origin; whereas even where those roots can be traced, there remain significant legal and practical barriers to accessing justice and accountability via the courts of the EU and its Member States, including as a result of jurisdictional limitations in respect of cases concerning immovable property (including land and natural resources), severe constraints on the value of the remedy available and on legal aid availability, and difficulties in demonstrating parent-company liability;
- AG. whereas most land in developing countries is inhabited, thus exposing the investments and reputation of companies to tenure risks and significantly increasing their operating costs when land transfers occur in a context of conflict, without the prior consent of indigenous and local communities and in contempt of their rights;
- AH. whereas the UN Special Rapporteur for human rights defenders, Michael Frost, has singled out Latin America as a region of concern, where 'government and corporate actors are involved in the murders of environmental human rights defenders';
- AI. whereas the obligation to protect and provide access to remedy under the European Convention on Human Rights applies both to extraterritorial activities and to domestic activities with extraterritorial impact; whereas the degree of commitment of the EU and its Member States to their extraterritorial obligations should be increased considerably;
- AJ. whereas the EU provides assistance for the promotion and protection of democracy and human rights worldwide through the EIDHR, which is complementary to its other external assistance instruments and is mainly channelled through civil society organisations; whereas through its protectdefenders.eu mechanism, the EU provides swift assistance to human rights defenders at risk, helps them meet their most urgent needs and reinforces their capacity to do their work in the medium and long term;
- AK. whereas international financial institutions have a central role to play in ensuring that the projects they fund do not entail or contribute to the violation of the human and environmental rights of indigenous peoples; whereas multinational corporations carry the responsibility of ensuring that their operations and/or supply chains are not implicated in human and environmental rights violations, specifically the rights of indigenous peoples;
- AL. whereas the EU is the largest provider of development aid in the world, a large proportion of which goes to Africa; whereas the European External Action Service (EEAS) and the Commission must carry out exhaustive controls of the funds third-country receptors use, by putting respect for human rights at the forefront of their aid granting policy;
- AM. whereas indigenous peoples within Europe still suffer from marginalisation, discrimination, and social exclusion, which must be combated and redressed using a rights-based approach;
1. Calls for the EU, the Member States and their partners in the international community to adopt all necessary measures for the full recognition, protection and promotion of the rights of indigenous peoples, including to their lands, territories and resources; welcomes the work that civil society and NGOs are doing on these issues;
 2. Calls for the EU to make sure that all its development, investment and trade policies respect the human rights of indigenous peoples as enshrined in human rights treaties and conventions and in the legal instruments that deal with indigenous peoples' rights in particular;

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3. Calls for all states, including the EU and its Member States, to follow all the necessary steps to effectively comply with the provisions contained in ILO Convention No 169 on Indigenous and Tribal Peoples⁽¹⁾ and recalls that all ratifying states are obliged to develop coordinated and systematic action to protect indigenous peoples' rights;
4. Appeals to all states that have not yet ratified ILO Convention No 169 on Indigenous and Tribal Peoples, and in particular to the EU Member States, to do so; deplores the fact that only a few Member States have ratified the Convention so far; calls on the EU to make every effort, through its political and human rights dialogues with third countries, to encourage the ratification of ILO Convention No 169, the UN Convention on the Rights of the Child and the UN Convention on the Rights of Persons with Disabilities, to adopt their optional protocols, and to uphold the UNDRIP;
5. Recognises that steps forward have been made in the recognition of the rights of indigenous peoples and that civil society is increasingly aware of their situation; recognises the EU's contribution in this regard; warns, however, that the presence of this issue in EU policies is still minimal, including in the negotiation of trade and cooperation agreements;
6. Calls for the EU and its Member States to create conditions for the fulfilment of the objectives set out in the UNDRIP and to encourage its international partners to adopt and implement it fully;
7. Draws attention to the role that diasporas play as an interface with and a conduit for knowledge to indigenous peoples;

Human rights of indigenous peoples

8. Calls for the EU and its Member States to support and vote in favour of the Declaration on the Rights of Peasants and Other People Working in Rural Areas that will be voted on in 2018 in the UN Human Rights Council; notes with interest the focus of the 2018 session of the UN Commission on the Status of Women on rural women;
9. Calls on all states, including the EU and its Member States, to legally recognise and accept the territorial autonomy and self-determination of indigenous people, which implies their right to own, use, develop and control their lands, territories, waters and coastal seas, and other resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired;
10. Calls on all states, including the EU and its Member States, to adopt or participate in strategies for the reconstruction of conflict areas in order to promote and safeguard the rights of indigenous people;
11. Takes note of the alarming findings of the study published by the UN in 2010 indicating that the incidence of violence and rape affecting women members of indigenous populations is higher than that for the female population globally; calls, therefore, for the Member States and the EU to condemn unequivocally the use of violence, including sexual violence, against indigenous women; considers that special attention should be devoted to women and girls who are victims of violence, ensuring that they have access to emergency medical and psychological support;
12. Calls for the withdrawal of private security and military forces deployed in the territories of indigenous peoples in violation of their rights;

⁽¹⁾ List of countries that have ratified ILO Convention No 169, which entered into force on 5 September 1991: Argentina, Bolivia, Brazil, Central African Republic, Chile, Colombia, Costa Rica, Denmark, Dominica, Ecuador, Fiji, Guatemala, Honduras, Mexico, Nepal, the Netherlands, Nicaragua, Norway, Paraguay, Peru, Spain and Venezuela.

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13. Calls on all states to ensure that indigenous peoples, in particular women, have access to judicial mechanisms in cases of corporate violations of their rights, and that private forms of remedy that do not ensure effective access to justice are not legitimised; calls on all states to recruit more women into their judicial systems in order to break the patriarchal system that is generally present in those structures; stresses the need to put in place the necessary mechanisms to ensure that indigenous women are not treated in a discriminatory way, including appropriate interpretation services and legal assistance;

14. Welcomes the fact that the European Council made the protection of indigenous peoples' rights a priority, as set out in the Council conclusions of May 2017;

15. Calls on partner countries to ensure that indigenous peoples have universal access to their national population registers as the first step towards recognising their individual and collective rights; calls for the EU to support partner countries in establishing civil registry offices and managing them properly;

16. Notes with concern that human rights risks associated with mining, oil and gas extraction fall disproportionately on indigenous peoples; calls on developing countries to carry out mandatory human rights impact assessments prior to all new activities in these sectors and to disclose their findings; stresses the need to ensure that the legislation governing the granting of concessions includes provisions on free, prior and informed consent; recommends broadening the standards of the Extractive Industries Transparency Initiative to include protection of the human rights of local and indigenous communities;

17. Calls on all states, particularly the EU and the Member States, to include indigenous peoples and rural communities in the decision-making process with regard to strategies for tackling climate change, which should also cover the case of irreparable damage resulting from climate change can force them to migrate and lead to their double discrimination as environmentally displaced and indigenous people;

18. Calls on all states, including the EU and its Member States, to recognise the importance of consulting indigenous peoples in all deliberations on issues that could affect them, thereby guaranteeing their right to free, prior and informed consultation; calls, in this regard, for the establishment of mechanisms at EU level for the consultation and participation of indigenous peoples with a mandate to engage in policy dialogue and monitor the implementation of EU policy, commitments and action plans relating to indigenous peoples; calls on all states, including the EU and its Member States, to create conditions for the effective presence of representatives and leaders of indigenous peoples in civil society and public space, and for their more visible participation in the political system and decision-making processes in matters relevant to them, including constitutional reforms;

19. Invites all states, including the EU and its Member States, to adopt and implement the outcome document's recommendations of the World Conference of Indigenous Peoples 2014 to the UN as well as the recommendations from the UN Permanent Forum on Indigenous Issues and those put forth by the UN Special Rapporteur on the Rights of Indigenous Peoples;

20. Points out that in its resolution on the rights of indigenous peoples, the UN General Assembly proclaimed 2019 the International Year of Indigenous Languages; emphasises that culture is a factor for development;

21. Invites all states, including the EU and its Member States, to contribute to the implementation and realisation of 2019 as the International Year of Indigenous Languages;

22. Urges the EU and its Member States to continue working to ensure physical integrity and legal assistance for indigenous, environmental, intellectual property and land rights defenders, namely through reinforcement of the EIDHR and various existing instruments and mechanisms such as protectdefendeurs.eu, in order to protect human rights and environmental activists, with a dedicated emphasis on women human rights defenders and increased involvement in the initiatives proposed by international organisations such as the UN; requests that the EU instruct its delegations to monitor and support rights defenders, taking particular account of the protection of women, children and people with disabilities, and to report human rights violations in a systematic and forceful manner; calls on the EEAS to take part in the plan

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designed by the Inter-American Commission on Human Rights (IACHR) and the Office of the UN High Commissioner for Human Rights (OHCHR) to protect human rights defenders in Latin America;

23. Denounces the continuing criminalisation of those who defend the rights of indigenous peoples and the right to land throughout the world; calls on all states, including the EU and its Member States, to prevent impunity for any crime committed against defenders of the human rights of indigenous peoples through due investigation and prosecution;

24. Calls on all states, including the EU and its Member States, to ensure that their political strategies fully respect the rights of indigenous peoples and rural communities so that compliance with these rights is always ensured at the time of both creation and expansion of protected areas and in relation to pre-existing protected areas whose creation has previously evicted, excluded or otherwise disproportionately curtailed the rights of indigenous peoples and rural communities;

25. Supports indigenous peoples' requests for international repatriation and the establishment of an international mechanism to fight the sale of indigenous artefacts taken from them illegally; calls on the Commission to support such efforts, including through financial assistance under the EIDHR;

26. Stresses that the international community, including the EU and the Member States, has to make serious commitments to including indigenous persons with disabilities, particularly children, in all policy areas, to promoting the rights and needs of indigenous people with disabilities in the international legal framework, and to ensuring that the free, prior and informed consent of people with disabilities, especially children, is taken into account;

27. Calls on the Commission to launch the EU Action Plan on responsible business conduct to address the implementation of the UN Guiding Principles for Business and Human Rights, including with regard to due diligence and access to remedy; calls on the Commission to mandate the EU Agency for Fundamental Rights (FRA) to collect information on judicial and non-judicial mechanisms in Member States concerning access to remedy for victims of business-related violations, including indigenous people; is of the view that EU partners in the private and public sector should provide complete and accessible information on their compliance with the free, prior and informed consent of indigenous people;

Land grabbing

28. Welcomes the International Criminal Court's 2016 announcement that land grabbing and environmental destruction are the root causes of many human rights violations and may henceforth precipitate charges of crimes against humanity;

29. Remains concerned about the situation of land grabbing as a result of corrupt practices by corporations, foreign investors, national and international state actors, officials and authorities; calls for EU and Member State human rights agendas to place greater emphasis on the issue of land grabbing;

30. Calls for the EU and its Member States to encourage partner states engaged in post-conflict peace building involving land rights to develop measures to enable the return of dislocated indigenous and local communities to their traditional territories, as a crucial factor in achieving sustainable peace and social stabilisation;

31. Deplores the fact that in many countries affected by land grabbing, effective access to justice and remedy for indigenous peoples and pastoralists is limited owing to weak governance and because their land rights are often not formally recognised under local or national legal frameworks; notes, for example, that grazing rights and common pastures are traditional land-use rights based on common law and not on vested ownership rights; urges partner countries to recognise and protect pastoralists' and indigenous peoples' rights, notably to customary ownership and control of their

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lands and natural resources as set out in the UNDRIP and ILO Convention No 169, i.e. by enabling collective registration of land use and by putting in place policies aimed at ensuring more equitable access to land; calls for the EU and its Member States to actively support partner countries in this and in applying the principle of free, prior and informed consent to large-scale land acquisitions, as set out in the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests and in compliance with international human rights law; calls for the EU, furthermore, to support partner countries in improving their land ownership legislation by recognising the universal right of women to have access to land as full owners;

32. Calls for the EU to strengthen the EU Land Policy Guidelines and the protection of human rights in international agreements and treaties, and to promote its values regarding the protection of women and girls, especially women and girls in rural areas who are generally more vulnerable when faced with land changes and who tend to have less access and rights to land;

33. Calls on all states to invest in research to close the gap in knowledge on the impact of land grabs on women and to produce deeper analysis of the gender implications of the phenomenon which would lead to enforceable guidelines to govern land transactions;

34. Urges the EU and all its Member States to request disclosure of land acquisitions involving EU-based corporations and actors or EU-funded development projects in order to increase the transparency and accountability of those acquisitions; calls for the EU to monitor the indispensable free, prior and informed consent of indigenous communities, in order to increase the transparency and accountability of future acquisitions, by instructing and empowering EU delegations and embassies to do so, in association with the relevant NGOs; calls for the EU to be particularly vigilant when it comes to projects supported by international and European financial institutions so as to ensure that this funding does not entail or contribute to the violation of the human and environmental rights of indigenous peoples;

35. Calls on all states to provide for adequate regulations that would hold community leaders accountable for their decisions and actions in the field of land governance involving public, state and community lands and to encourage changes in legal and customary practices that discriminate against women in relation to land ownership and inheritance;

36. Calls on all states, especially the EU and its Member States, to adopt and support the implementation of the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests, and to sign forest law enforcement, governance and trade VPAs with as many relevant countries as possible; calls on the Commission to ensure strict compliance with and implementation of the Timber Regulation ⁽¹⁾ and to sanction Member States that fail to comply with the regulation in the fight against deforestation;

37. Calls on all countries, including the EU and its Member States, to enable the indigenous community to pursue economic development in accordance with global environmental protection policies; urges the EU and its Member States to promote and support indigenous peoples' organisations that have a social development agenda involving the design and development of a legal and institutional framework for the demarcation and titling of indigenous territories; underlines that recognising and formalising indigenous peoples' lands and empowering indigenous peoples' authorities and community members would ensure sustainability and social accountability, and contribute to the resolution of land disputes and conflicts within the state concerned;

38. Calls on all states to take the necessary measures to ensure that state authorities refrain from making public statements or declarations that stigmatise and undermine the legitimate role played by indigenous women in protecting their territory in the context of land grabbing and resource extraction, and encourages public recognition of the important role they play in democratic societies;

⁽¹⁾ Regulation (EU) No 995/2010 of the European Parliament and of the Council of 20 October 2010 laying down the obligations of operators who place timber and timber products on the market (OJ L 295, 12.11.2010, p. 23).

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39. Calls on all states to respect, protect and uphold smallholders' land rights and the right of individuals to other resources such as water, forests, livestock and fisheries; recognises that discriminatory expropriation of land and forced evictions, which adversely affect populations in developing countries, may have significant impacts on their livelihoods and undermine fundamental human rights such as the right to life, food, housing, health and property;

Business and human rights

40. Calls for the EU to ensure that the UN Guiding Principles for Business and Human Rights are fully integrated into the national programmes of Member States and incorporated into the practices and operations of transnational corporations and business enterprises with European ties;

41. Urges the Union to maintain support for the UN Guiding Principles for Business and Human Rights and to continue to promote their proper application;

42. Calls for the EU to engage in constructive negotiations on a UN treaty on transnational corporations that guarantees respect for the human rights of indigenous peoples, and of women and girls in particular;

43. Recommends that the EU develop a European regional action plan for business and human rights, guided by the principles enshrined in the UNDRIP, and calls for the development and enforcement of national action plans focused on this issue;

44. Insists that the EU and its Member States must work to hold multinational corporations and international financial institutions to account for their impact on indigenous communities' human and environmental rights; calls for the EU to ensure that all violations of the rights of indigenous peoples by European companies are duly investigated and sanctioned through appropriate mechanisms and encourages the EU to withdraw any form of institutional or financial support in the case of human rights violations;

45. Calls for the EU to set up a grievance mechanism, in accordance with Commission Recommendation 2013/396/EU of 11 June 2013 ⁽¹⁾, whereby indigenous and local communities can lodge complaints regarding violations and abuses of their rights resulting from EU-based business activities, regardless of the country where the violations and abuses occurred, in order to ensure that the victims have effective access to justice as well as to technical and legal assistance; encourages all states, including Member States and the EU, to engage in the negotiations to adopt a legally binding international human rights instrument for transnational corporations and other companies with respect to human rights, through active participation in the open-ended intergovernmental working group created at UN level;

46. Calls for the Union and its Member States to guarantee access to remedy for victims of human rights abuses and violations arising from the activities of Union-based companies by removing all barriers, both practical and legal, so that the division of responsibilities does not prevent accountability or deny access to justice in the country in which the abuse occurred;

47. Recalls the responsibility of companies to guarantee the right of indigenous peoples to free, prior and informed consultation when projects, works or activities are to be carried out within their territories, and to incorporate and subsequently apply corporate social responsibility in their policies;

48. Calls for the EU to fulfil its extraterritorial duties related to human rights; calls for the EU to devise clear rules of conduct and regulatory frameworks for extraterritorial action by companies and investors that fall within its jurisdiction, in order to ensure that they respect the rights of indigenous peoples and local communities and that they can be properly held accountable and sanctioned when their activities result in the violation of those rights; encourages the Commission to consider effective mechanisms on due diligence obligations for companies to make sure that imported goods are not linked to land grabbing and serious violations of the rights of indigenous people; urges the EEAS to develop operational tools to provide guidance for staff in EU delegations;

⁽¹⁾ OJ L 201, 26.7.2013, p. 60.

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Sustainable and economic development for indigenous peoples

49. Invites the EU and its Member States to integrate the issue of the rights of indigenous peoples and land grabbing into the EU's implementation of the 2030 Agenda for Sustainable Development;

50. Highlights the key role played by indigenous people, through their lifestyle and development models, in protecting the environment;

51. Invites the EU to urge its partner states, in the framework of their development cooperation with third countries, to take particular account of the situation of indigenous peoples, including by drawing up inclusive social policies in traditional territories or urban environments, and, in the context of poverty reduction measures, to mitigate the effects of uprooting and of the mismatch between urban contexts and their traditional capabilities and cultural specificities;

52. Underlines the direct impact that climate change has on indigenous women, forcing them to abandon their traditional practices or to be displaced, with the consequent risk of experiencing violence, abuse and exploitation; calls on all states, including the EU and the Member States, to include indigenous peoples, and especially indigenous women and rural communities, in their strategies for tackling climate change and in the design of efficient climate strategies relating to adaptation and mitigation, taking gender-specific factors into account; requests that the issue of climate-induced displacement be taken seriously; calls for strengthened international cooperation in order to ensure climate resilience;

53. Stresses the high relevance of the Sustainable Development Goals (SDGs) with regard to indigenous peoples, notably SDG 2 (zero hunger), 4.5 (access to education) and 5 (gender equality); reiterates that indigenous peoples around the world suffer disproportionately from violations of human rights, crime, racism, violence, exploitation of natural resources, health problems, and high rates of poverty, accounting for 15 % of those living in poverty while representing only 5 % of the world's population; emphasises that full and thorough protection must be given to indigenous leaders and human rights defenders who speak out against injustices;

54. Recalls that the 2030 Agenda addresses these development concerns of indigenous peoples, and underlines that further efforts are needed for its implementation; stresses the need to strengthen the Indigenous Peoples Major Group for Sustainable Development (IPMG) as the global mechanism for coordination and concerted efforts to advance the rights and development priorities of indigenous peoples; calls on the Commission to better liaise with the IPMG and to include it in its multi-stakeholder platform on the implementation of the SDGs;

55. Recalls that 80 % of forests worldwide constitute traditional lands and territories of indigenous peoples; stresses the vital role of indigenous peoples for sustainable management of natural resources and conservation of biodiversity; recalls that the UN Framework Convention on Climate Change (UNFCCC) calls upon its states parties to respect the knowledge and rights of indigenous peoples as safeguards in implementing the REDD+ programme; urges partner countries to adopt measures to effectively engage indigenous peoples in climate change adaptation and mitigation measures;

56. Notes that between 200 and 500 million people worldwide practise pastoralism and that pastoralism is central to livelihood strategies in the drylands and mountainous regions of East Africa; stresses the need to foster sustainable pastoralism in order to achieve the SDGs; encourages the EU and its Member States to support the African Governance Architecture (AGA), and in particular the African Court of Human and Peoples' Rights, in order to implement the African Union Policy Framework on Pastoralism in Africa and, more broadly, to recognise pastoralists' and indigenous peoples' rights related to communal ownership of ancestral land, their right to freely dispose of their natural resources and their rights to culture and religion;

57. Recalls the right of governments to regulate in the public interest; recalls equally that international investment agreements have to comply with international human rights law, including the provisions on indigenous peoples, and calls for greater transparency in this regard, notably through the setting up of adequate consultation procedures and mechanisms in cooperation with indigenous peoples; calls on development finance institutions that fund investments to strengthen their human rights safeguards to ensure that the exploitation of land and resources in developing countries does not lead to any human rights violations or abuses, with particular regard to indigenous peoples;

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58. Calls on all states to commit to ensuring that indigenous peoples have genuine access to health, education, employment and economic opportunities; urges all states to promote the inclusion of intercultural public policies and indigenous languages, history and culture in their school programmes or to offer supplementary extracurricular classes to preserve, revitalise and promote indigenous peoples' culture at both national and international level; considers that the development of initiatives to raise awareness among civil society, the general public and the media of the importance of respect for the rights, beliefs and values of indigenous peoples could contribute to tackling prejudice and misinformation;

59. Calls for the EU and its partner states to provide culturally competent mental health services in partnership with indigenous communities in order to prevent substance abuse and suicide; stresses the importance of supporting organisations of indigenous women in order to empower women and increase their ability to engage in civil society;

60. Calls for the EU and its Member States to support the efforts of indigenous peoples and local communities to develop their own business and land management models;

61. Calls on all states to ensure that indigenous communities benefit from sustainable tourism revenues and are protected from the adverse impact that mass tourism might bring, and welcomes examples of shared management of reserves and protected areas that allow better protection of ecosystems and control of tourism flows; recalls, in this connection, the importance of the concept of sustainable development;

EU cooperation policy with third countries

62. Recommends that greater prominence be given to the situation of indigenous people in the EU's foreign policy, including in its human rights dialogues with third countries and in trade, cooperation and development agreements; insists that the Council systematically report back on EU action in support of indigenous peoples in the Annual Report on Human Rights and Democracy in the World; calls for the EU and its Member States to take into account the findings of the Universal Periodic Review (UPR) and of the UN Human Rights Treaty Bodies in the abovementioned EEAS Annual Report in order to ascertain the alignment of their policies with the rights of indigenous peoples;

63. Emphasises that the EU and its Member States must raise the human rights of indigenous peoples and indigenous human rights defenders in bilateral and multilateral negotiations and diplomatic communications, and push for the release of imprisoned human rights defenders; calls for the EU and its Member States to work to ensure that third country governments provide appropriate protection to indigenous communities and human rights defenders, and bring perpetrators of crimes against them to justice;

64. Urges EU delegations and Member State embassies to review and improve their implementation of the EU Guidelines on Human Rights Defenders, taking into account the specific needs of and threats to indigenous human rights defenders, as well as the specific situation of indigenous human rights defenders who face multiple discrimination, such as women, the elderly, LGBTI people and those with disabilities; insists, in that connection, that EU delegations and Member State embassies provide their staff with appropriate training to enable them to work with civil society and human rights defenders, maintain contacts and provide support where needed;

65. Stresses the need to enable indigenous communities to benefit from the latest information technology in order to provide them with a better quality of life and better healthcare, and that this is an area in which the EU can play a vital role; reiterates the right of indigenous peoples to determine their own livelihoods and stresses the need for sustainable development;

66. Calls on all states to ensure access to high-quality health services and rights, particularly sexual and reproductive health services and rights, for indigenous women and girls; calls on the Commission and the EEAS to promote their access to sexual and reproductive health services in EU development cooperation programmes;

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67. Calls on all states, including the EU and its Member States, to collect gender-disaggregated data on the situation of indigenous women, including with regard to recognition of and access to land rights, violence against women and food security;

68. Stresses that foreign investment by companies can bring economic and technological progress, result in employment and infrastructure development and give women the opportunity to become self-sufficient by boosting employment; underlines that increasing investment activity in developing countries is an important step towards boosting national and regional economies;

69. Calls for the EU and its Member States to continue to develop specific strategies to ensure the effective implementation of SDG 16 on the promotion of peaceful and inclusive societies, thereby ensuring that the targeting, persecution and killings of human rights defenders are combated and prevented and that the perpetrators are prosecuted and held accountable;

70. Calls for the EU to ensure that all EU-funded development projects that are implemented on indigenous lands should rigorously comply with the principles of free, prior and informed consent, respect for human rights, and freedom of expression and association, in order to prevent a negative impact on the livelihoods and culture of indigenous peoples;

71. Notes that the Commission, the EEAS and the Member States must take a holistic and integrated approach to sustainable development, and take account of human rights and environmental considerations when addressing trade and economic relations; calls on the Commission to raise cases of human rights violations and attacks on or persecution of human rights defenders in the context of trade negotiations and systems such as the Generalised Scheme of Preferences (GSP);

72. Calls for the EU to establish a mechanism to carry out independent impact assessment studies prior to the conclusion of trade and cooperation agreements and the implementation of development projects in order to measure and prevent their deleterious effects on the rights of indigenous and local communities; insists that the impact assessment be conducted with the significant participation of civil society and that the findings duly be taken into account in economic agreements and development projects; calls for the EU to reassess the execution of projects in the event of human rights violations;

73. Calls for the EU and its Member States to work in all appropriate international arenas to raise awareness of the situation of the human and environmental rights of indigenous peoples and the key role of environmental human rights defenders in the conservation of biodiversity and sustainable development;

74. Recalls with concern that the EU and its Member States must continue to work to guarantee the rights and social inclusion of indigenous peoples in Europe, notably the Sami people, and recognises the important role of community activists and human rights defenders in that regard;

75. Calls for the EU to increase support to indigenous peoples in its development cooperation programmes and to strengthen projects to empower them, notably in terms of capacity building, under the EIDHR and the Development Cooperation Instrument (DCI); underlines the need for continued resources for indigenous peoples to enable them to effectively engage through their representatives with EU and UN policies and institutions, including in relation to business and human rights; urges the EU delegations in relevant countries to monitor closely the situation of indigenous human rights defenders and to provide all appropriate support;

76. Calls on the EU delegations to monitor closely the situation of indigenous peoples and to engage in a continuous dialogue with them at both national and regional level; insists that the human rights focal points in relevant EU delegations be made explicitly responsible for issues related to indigenous peoples and that staff in these delegations receive regular training on the rights of indigenous peoples;

77. Calls for the EU and its partner states to enhance cooperation with indigenous communities in discussions of drug policies; reiterates that strategising against the illicit drug market is necessary in order to protect indigenous people and lands; calls for the EU and its partner states to ensure that security measures aimed at combating the drug trade respect the rights of indigenous communities and prevent innocent casualties in the conflict;

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78. Exhorts the EU to deepen, expand and strengthen the objectives, priorities and actions concerning indigenous peoples contained in the Strategic Framework and Action Plan on Democracy and Human Rights, and asks for the mandate of the Special Representative for Human Rights to be modulated, empowering the Special Representative to give greater visibility to issues of indigenous peoples rights and their advocates;

79. Recalls the EU's commitment to following a rights-based approach to development, which includes respect for indigenous peoples' rights as defined in the UNDRIP, and draws particular attention to the principles of accountability, participation and non-discrimination; strongly encourages the EU to continue its work on operationalising this rights-based approach in all development activities and to set up a task force with Member States for this purpose; calls for the respective implementation plan to be updated with clear timelines and indicators to measure progress;

80. Recalls Article 208 of the Treaty on the Functioning of the European Union and the principle of Policy Coherence for Development; deplores the fact that the ongoing revision of the Renewable Energy Directive ⁽¹⁾ has so far failed to introduce social and sustainability criteria that take into account the risk of land grabbing; recalls that the directive should be consistent with international tenure right standards;

81. Calls on the EU delegations to reinforce the dialogue with indigenous peoples in order to identify and prevent human rights violations; asks, in particular, the European Commission and the Member States to establish an effective administrative complaint mechanism for victims of human rights violations and other harmful impacts induced by official development assistance-funded activities with a view to initiating investigation and reconciliation processes; stresses that this mechanism should have standardised procedures, be of an administrative nature, and thus be complementary to judicial mechanisms;

82. Highlights that the FLEGT Action Plan, and in particular VPAs, could play a more significant role in empowering indigenous and forest communities in a number of tropical forested countries, and urges the EU and VPA partners to allow these communities to play a greater role in national policy processes; calls for the EU to provide more financial and technical assistance to partner countries in order to protect, maintain and restore forest ecosystems, including by improving governance, to clarify and strengthen land tenure, to respect human rights, including the rights of indigenous peoples, and to support protected areas that uphold community rights;

83. Stresses the need to adopt specific measures to address the problem of conflict timber, to stem the flow of conversion timber, and to shift investment away from forest-damaging activities resulting in displacement of local and indigenous communities; calls for the EU to adopt additional measures to support the protection and restoration of forest ecosystems and their communities, and to eliminate deforestation from the EU's supply chains, as part of a new EU Action Plan on deforestation, forest degradation and respect for forest communities' tenure rights;

84. Points out that we in the EU still have much to learn about sustainable use, for example of forests, from indigenous peoples, who, moreover, scarcely contribute to climate change because of their way of life, but are particularly affected by it, because of drought or desertification, for example, an impact that affects women in particular;

85. Calls on the EEAS, the Commission and the Member States to prioritise investment in support of civil society, human rights defenders and, in particular, indigenous environmental human rights defenders, to ensure the existence of long-term protection mechanisms to support them, in particular protectdefenders.eu, and to guarantee that they meet existing funding commitments to human rights defenders at risk; encourages its delegations and committees to meet regularly with indigenous communities and human rights defenders when visiting the relevant countries; recommends that a standing rapporteur on indigenous people be appointed by the relevant committee/subcommittee with the objective of monitoring the human rights situation, and in particular the implementation of the UNDRIP and ILO Convention No 169;

⁽¹⁾ Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC (OJ L 140, 5.6.2009, p. 16).

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86. Calls for the EU and its Member States to engage in dialogue and cooperate with the indigenous peoples and local communities of the Arctic in order to guarantee that their positions and rights are respected within the framework of EU development policies likely to affect that region;

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87. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the European External Action Service and the EU delegations.
