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Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Panel discussion on the rights of indigenous peoples

Report of the Office of the United Nations High Commissioner for Human Rights

Summary

The present report contains a summary of the proceedings of the annual half-day panel discussion on the rights of indigenous peoples that was held at the forty-eighth session of the Human Rights Council, including summaries of the opening statements and of the presentations made by panellists and highlights from the interactive discussion that followed. Pursuant to Council resolution 45/12, the theme of the panel discussion was the situation of human rights of indigenous peoples facing the coronavirus disease (COVID-19) pandemic, with a special focus on the right to participation.



I. Introduction

1. As mandated in resolution 18/8, the Human Rights Council held its annual half-day panel discussion on the rights of indigenous peoples, on 28 September 2021. Pursuant to Council resolution 45/12, the theme of the discussion was the situation of human rights of indigenous peoples facing the coronavirus disease (COVID-19) pandemic, with a special focus on the right to participation.
2. The panel discussion was aimed at fostering a deeper understanding and assessing the impact of the COVID-19 pandemic on indigenous peoples, as well as identifying good practices, lessons learned to date and current challenges in the response to and recovery from COVID-19. It also focused specifically on indigenous peoples' right to participation in the context of the pandemic, including participation in developing and implementing COVID-19 measures, the protection of indigenous peoples and their lands and resources during and in the aftermath of the pandemic, and participation in the provision of vaccines.
3. The panel was chaired and moderated by the Vice-President of the Human Rights Council, Keva L. Bain, and comprised the following panellists: Chair of the Expert Mechanism on the Rights of Indigenous Peoples, Megan Davis; Special Rapporteur on the rights of indigenous peoples, José Francisco Calí Tzay; and Chair of the Permanent Forum on Indigenous Issues, Anne Nuorgam.
4. Two of the panellists delivered their speeches and engaged in subsequent discussions remotely owing to circumstances relating to COVID-19 and the concomitant restrictions.
5. The panel discussion was accessible to persons with disabilities and was webcast and recorded.¹

II. Opening of the panel discussion

6. The Vice-President of the Human Rights Council opened the panel discussion.
7. The Assistant Secretary-General for Human Rights began by emphasizing that indigenous peoples had been disproportionately affected by COVID-19 and that many of them had lost their lives. The pandemic had exposed and exacerbated pre-existing structural inequalities and systemic racism, which had deepened the impact of unequal access to quality health care and other social services.
8. She underlined the fact that risk groups – indigenous children, persons with disabilities, women and older persons – had been hit particularly hard. The pandemic had also had an impact on the transmission of indigenous languages and traditional knowledge, affecting their unique cultures. That was of particular concern, including in the light of the paramount objective of leaving no-one behind, as reflected in the Sustainable Development Goals.
9. The Assistant Secretary-General drew attention to the numerous documents that had been issued since the outbreak of COVID-19 attesting to the disproportionately negative impact the pandemic had had on indigenous peoples globally, in terms of both the spread of the virus and effective containment measures. The reports and statements, including the Secretary-General's policy brief on COVID-19 and human rights² and the guidance note issued by the Office of the United Nations High Commissioner for Human Rights on COVID-19 and indigenous peoples' rights,³ provided recommendations to States to place human rights at the centre of their response; to systematically and adequately include and consult

¹ See <https://media.un.org/en/asset/k18/k18er48f87>.

² See

www.un.org/sites/un2.un.org/files/un_policy_brief_on_human_rights_and_covid_23_april_2020.pdf.

³ See

www.ohchr.org/Documents/Issues/IPeoples/OHCHRGuidance_COVID19_IndigenouspeoplesRights.pdf.

indigenous peoples therein; and to ensure that they were informed about and protected from the disease in a culturally appropriate manner.

10. She emphasized that the implementation of those recommendations by States was imperative as they reflected their human rights obligations, guided by the United Nations Declaration on the Rights of Indigenous Peoples and other relevant international instruments.

11. The Assistant Secretary-General also emphasized the importance of the participation of indigenous peoples in United Nations forums, particularly on issues that affected them. In that regard, she acknowledged the ongoing progress regarding the enhanced participation of indigenous peoples at the United Nations. That encompassed the process before the General Assembly, as well as discussions within the Human Rights Council, including an intersessional round table on the participation of indigenous peoples in Council meetings, and the recommendations that would be included in the report of the forty-ninth session of the Council. She stressed that, given the disproportionate impact COVID-19 had had on indigenous peoples, their participation was more critical than ever, particularly in recovery efforts and to effectively reverse the trend of growing inequality.

12. She referred to reports of the Expert Mechanism on the Rights of Indigenous Peoples⁴ and the Special Rapporteur on the rights of indigenous peoples,⁵ which had shed light on pre-existing disparities in public health and social security systems, leaving indigenous peoples particularly vulnerable to the disease. She also mentioned a report of the Permanent Forum on Indigenous Issues, in which it had highlighted the particular vulnerabilities of indigenous older persons and those living in voluntary isolation.⁶ She underlined the fact that the Expert Mechanism had dedicated its thirteenth annual session, held in 2020, to the impact of COVID-19 on indigenous peoples and had, in its subsequent report, emphasized good practices and the critical link between self-determination and how indigenous peoples had fared during the pandemic.⁷

13. Lastly, she noted that the Special Rapporteur had presented a report during the forty-eighth session of the Council, following up on his 2020 report, in which he had focused on the impact of States' COVID-19 recovery plans on indigenous peoples. In that report, he had recommended greater inclusion and participation of indigenous peoples in the recovery process, as well as increased support for indigenous-led initiatives during the recovery period.

III. Summary of the proceedings

A. Contribution of the panellists

14. Ms. Davis began by acknowledging, along with the other members of the Expert Mechanism, all those who had lost their lives as a result of COVID-19, including many indigenous peoples. She also acknowledged the ensuing loss of traditional knowledge and the broader impact on indigenous peoples' communities and cultures.

15. In 2020, the focus of the annual session of the Expert Mechanism on the Rights of Indigenous Peoples had been the impact of COVID-19 on indigenous peoples.⁸ During the discussions held in regional consultations, indigenous peoples' representatives had described the universal challenges they faced, including the underlying structural inequalities for indigenous communities that the pandemic had exacerbated, such as unequal access to adequate health care and potable water.

16. She highlighted the disproportionate impact COVID-19 had had on indigenous peoples globally, with women, children, older persons and persons with disabilities suffering the most. Moreover, indigenous peoples were more likely to die of COVID-19, were being

⁴ [A/HRC/46/72](#).

⁵ [A/75/185](#).

⁶ [E/C.19/2021/9](#).

⁷ [A/HRC/46/72](#).

⁸ See [A/HRC/46/72](#).

hit the hardest by its socioeconomic consequences and their inadequate access to health care and other key services had increased the likelihood of them catching the virus.

17. Indigenous peoples had reported a lack of information in indigenous languages and increased violence against women and children. They had also spoken of the loss of older persons and with them, traditional knowledge. She drew links between the pandemic and climate change. Indigenous peoples had also reported facing discrimination by the broader community and being targeted as carriers of the virus. She underlined the increased intimidation and repression of indigenous human rights defenders during the pandemic and the failure by democratic structures to hear indigenous representatives' voices.

18. She referred to the previous annual session of the Expert Mechanism, during which many indigenous children had mentioned the impact of the pandemic on their right to education. That theme that had been covered in the study of the Expert Mechanism on the rights of the indigenous child.⁹

19. She underscored the negative impact of COVID-19 on the application of the principle of free, prior and informed consent reported by indigenous peoples and on their participation in decision-making.

20. While there had been some positive examples of cooperation between States and indigenous peoples in responses to COVID-19, the Expert Mechanism had identified a frequent lack of inclusion of indigenous peoples in the adoption of COVID-19 measures by States. Some worrisome trends had also been noted, such as States moving ahead with development projects without consulting indigenous peoples and an increase in online consultations, despite the fact that many indigenous peoples had little or no access to a reliable Internet connection.

21. In some cases, States had released emergency funding for indigenous communities to take their own decisions during the pandemic, while in others, government responses had not adequately considered indigenous peoples. In many States, responses had not taken into account indigenous lifestyles and livelihoods during lockdowns and restrictions on movement, and economic measures had not been tailored to indigenous-owned businesses.

22. She reiterated indigenous peoples' plea to work together to combat the virus. She underlined the fact that recovery measures and State responses should be provided in accordance with the free, prior and informed consent of affected indigenous peoples, and that COVID-19 responses should be controlled by indigenous peoples in their own communities.

23. Self-determination was a critical foundational right upon which the enjoyment of all other indigenous peoples' rights was dependent. The more autonomy indigenous peoples had and the better they were able to exercise their right to self-determination, the better they had fared during the pandemic. Indigenous peoples from all regions had cited good practices involving indigenous communities self-isolating and other self-reliance measures, including a resurgence of traditional practices, in exercise of their right to self-determination. They had spoken of having stemmed the outbreak of COVID-19 by locking down their communities early, establishing checks on tribal borders and organizing culturally appropriate biosecurity measures that harnessed traditional medicinal knowledge. Some had developed their own local pandemic plans and others had come together regionally. Indigenous women had led many of those initiatives.

24. In conclusion, she reiterated the need to prioritize vaccines for indigenous peoples and the importance of indigenous authorities being involved in immunization planning and delivery, ensuring that indigenous peoples were adequately consulted and included in all COVID-19 recovery plans. Recovery plans should not only deal with the current crisis, but also include prevention measures and address underlying structural inequalities. She underscored that the pandemic must not be used to restrict the rights of indigenous peoples, such as the right to participation in decision-making and their right to self-determination. On the contrary, during such times of crisis, exercising those rights was more critical than ever.

⁹ [A/HRC/48/74](#).

25. Mr. Calí Tzay noted that, over a year after the COVID-19 pandemic had begun, indigenous peoples continued to face severe challenges as a result of it. In many States, little or no effort had been made to involve or consult with indigenous peoples in the design of recovery policies, address their specific needs for assistance or adopt culturally appropriate recovery measures. It was particularly concerning that the existing recovery efforts were having negative impacts on indigenous peoples.

26. Nationwide measures to stop the pandemic were being applied to indigenous territories without indigenous peoples' free, prior and informed consent and without taking into account the systemic barriers faced by recipients. By failing to consult adequately with indigenous peoples, many Governments had adopted responses without the participation of indigenous peoples. In some countries, financial support had been delayed by intermediary government agencies rather than distributed to the affected communities. Other countries had relied entirely on civil society or volunteers to provide indigenous peoples with assistance.

27. Health support and economic relief for indigenous peoples, where it had been provided, had been delivered only after a significant delay. The response had rarely been developed in collaboration with indigenous organizations and had often been part of a wider strategy for groups in vulnerable situations. As a result, those responses had yet again failed to take adequately into consideration indigenous peoples' specific needs according to their lifestyles and whether they lived in communities, urban settings, voluntary isolation or initial contact.

28. He expressed deep concern about the increase in illegal deforestation, incursions, land grabbing and violence during the pandemic, for which there had been little government aid or oversight. Emergency orders were being used to accelerate natural resource exploration and extraction located on indigenous land and territories. The lack of formal recognition and protection of indigenous lands was leading to violent incursions and killings, resource extraction, food insecurity, deforestation and evictions.

29. In his 2021 report to the Human Right Council,¹⁰ he had noted that vaccination plans were being adopted in the absence of meaningful consultations with indigenous communities to ensure that they were informed and to address their cultural and linguistic needs, physical isolation and the lack of health-care infrastructure. That in turn, compounded by systemic marginalization and discrimination, had resulted in low vaccination rates among indigenous peoples.

30. In that same report, he had also identified some initiatives led by indigenous peoples that had achieved positive outcomes during the COVID-19 recovery phase. In Brazil, the Kuikuro people had formed partnerships with hospitals, set up their own health centre and hired doctors and nurses to stay with them and help with prevention. In Thailand, Karen people had performed rituals, shutting down their villages and not allowing anyone to enter. In Bangladesh, the Mro indigenous communities had put up bamboo fencing at the entrance of their territory to isolate their villages. Rather than relying solely on government aid, indigenous peoples were coordinating community-level responses that included reconnecting with scientific knowledge and managing humanitarian and mutual aid networks. He emphasized the fact that States must fulfil their obligations to provide support for protection plans designed by indigenous peoples in an autonomous manner.

31. He underlined that inclusion and participation were essential to preserve distinct ancestral cultures, knowledge and practices, which could be threatened by the imposition of measures that did not recognize the specific role and characteristics of indigenous peoples. The key element for an efficient State response to the pandemic for indigenous peoples was respect for the autonomy of indigenous peoples to manage the situation locally, while providing them with the information and the financial support they identified as necessary.

32. In conclusion, he noted that indigenous peoples needed to be included at the early stages of contingency planning. Recovery and post-pandemic decision-making must involve indigenous representatives, leaders and traditional authorities in the design and implementation of culturally appropriate recovery efforts. He specifically highlighted that

¹⁰ [A/HRC/48/54](#).

States should involve indigenous organizations and leaders in the design and implementation of vaccine programmes in order to combat anti-vaccine misinformation and address historical mistrust, and should promote information in indigenous languages. He encouraged Governments to adopt moratoriums on extractive projects that had an impact on indigenous lands during the COVID-19 recovery phase and to ensure that private companies adopted COVID-19 protocols that respected the right of indigenous peoples to free, prior and informed consent. The implementation of effective measures to ensure culturally appropriate access to health facilities and to remove barriers to accessing health care were also indispensable to the overall effort to respond to the pandemic.

33. Ms. Nuorgam said that the COVID-19 pandemic had exposed, and in many instances exacerbated, the pre-existing inequalities endured by indigenous peoples. During the pandemic, indigenous peoples in more than 90 countries had suffered negative effects on their human rights due to inequities and discrimination, including limited or no access to information, holistic medical care, medical supplies, food, housing and more. The lack of recognition of indigenous peoples by some Member States often produced a culturally inadequate response.

34. The Permanent Forum on Indigenous Issues had identified key problems for indigenous peoples during the pandemic such as the digital divide, the lack of or insufficient degree of autonomy, self-governance, consultation and participation, which were regarded as crucial for the inclusion of indigenous peoples in the global community's plans to "build back better".

35. She recalled that the 2020 annual session of the Permanent Forum had been suspended and eventually cancelled due to the COVID-19 pandemic, and the 2021 session had been conducted mostly in an online, virtual format for Forum members and Member States, and entirely in a virtual format for indigenous peoples, making their participation significantly more difficult than usual. The informal hearings with indigenous peoples on the topic of enhancing their participation in relevant United Nations meetings and on issues affecting them had also been cancelled. Indigenous peoples had requested that the session be postponed, noting that they could not be adequately represented in virtual consultations.

36. She underlined that the digital divide had negatively affected a considerable number of indigenous children and young people, who had lost over a year of education due to cancelled in-person classes and the lack of online connectivity. Overall, the digital divide had obstructed the participation of indigenous peoples in important decision-making spaces at all levels, threatening to render them invisible and posing obstacles in the exercise of their rights. Indigenous peoples must be able to reap the benefits of digital connectivity in a changed world if their full participation was to be ensured.

37. During the twentieth session of the Permanent Forum, held in 2021, the issues of participation, autonomy and self-governance had been extensively discussed. The importance of government recognition of indigenous peoples' representative institutions for the achievement of Sustainable Development Goal 16 had also been highlighted, especially in the context of the pandemic, since those institutions promoted and protected indigenous peoples' cultures, health, livelihoods, identities and languages. It had also been noted at that session that indigenous peoples' needs had often been neglected in the emergency measures taken by Member States in response to the COVID-19 pandemic. She stressed that that problem had been widespread and had arisen not only during the pandemic. Despite the fact that the right to participation was recognized in the United Nations Declaration on the Rights of Indigenous Peoples, many States failed to establish adequate mechanisms to ensure the participation of indigenous peoples at all levels.

38. Noting that there had been some positive outcomes, she highlighted the ability of indigenous peoples to exercise their right to autonomy and self-determination during the COVID-19 pandemic and the commitment of the Permanent Forum to facilitating informal online regional dialogues with representatives of indigenous peoples to support the development of guiding principles for the realization of their rights to autonomy and self-governance.

39. She reported that online regional dialogues were planned to be organized before the end of 2021 for each of the seven sociocultural regions and should result in an informal paper

to support further discussion at the 2022 session of the Permanent Forum. The Permanent Forum welcomed the participation and contributions of Member States during the informal dialogues.

40. In conclusion, she stated that the world was confronting various crises that had been amplified during the COVID-19 pandemic and hence the response must be global, interconnected and built upon support for indigenous autonomy and self-governance.

B. Interactive discussion

41. Representatives of several Member States, national human rights institutions, indigenous communities and non-governmental organizations (NGOs) took the floor to make comments or ask questions. Overall, concern was expressed by participants about the fact that the COVID-19 pandemic had exacerbated the challenges faced by vulnerable and marginalized groups, including the majority of indigenous peoples in the world. Those challenges included poverty, access to health, to technological services and to remote educational opportunities, food insecurity and discrimination. Some States expressed concern at reports that some States had allegedly used the pandemic as a pretext to undermine the rights of indigenous peoples and that violence and harassment against indigenous human rights defenders had escalated. The paramount importance of the role of human rights defenders was emphasized, as was the need to hold accountable the perpetrators of harassment and attacks against them.

42. Representatives of some States expressed concern about the use of the pandemic and its restrictions to curtail indigenous peoples' rights to participate in decision-making and to consultation, allowing for megaprojects to take place on lands and territories traditionally inhabited and used by indigenous peoples without seeking their free, prior and informed consent. It was specifically highlighted that access to land and natural resources was essential for indigenous peoples' culture and traditional medicine and for them to be able to survive the pandemic. Representatives of other States particularly highlighted the fact that in some cases, the authorities had made use of COVID-19 measures to continue perpetrating crimes against indigenous peoples, widely utilizing intimidation, arbitrary arrests, enforced disappearances, killings and denying them the right to peaceful assembly and freedom of speech. Other participants noted that some ruling political forces were using the pandemic to dismantle solid environmental and indigenous governance.

43. With regard to intersectionality, representatives of some States and international organizations noted the multiple and intersecting discrimination faced by many indigenous lesbian, gay, bisexual, transgender, queer and intersex persons and indigenous persons with disabilities. Throughout the world, indigenous lesbian, gay, bisexual, transgender, queer and intersex persons had experienced added challenges in accessing essential health care during the long months of the COVID-19 pandemic. The representatives recommended that the United Nations engage in a sustained dialogue with indigenous peoples and communities, particularly in terms of sexuality and gender. Such engagement should include dialogue with religious leaders and lesbian, gay, bisexual, transgender, queer and intersex persons from those communities. Many indigenous women and girls also faced multiple and intersecting discrimination and had been particularly affected by the pandemic, as they were more likely to be working in the informal sector and to be the primary caregivers in the household. Moreover, they had less access to health services owing to the cost, the distance that had to be travelled and the lack of culturally appropriate health services, and also faced institutionalized discrimination. Participants particularly stressed the need to prevent and properly address violence against indigenous women and girls. They noted that the legal systems in some States were discriminatory, provided only limited protection of indigenous women and children from violence on their ancestral tribal lands and native villages and were insufficient to prevent or respond to those crimes and human rights violations. The negative impact of the pandemic on access to education for indigenous children was also underscored.

44. Participants noted the role that indigenous peoples played in the preservation of the world's remaining biodiversity, notably through their food systems, which were sustainable, resilient and game changers in transforming global food systems and food security for all.

However, lack of recognition, marginalization and violence were pushing indigenous peoples into situations of vulnerability, poverty and malnutrition. Reference was made to recent data on violence against and killing of indigenous peoples during the COVID-19 pandemic, which international organizations indicated were of utmost concern.

45. Participants made several recommendations, to be considered by all stakeholders. There was general consensus among States and international organizations on the relevance of the United Nations Declaration on the Rights of Indigenous Peoples as a fundamental instrument for guidance and application by States of measures to address the impacts of COVID-19 together with indigenous peoples. Some participants noted that it was essential that national and international pandemic response plans were culturally appropriate and that there was a need for greater inclusion and participation of indigenous peoples in the planning and implementation of response plans. They called on States to reiterate their commitment to continue working together to remove barriers to full participation. They also highlighted the need to adopt specific measures for the self-determination of indigenous peoples and to make efforts at the global level to promote and protect the recognition of their political status and their own economic, social and cultural development. States were advised to ensure the full, effective, equal and meaningful participation of indigenous peoples in all decision-making on issues affecting them, including in decision-making relating to COVID-19 recovery measures. Some States also noted that it was essential to ensure that indigenous peoples were able to participate in the Human Rights Council. They expressed commitment to supporting indigenous peoples in their call to establish a unique category for their participation in the United Nations system and urged the Council to provide a mandate to establish a workshop to bring together indigenous peoples and States to consider options for enhancing indigenous participation in the Council.

46. Representatives of States requested the panellists to clarify how the rights of indigenous peoples could best be ensured by putting the right to self-determination into practice; what the biggest challenges were to ensuring the full, effective, equal and meaningful participation of indigenous peoples in decision-making relating to COVID-19 measures; what concrete measures the Human Rights Council could take to ensure the full and effective participation of indigenous peoples in its work and to ensure that the current barriers were not further exacerbated by COVID-19 measures; how to prevent attacks on indigenous human rights defenders and land and environmental defenders from occurring under the pretext or excuse of responding to COVID-19; what States could do to help indigenous communities enhance their resilience in the face of the challenges imposed by COVID-19; and what the role of NGOs and community-based organizations was in ensuring that the rights of indigenous peoples, including their right to health, were protected during the pandemic period. Furthermore, they asked the panellists to provide some examples of good practice in finding a balance between promoting self-imposed isolation by indigenous and local communities to counter the spread of COVID-19 and the need to safeguard their participation in decision-making.

IV. Concluding comments from the panellists and the moderator

47. Ms. Davis thanked all States, United Nations agencies and entities, indigenous peoples' representatives and NGOs for their useful comments and apologized for not being able to respond to all the additional enquiries. She agreed with several States that COVID-19 had highlighted how the right to self-determination recognized in article 3 of the United Nations Declaration on the Rights of Indigenous Peoples was the standard underpinning the Declaration itself and all the rights enshrined therein. She confirmed that the Expert Mechanism on the Rights of Indigenous Peoples had been encouraging indigenous peoples to focus more on the right to self-determination. She felt that the right to free, prior and informed consent had in some ways been conflated with the right to self-determination. Nevertheless, she reaffirmed that the pandemic had highlighted how important the right to self-determination had been in terms of the ability of indigenous communities to close down their communities very quickly at the beginning of the pandemic in order to protect themselves and the most vulnerable among them. There had been several examples that had confirmed the success of those practices. She urged States to consult the Expert Mechanism's

report on free, prior and informed consent in order to understand how to better accommodate indigenous peoples' voices within the framework of a State, taking into account the difference between free, prior and informed consent and self-determination.

48. Regarding the issue of violence against indigenous women and girls during the pandemic, Ms. Davis noted that most legal systems failed to deal properly with violence against indigenous women and girls even during non-pandemic times. She recalled that article 22 of the United Nations Declaration on the Rights of Indigenous Peoples affirmed the duty of States to take measures, in conjunction with indigenous peoples, to ensure that indigenous women and children enjoyed the full protection and guarantees against all forms of violence and discrimination.

49. Mr. Calí Tzay thanked the representatives of States that supported the work of the Special Rapporteur on the rights of indigenous peoples. Among the good practices some indigenous peoples had implemented to cope with the pandemic, he mentioned some communities in Canada and the Amazon region that, in exercise of their right of self-determination, had closed the borders of their territories and managed to stop the spread of COVID-19. In terms of negative examples, he noted that some States had started to criminalize the right of indigenous peoples to self-determination. In response to the question about the measures States should take to ensure the equal and meaningful participation of indigenous peoples in decision-making relating to COVID-19 measures, he believed that political will was necessary at all levels to achieve that. He recalled the recommendations he had made to States in his report to the Human Rights Council, to ensure economic support for indigenous peoples' initiatives, those aimed at preventing the spread of COVID-19 in their communities and those aimed at mutual aid within and between indigenous peoples.¹¹ He also stressed the importance of the participation of NGOs in the work of the United Nations and urged Governments to also guarantee their participation at the national level, suggesting that States should take advantage of NGOs' knowledge on matters relating to indigenous peoples, based on their strong connection with indigenous peoples and communities. In that way, the participation of both NGOs and indigenous peoples would be ensured.

50. Ms. Nuorgam thanked Member States and United Nations agencies and entities for their efforts to help indigenous peoples to recover from the pandemic. She had been glad to hear that they were willing to develop indigenous-led solutions to the pandemic. She also stressed the importance of establishing partnerships with indigenous peoples to build back better. She noted that it was unfortunate that online meetings had been the only option, as indigenous peoples preferred in-person consultations. The lack of in-person consultations had exposed existing inequalities and the digital divide and had been especially detrimental to indigenous peoples in Africa, Latin America, the Pacific and in rural areas. The Permanent Forum on Indigenous Issues had therefore emphasized that the existing mechanisms to support the participation of indigenous peoples in processes that affected them must adapt to the new environment and support the online participation of indigenous peoples. That included purchasing data packages and facilitating access to electricity, hardware and travel to gain access to stable Internet connections. She urged the United Nations to take urgent steps to make the necessary arrangements in order to facilitate and guarantee the effective participation of indigenous peoples. She underlined that the pandemic had highlighted the pressing need for the collection of disaggregated statistical data on the situation of indigenous peoples. On behalf of the Permanent Forum, she urged Member States to collect and disseminate disaggregated statistical data, in close cooperation with indigenous peoples themselves, in order to support evidence-based policymaking and programming. Moreover, she stressed the need to address the emergence of mental health consequences of the pandemic on the indigenous population and called on Member States to invest in culturally appropriate mental and behavioural health interventions. She was confident that traditional medicines and practices had a key role to play in protecting the health of indigenous communities. She recommended that Member States implement specific measures to address the mobility needs of indigenous peoples, including through cooperation with neighbouring

¹¹ [A/HRC/48/54](#), paras. 3, 55 and 85 (j).

States, and that they take those measures with the full, free, prior and informed consent of indigenous peoples.

51. Ms. Nuorgam concluded by stressing that under no circumstances could the necessary response to the pandemic justify limiting indigenous peoples' exercise of their human rights, including the rights to freedom of expression and of assembly in the context of legitimate protests in defence of land, territories, natural resources and the environment.
