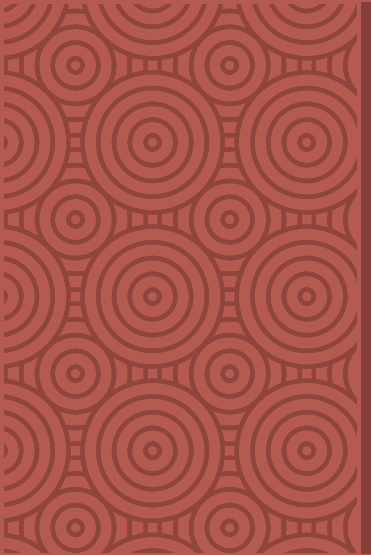


*"We have to change the path
of human beings on this earth"*



Indigenous Peoples, Climate Justice and Action Research in the Americas: Exchanging Knowledges and Building Alliances for Territories of Life

Key Messages & Lessons Learned

A retreat co-hosted by the Centre for Indigenous Conservation and Development Alternatives (CICADA), McGill University and the Mohawk Council of Kahnawà:ke (MCK) with the support of the International Development Research Centre of Canada (IDRC)

September 28 - October 2, 2023

McGill University | Canada

Author: Viviane Weitzner, PhD

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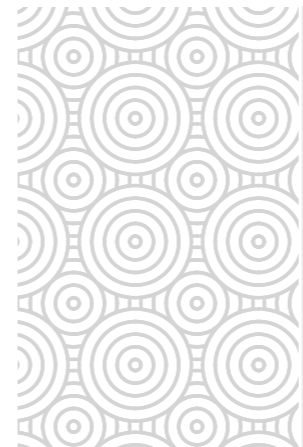
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Designed by: Giovanni Aristizabal Hincapié

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“We have to change the path of human beings on this earth”



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By Viviane Weitzner, PhD

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You can access more information on this retreat (agenda, participant's list, breakout session summary reports, presentations, roundtable video with the UN Special Rapporteur on Indigenous Peoples Rights, and short videos featuring select participants), by visiting:

<https://cicada.world/climatejustice/>

“It would have much more impact to promote, make visible or campaign with the term ‘injustice’. Because when you talk about justice, the word is so normalized that you think it’s okay. So, if there is justice, why should we talk about it? But if we talked about injustice, then we would be giving room to raise awareness of lifestyle, consumerism. And how could we change that injustice to justice?”

—Marisol Garcia Apagueño,
Pueblo Kichwa, Peru

“It is not acceptable that the green transition be at the cost of the suffering, forced displacement of the lands and territories of Indigenous Peoples.”

—Francisco Cali Tzay,
UN Special Rapporteur on the Rights
of Indigenous Peoples, Pueblo Maya Caqchiquel, Guatemala

“The answer to climate change has to do with the spiritual. What can we do so that governments and companies understand that?”

—Luis Jiménez Caceres,
Pueblo Aymara, Chile

“Climate Justice is not about renewing our existing system and asking how we can carry it forward into the future through renewable power or other ‘solutions’. It requires going beyond ‘climate solutionism’ to fundamentally change the system.”

—Matthew Burke,
Research Associate,
Leadership for the Ecozoic, USA

1 Background—Spurring Transformative Change

As our planet burns, floods, and extreme weather events increase, there is growing recognition that solutions to climate catastrophe may be found in holding up the knowledges and ways of life of ancestral peoples whose territories of life are home to 80% of the world’s biodiversity. Yet at the same time, global headlines make it increasingly clear that these same territorial stewards are suffering the greatest impacts of extractive development, often risking their lives on the frontlines of territorial defense. Their homelands are filled with the minerals and metals required for new technologies fuelling the ‘green energy transition,’ resulting in a perverse tension where at once there is a push to conserve these ancestral lands, while also a powerful pull to extract resources for ‘clean energy’ among others.

In this context, concepts such as climate justice, territories of life and ethical action research have emerged as potential tools to help navigate complex and uncertain times, with a view to upholding Indigenous rights and self-determined outcomes, while bringing about transformative change. But what do these concepts mean from diverse Indigenous perspectives? How are they analyzed through gendered and intergenerational lenses? And what else needs to be considered to reign in climate catastrophe and safeguard our planet’s life systems?

These were among the critical questions examined by participants at a retreat held September 28-October 2, 2023, at McGill University in Montreal that gathered some 50 Indigenous Peoples’ representatives and their academic and non-governmental allies from across Turtle Island and Abya Yala. With perspectives from ancestral homelands located in Rapa Nui, Chile, Argentina, Peru, Bolivia, Ecuador, Colombia, Panama, Guatemala, Mexico, the United States and Canada (see Map), the retreat’s objective was to exchange knowledges on

political, legal and other strategies towards climate justice grounded in Indigenous perspectives; and to identify lessons learned on ethical participatory action research approaches and methodologies, while deepening relationship- and alliance-building.

It was co-hosted by the Centre for Indigenous Conservation and Development Alternatives (CICADA), a multidisciplinary research centre that supports the self-determined life projects of Indigenous Peoples globally, and the Mohawk Council of Kahnawà:ke (MCK), the elected government of the Kahnienkehá:ka (Mohawk) ancestral people whose territory McGill University stands on, with support from the International Development Research Centre (IDRC) of Canada.

The retreat’s timing was strategic. We met in the lead-up to the international conference “Adaptation Futures” taking place in Montreal right after (Oct 2-6), with the intention of facilitating knowledges exchange between Indigenous delegates attending that event, and Indigenous and academic partners involved with CICADA and its sister initiative, Leadership for the Ecozoic (L4E) —a growing network of institutions working towards realizing a vision of the future founded on mutually enhancing relationships between human societies and the planetary community of life through collaborative scholarship, learning and experimentation.

Our conversations were grounded in the history and realities of the Kaniienkehá:ka People stewarding the land hosting the retreat, and were imbued with additional significance and focus as we gathered before, on and after Canada’s National Day for Truth and Reconciliation, September 30. We were also cognizant of the links between our exchanges and the upcoming COP 28 discussions taking place one month later in United Arab Emirates.

Map - Territories of Life of Ancestral Peoples' participants

This map highlights the approximate location of participants' ancestral territories. We recognize that nation-states have imposed boundaries that intrude upon the territorial integrity of the Peoples of Turtle Island and Abya Yala.



cicada.world/ClimateJustice

Box 1

Objective and Themes

Principal Objective

To facilitate knowledge exchange among and between Indigenous Peoples and their allies in the Americas on political, legal and other strategies towards climate justice grounded in Indigenous perspectives, and identify lessons learned on ethical participatory action research approaches and methodologies, while creating a dynamic space for deeper relationship- and alliance-building.

Key Themes

- Articulating climate justice from Indigenous perspectives, including differentiated experiences and impacts of climate change on women and youth.
- Ethical research methods for working with Indigenous Peoples to define climate justice.
- Strategies to support Indigenous rights defence in the face of direct threats, including the experiences and leadership roles of Indigenous women and youth.
- Strategies to support Indigenous Peoples in articulating their own climate policies and strengthening their own normative frameworks within the purview of their Territories of Life, from a gendered and intergenerational perspective.
- Considering options for shaping and attracting investment in biodiversity and carbon stewardship of Territories of Life, in ways compatible with the life projects of Indigenous Nations and territories for land-based livelihoods.
- Opportunities for Indigenous Peoples to shape national, regional and global adaptation and climate policy frameworks.
- Exploring synergies between participants towards potential joint action research.

2 Process and Methodologies — What we did, how and why

The four-day programme was designed to ground the conversations in place, and to maximize our time together sharing knowledges and relationship-building through plenary roundtable discussions, small group discussions, and Indigenous-only spaces. Ceremony guided each day's proceedings, with participants sharing also dance and songs from their homelands. Our conversations were fuelled by traditional foods catered directly from Kahnawá:ke, and enabled by simultaneous translation in Spanish, English and French.

We began our retreat crossing the river to visit Kahnawá:ke First Nation (September 29), and heard about the ongoing dispossession of Kanienkehá:ka territory and the devastating impacts of building the St. Lawrence Seaway. But also, we witnessed how the Kahnienkehá:ka People are restoring to life the mounds of clay and damage left behind by the building of the seaway, and the biological diversity that has resulted—outcomes that have recently made national headlines¹.

Our two days of workshops (September 30 and October 1) were structured around key themes (see Box 1), with roundtable discussions organized to weave together the experiences from ancestral territories located in specific countries (see Map). Drawing on information provided by participants prior to the retreat, the collaborative design of the discussions enabled comparisons of experiences within specific nation states, but also cross-regional reflections.

We closed our retreat sharing key messages in a hybrid, public forum (October 2) with the UN Special Rapporteur on the Rights of Indigenous Peoples, Francisco Cali Tzay. The design and flow of this seminar was co-constructed with the Indigenous participants of the retreat. It took

the shape of a roundtable discussion featuring a keynote presentation by Francisco Cali Tzay on key findings from his official trip to Canada in early 2023 and his thematic report on green financing; short presentations from eight Indigenous participants, followed by feedback from the Special Rapporteur; and an open public discussion.

Box 2

Honouring Ceremony

Ceremony was an important component guiding our gathering, with this gift offered each day. Josie Auger of Bigstone Cree Nation led us in a smudge ceremony upon our arrival in Kahnawá:ke First Nation. Kanienkehá:ka Elder Otsi'tsaken:ra and his assistant Nioio:ren opened and closed our two days of retreat at Thomson House on McGill University's campus. Manari Ushigua of the Sápara Nation, Ecuador offered a tobacco ceremony. And Cody Diabo, elected Chief of Kahnawá:ke offered words of thanks to open our hybrid seminar with UN Special Rapporteur on the Rights of Indigenous Peoples, Francisco Cali Tzay, that closed our series of events.

¹ <https://www.cbc.ca/news/indigenous/kahnaw%C3%A0-ke-restore-community-creek-former-glory-1.6954913>; <https://www.cbc.ca/news/canada/montreal/kahnwake-bay-restoration-1.6919056>

3 Key Messages and Lessons Learned

While we centred on the specific issues of distinct Peoples and their territories of life, some common threads emerged offering critical analysis and policy direction. What follows is a synthesis of select key messages and lessons learned, organized thematically.

Importantly, our discussions benefitted from the perspectives of Afro-Descendant Peoples whose ancestral lands are deeply affected by climate catastrophe, and who have fundamental and collective rights paralleling those of Indigenous Peoples. Except for those relating to the United Nations Special Rapporteur on the Rights of Indigenous Peoples and uncontacted Indigenous Peoples, the following key messages and implications should be read inclusively.

Using the Right Words, Concepts and Framings — Climate (in)justice

The concept of climate justice is foreign to Indigenous Peoples, who mostly experience climate injustices fuelled by the ongoing legacy of colonialism and structural racism. The term may be useful to consolidate thinking internationally, but it's a term that belies Indigenous realities (see [here](#) for additional perspectives on climate justice).

Likewise, terms such as 'sustainability' and 'net zero' offer little to overturn the extractive development path that has fuelled the planet's current predicament. What we—all beings in the planet—need are new framings, new terms that can pave the way to transformation grounded in principles underpinning ancestral ways of being and knowing that unite humankind in action towards restoring life-systems. This includes recognizing Indigenous knowledge as science and integrating it fully into decision-making.

“It would have much more impact to promote, make visible or campaign with the term ‘injustice’. Because when you talk about justice, the word is so normalized that you think it's okay. So, if there is justice, why should we talk about it? But if we talked about injustice, then we would be giving room to raise awareness of lifestyle, consumerism. And how could we change that injustice to justice?”

—Marisol Garcia Apagueño,
Pueblo Kichwa, Peru

1

Using the term 'Climate Justice' in the context of Indigenous Peoples' territories and experiences may obscure the realities of injustice taking place. While it can remain an aspiration and referent, the term needs to be used cautiously, and even reconsidered. New framings are needed with a view to uniting transformative action towards restoring life-systems.

Embracing Territories of Life — A Guiding Concept

The concept of Territories of Life offers one possibility highlighting connections and relationality between all beings—human and non-human—in forging pathways forward. This concept includes the idea of individual bodies as territory, and the importance of healing the traumas experienced at the individual level from the ongoing legacies of colonialism, residential schools, the effects of the church, patriarchy, and other colonial institutions, to move outwards to heal collective Territories of Life. It implies legal security for ancestral territories, so that Indigenous Peoples can fulfil their territorial responsibilities, upholding their sovereignty and fundamental right to self-determination. And it invites imagining a world free of ‘sacrifice zones’, where every territory’s life systems are protected.

“As Indigenous women, we have had forced contraception among other types of abuses. Choices are very important. We need to name our trauma and move beyond it. Territories of life is about our bodies. How to go from the sovereignty of our bodies to the Nation’s sovereignty. This is the step in the right direction.”

—Josie Auger,
Associate Professor, Indigenous Studies,
Athabasca University and member
of the Bigstone Cree Nation

2

The concept of Territories of Life offers a guiding principle and framework for individual and collective healing, relationality, sovereignty and transformative change.

Engaging in Ethical Research, Encouraging Autonomous Indigenous Research

Ethical research practices include the co-design and co-creation of research processes based on the free, prior and informed consent of the Indigenous Peoples involved and responding to community lifeplans and needs (see [here](#) for additional perspectives on ethical research). Interculturality, intergenerationality, responsibility, respect and humility are among the principles grounding this work, where there is mutual learning, validation of all knowledges present, and where information either stays within or is returned to and socialized in the communities, giving credit to, and recognizing Indigenous intellectual property rights. Donors need to reduce the institutional barriers to direct funding for Indigenous Peoples; and Indigenous capacities and knowledge of funding sources and processes need to be strengthened. Ultimately, Indigenous Peoples’ autonomous research should be encouraged and supported, with the role of ceremony taking centre-stage.

“We declare NO to knowledge extractivism. We continue to replicate gold and rubber extractivism with regards to knowledge. We are the subjects — not the objects — of research. That means putting into dialogue at the same level all the knowledges that are present. We do not want people to refer to us with categories such as experiences, cultural practices, rituals. No! This is knowledge. It needs to be at the same level.”

—Report back from
Indigenous-only breakout session

3

Ethical research must be co-designed with Indigenous Peoples based on their free, prior and informed consent, resulting in outcomes that benefit and meet the needs and lifeplans of Indigenous Peoples; and that value and give credit to Indigenous scientific knowledge and intellectual property rights, while honouring the role and teachings of ceremony. Autonomous Indigenous research must be encouraged and supported, with donors reducing their bureaucratic requirements to enable direct funding for Indigenous partners; and Indigenous partners strengthening their capacities regarding how to access and administer donor funding.

“The Haudenosaunee (Iroquois) people (our elders) have taught us that, whenever people gather... the first thing that we acknowledge are the forces that have given us life at this time and continue to support us into the future...”

Everything we need to live a good life is here on this Mother Earth. For all the love that is still around us, we gather our minds together as one and send our choicest words of greetings and thanks to the Creator.”

—Elder Otsi’tsaken:ra, Kahnawà:ke First Nation, Turtle Island
(excerpt from opKahnawà:keening ceremony)



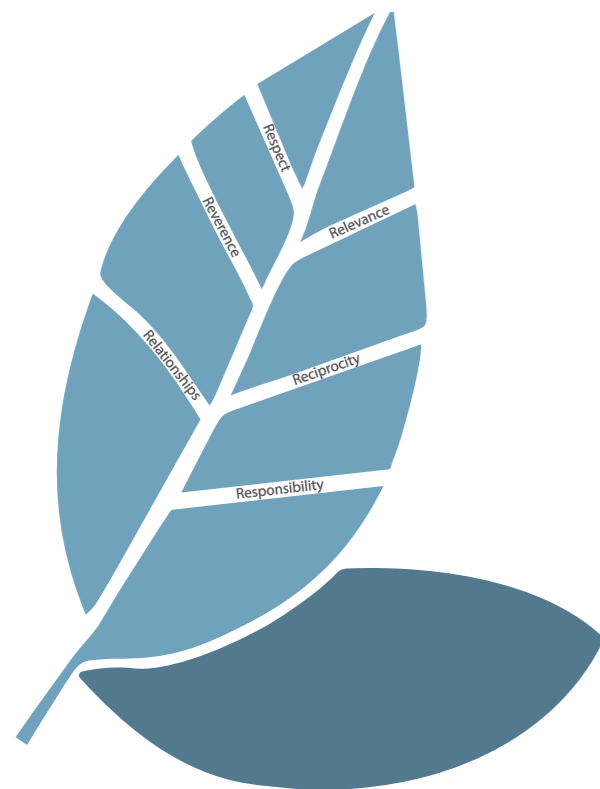
Elder Otsi’tsaken:ra (third from left) surrounded by several delegates following the opening ceremony

Revitalizing and Valuing Indigenous Ways of Knowing, Being and Governance — Back to the Future

Transforming ways of thinking so all human beings can come to one mind and one heart by upholding the ‘five Rs’ – respect, reverence, reciprocity, responsibility, and relationship – and by giving thanks, is the catalyst needed to move away from the extractivist, capitalist model fuelling the climate crisis to strengthen pathways towards vibrant territories of life mitigating climate crisis. There is a critical role for revitalizing Indigenous spirituality, identity, and Indigenous legal orders that weave together the natural law of sentient and non-sentient beings; and to heal Indigenous governance systems to reconcile hereditary and imposed colonial governance models. And beyond

this, for Indigenous pedagogy—to share teachings that can transform ways of thinking.

This is an active mission for the Sápara People in Ecuador, for example, who invite outsiders to their homelands to learn from Sápara philosophies and ceremonies, and how to dream transformative pathways forwards. Yet solutions that highlight spiritual transformation pose an enormous challenge, as an Aymara Indigenous participant from Chile underscored: *“The answer to climate change is in the spiritual. What can we do so that governments and companies understand that?”*



4 Revitalizing and valuing Indigenous ways of knowing, being and governance—including Indigenous legal orders and spirituality; and engaging in Indigenous pedagogy towards upholding the guiding principles of respect, reverence, reciprocity, responsibility, and relationship comprise critical tools in transitioning away from the extractivist, capitalist model that has led to our climate crisis.

Designing New Visions of Life — The Roles of Women, Youth and Elders

As keepers of the culture and lifegivers, women have a special role to play in finding solutions to the climate crisis, and their voices must be heard and incorporated into decision-making. As one Cree participant from Turtle Island underscored, while there are important global tools available to Indigenous Peoples to uphold their territorial responsibilities, these are not enough for the task at hand:

“The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) is a good document. It’s about the rights of Peoples. But not everything on the earth is a sentient being—it’s mother earth. So, we need to speak for a being that can’t speak for herself. We have a special relationship as women. There is an important role for women, to protect the sanctity of life within our territories, our bodies. We need to go back to the future.”

Indeed, women are already at the forefront of designing new visions of life and ways forward, a Sápara participant from Ecuador highlighted.

Likewise, youth will inherit the legacy of catastrophe and need to be heard. Indigenous women shared the injustices of how their communities’ youth are playing an active role cleaning up garbage arriving in their homelands from elsewhere. From clean-up efforts in the forests of the Amazon to the beaches of Rapa Nui, Chile that receive daily break-off plastics from the world’s largest island of plastic floating just off its coast, Indigenous children are already at the forefront of cleaning-up the legacy of wasteful mess.

Yet while some clean-up the world’s mess, other Indigenous youth are forced into more destructive pathways. Indeed, many Indigenous youth across the Americas face grim realities around economic opportunities and employment in their homelands as a direct consequence of global extractive and other forces, where States appear absent and fail to uphold their obligations around protecting the rights and homelands of Indigenous Peoples. One alarming result is that in many areas, to meet their needs youth are increasingly joining the ranks of illicit armed groups engaging in narcotrafficking and other outlawed activities. These in turn can have severe impacts on territorial and cultural integrity.

Addressing systemic racism and discrimination, and enabling vibrant economic opportunities for youth, underpins the potential for climate justice and for Indigenous youth to fulfil their territorial roles and responsibilities.

This cannot be done without integrating the knowledge of Elders and ensuring that mechanisms are established so their knowledge can be passed on to future generations. Elders are territorial libraries whose critical knowledge must be preserved.

“ *We need to protect our elders that are still alive, and to guarantee mechanisms for them to pass on their knowledge. That the library that is our elders stays here when our elders transcend to the other plane.”*

— **Sonia Patricia Mutumbajoy Hurtado**
Inga People, Colombia

5 Women, youth and elders have distinct roles in addressing the climate crisis. Their voices and knowledges must be incorporated in designing pathways forward, creating enabling conditions for this to happen.

Recognizing and Valuing Ancestral Stewardship — Beyond Forests, Planting Trees, Top-Down Conservation and Carbon Markets

Climate solutions vary with the particularities of each People and place. Efforts should not be restricted to investments in forests when other ecosystems are equally important for preserving life-systems and territories of life, such as oceans, rivers, and mangroves fundamental to ancestral lifeways.

Moreover, as one academic participant who is also a tropical ecologist reflected examining the big picture of climate crisis, while forests are carbon sinks and can mitigate climate change, this effect backfires and forests can become “an enemy” when they burn, releasing all their sequestered carbon back into the atmosphere. Yet even though the reality of burning forests and their climate effects is increasing across North America and in other parts of the world, policymakers still place a major and narrow focus on forests and planting trees.

This is not the answer, the ecologist underscored, highlighting the deep inequities underpinning current approaches that do not recognize or value Indigenous forest conservation: *“Planting trees won’t fix the climate problem. To fix the climate, we need to conserve the forest, which is what the Peoples do. And to conserve the forests, Indigenous Peoples receive nothing. There is something profoundly unjust about that.”*

Further, the answer is not in establishing top-down, protected areas that dispossess Indigenous Peoples and prevent them from using, stewarding, and conserving their ancestral lands. This approach challenges even further Indigenous Peoples’ potential of obtaining legal security over their territorial title, while perversely, governments use these same ancestral lands to set-up carbon credit schemes that reward transnational companies with funds that end up in government coffers. This is the very experience faced by the Kichwa, Shawi and Awajún Peoples of the San Martín region of Peru. They have been forced out of their traditional territory by the government, a rights violation paid

for and sustained by transnational companies greenwashing their pollution elsewhere. One strategy shared by the Embera Chamí Indigenous People of Caldas, Colombia is for Indigenous Peoples to self-declare their own protected areas, and to have these then registered internationally. In the case of the Resguardo de Origen Colonial Cañamomo Lomapieta, in 2023 the Embera Chamí inhabiting this area self-declared their homeland as a Territory of Life, which was then registered by the United Nations as an Indigenous Conserved Area (ICCA), despite not having official conservation area status under Colombian state law. Yet the Embera Chamí are collaborating with State agencies to conserve their ancestral lands and territorial integrity, including receiving financial support from these agencies for their efforts.

Finally, there is a need to include and make visible in discussions, research and policymaking combatting climate crisis across the Americas, the knowledges and sciences of all ancestral peoples. This includes holding up alongside Indigenous Peoples’ knowledge the ancestral knowledge of those Peoples enslaved in Africa and brought to the Americas to work on behalf of the Europeans. Their distinct cultural practices and knowledges continue to steward life-systems and lands across Abya Yala and Turtle Island, with important lessons to contribute to reversing climate catastrophe. To date there has been a large focus on examining Indigenous Peoples’ knowledge and practice in pathways to mitigate the climate crisis, with very little attention dedicated to the ancestral knowledge and practices of Afro-Descendant Peoples.

“ *The Park sells carbon credits to transnationals. But those economic resources—which are millions of dollars—do not reach the Indigenous Peoples, who have possessed these lands.*”

— Marisol Garcia Apagueño,
Kichwa People, Tupac Amaro, Peru

6

The current carbon market schemes must be rethought completely: They are hindering— not aiding—land stewardship and conservation and are based on false premises that commodify and put a price on nature, enabling polluters to continue business as usual. There must be an end to top-down conservation models that displace or remove ancestral stewards from their lands and create further legal insecurity for Indigenous title while prioritizing greenwashing the pollution companies are creating elsewhere. Further, the current narrow focus on planting trees and preserving forests needs to be reconsidered, as this can backfire completely should these carbon sinks end up burning and releasing their sequestered carbon.

Reversing these top-down, exclusive corporate ‘solutions’ means considering specific solutions for specific places, where the role of Ancestral Peoples and their scientific knowledge and practices stewarding the forests, the seas and the land are recognized and valued. In these contexts, the ancestral knowledge of Afro-Descendant land stewards must be recognized and valued side-by-side Indigenous Peoples. Ensuring legal security to ancestral lands is urgent.



Participants from Peru and Ecuador share the climate injustices their territories suffer, and the work they are doing to restore territorial integrity and spiritual balance.

Upholding free, prior and informed consent and partnerships — Beyond (Unjust) Energy Transition, Greenwashing and Rights Violations

Just as Indigenous lands are being dispossessed and carved-up for conservation efforts with a view to establishing carbon trading and commodifying nature, so too ancestral lands are coveted for the minerals and metals they contain that could fuel technologies leading to a 'green energy transition'.

Companies and States are seizing on potential technological fixes as a pathway out of climate crisis, creating intense pressure on ancestral lands to extract 'critical minerals' providing alternatives to fossil fuels. Yet while greening their discourse and image, companies—with the support of State governments—continue to violate the rights of Indigenous and Afro-Descendant Peoples to self-determination by fast-tracking these projects without engaging in due diligence around consultation processes leading to the obtaining—or withholding—of free, prior and informed consent, a minimum standard upheld in UNDRIP. Participants referred to several specific cases of 'green energy transition' affecting their homelands.

Participants exposed the hypocrisy of technological fixes underpinning 'green transitions' that maintain unfettered rampant consumerism without changing ways of thinking and being, while illuminating the continued injustices they experience from this new wave of extractivism and dispossession. They called for upholding free, prior and informed consent with regards to these projects. And as one Wemindji Cree participant underscored, for those 'clean energy transition' projects that Indigenous Peoples do want to see go ahead on their homelands, these must—at a very minimum—be based on partnerships including benefit-sharing, if not led by Indigenous Peoples themselves.

“It is not acceptable that the green transition be at the cost of the suffering, forced displacement of the lands and territories of Indigenous Peoples.”

— Francisco Cali Tzay,
UN Special Rapporteur on the Rights
of Indigenous Peoples,
Maya Caqchiquel People, Guatemala

7

Any mining towards 'the green energy transition' must fully respect the rights of Indigenous Peoples outlined in UNDRIP, and the rights of Afro-Descendant Peoples, including their own processes and laws around Free, Prior and Informed Consent. Any projects that follow Indigenous and Afro-Descendant due process and obtain Indigenous and Afro-Descendant Peoples' consent, must lead to partnerships in benefit-sharing, or be fully led by the original land stewards themselves.

Combatting the Grave Effects of Illicit Economies and their Extractivism — Self-Protection Mechanisms

While ancestral peoples' homelands are undergoing a new wave of extractivism in the name of 'clean energy', 'critical minerals' and 'the green energy transition', many homelands across the Americas are simultaneously affected by the activities of outlawed armed actors and their illicit economies. From the Asháninka People of Peru to the Black Communities of Palenke Alto Cauca and the Embera Chamí Indigenous People in Colombia, participants shared experiences of how their ancestral territorial responsibilities and actions to mitigate and adapt to climate crisis are severely affected by the violent legal orders associated with those using their lands to engage in narcotrafficking, grow illicit crops, log illegally or engage in mercury- and cyanide-laced gold mining, among other activities.

In the face of abandonment by the State, ancestral peoples have had to take into their own hands strategies to protect their peoples and territories.

In this context, alliance-building among Peoples to share protection strategies has become imperative, including across ethnic divides. This is the case of the Black Communities of the Palenke Alto Cauca and the Embera Chamí in Colombia, who engage in exchanges between their autonomous Indigenous and Cimarrona Guards to share strategies around upholding the physical safety of communities and their leaders, as well as the territorial integrity of their lands.

8

States must take concrete actions to address the growing presence of illicit armed actors in ancestral territories, and the nefarious and violent effects this has on territorial and cultural integrity, fuelling climate crisis. Indigenous and ancestral peoples must continue strengthening their autonomous land stewards and monitors through Peoples-to-Peoples exchanges to share concrete strategies for individual and collective self-protection in these contexts.

Protecting Uncontacted Peoples, Addressing (in)justice in the Sea

Incorporating into the discussions around climate crisis the very specific needs of Peoples who live in voluntary isolation and want to remain uncontacted, and the distinct impacts of climate crisis out at sea, were highlighted by Asháninka and Rapa Nui participants. In Peru, the largest impacts to the Asháninka Peoples are taking place on account of the advance of narcotrafficking,

which is affecting daily life and leaving the people without physical and legal security to their land.

Meanwhile, out at sea, the enormous island of plastics floating off the coast of Rapa Nui created by waste produced a long way off, is washing up daily on this Indigenous homeland. These specific contexts require targeted attention to remedy these injustices.

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States must pay special attention to protecting uncontacted Indigenous Peoples and those living in voluntary isolation particularly in the context of illicit economies that exacerbate climate crisis; and to cleaning-up the climate injustices taking place around the accumulation of plastics in our planet's seas.

Addressing Inequitable International Processes and Outcomes — Direct Funding for Indigenous Initiatives and Participation

Current international efforts result in very little funding pledged for climate mitigation going directly to Indigenous communities. Instead, the benefits go to governments and other organizations. Likewise, international talks are fraught with problems around Indigenous Peoples' representation, with voices from the grassroots missing, and non-governmental organizations competing in capturing Indigenous organizations to bring to the table. In the words of one Indigenous participant: *"We feel used rather than recognized for our important work, and that's where injustice arises. In spaces such as COP and others, people speak about the importance of the forests... But there are people taking care of the forests! And their work is not reflected."*

Strategies discussed to reverse these trends included establishing mechanisms for direct funding to Indigenous Peoples for initiatives mitigating climate change; enabling supporting conditions for ancestral women to be able to participate in policy- and decision-making spaces outside of their territories including at the international level (support for child care and other family and community responsibilities

while they are working away); encouraging the participation of children and youth in visioning and decision-making within and outside Indigenous communities; creating mechanisms for territories as communities of life to be fully represented as beings at decision-making tables; and considering the development of training for "Indigenous diplomats" who can represent their people in fora across scales.

Meanwhile, efforts to include Indigenous Peoples in climate discussions locally and nationally have met with distinct challenges. For example, people of Indigenous descent participating on Climate Crisis Committees with State officials in the Lake Champlain area of Vermont, USA have experienced several challenges, including fundamental disconnects with regards to language, process and approach. Indigenous Knowledge is disregarded in implementation; and 'consensus'-based decision-making is brushed aside for a majority rules approach. There are stark power asymmetries to influence process and outcomes, with wealthy businesspeople calling the shots and putting the economy before the land, rather than the land before the economy.

"I thought they [non-Indigenous members of the Climate Crisis Committee] spoke a different language... They said 70% of Vermont is a forest. I said 'no': If you can clear cut a section—and don't build on it—is that still a forest? Or 'Net Zero': They cut down the trees and use the pellets and biomass. And to get to net zero, they only count the carbon when trees are cut down and hawled. But what about when we burn [the pellets]? You're releasing it again! But they don't want to count it again!"

—Judy Dow,
Abenaki descent, Vermont

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International processes designed to combat the climate crisis must be redesigned so they enable Indigenous Peoples' participation from the grassroots, including women, youth and Elders, and put in place special support mechanisms to enable this participation, particularly for women (child-care, elder care, among others). This design should consider how Indigenous territories in and of themselves—as communities of human and non-human beings—can participate and be heard. Beyond including Indigenous Peoples' intergenerational and gendered participation in these global processes, resources to combat the climate crisis must be redistributed and flow directly to Indigenous Peoples so they can fulfil their unique responsibilities for the benefit of all humankind and life systems.

Uniting Humankind to Combat Climate Crisis — Sharing Responsibilities and Action Now

Finally, there was a call for all humankind to unite to combat the climate catastrophe, with clarity and insistence that this is a shared responsibility going beyond Indigenous Peoples.

"We are seeing from the forest that climate change is already here—it is already happening. We can no longer talk about future adaptation.

We have to talk about adaptation in the present, now... As cultures, as humans, we must unite to face this climate change. And the concepts being used—like sustainable, or sustainability—are not going to work. We need to look for other words to align ourselves in this new change we are living as humans, and to start taking care of our living space—each one of us in the world—to face what is going to come."

—Manari Ushigua,
Pueblo Sápara. Ecuador

"Defending — or trying to find the solutions to the environment — is not only a problem of Indigenous Peoples, but a problem of all humanity. So, that's where we need to start: For us all to have this same ideology, that it is our responsibility to keep this planet alive. That we are all human beings, and we all live on this planet, and therefore it is our obligation to keep it alive... for your brothers, sisters or for your relatives. Our responsibility is to leave a living planet to our future generations."

—Marisol Garcia Apagueño,
Pueblo Kichwa, Peru

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To combat the climate crisis effectively, all humankind and peoples must unite. It is a shared responsibility that includes—but goes far beyond—Indigenous Peoples and their ancestral knowledge.

Scaling Up through the UN Special Rapporteur on the Rights of Indigenous Peoples

In his intervention, UN Special Rapporteur Francisco Cali Tzay commented on select findings from his official trip to Canada March 2023, and on the impacts of the climate crisis on Indigenous Peoples globally (see [here](#) for a summary of his presentation and the discussion following, and [here](#) for a video of the event). He urged delegates to download his thematic reports on Green financing (2023); and Indigenous women and the development, application, preservation and transmission of scientific and technical knowledge (2022), and offered the following targeted messages:

Box 3

UNSR Thematic Reports

The thematic reports of the United Nations Special Rapporteur on the Rights of Indigenous Peoples can be found at:

<https://www.ohchr.org/en/special-procedures/sr-indigenous-peoples/annual-thematic-reports>

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To scale-up action internationally with the UN Special Rapporteur, Indigenous Peoples need to make petitions directly, and send the relevant information to Francisco Cali Tzay, United Nations Special Rapporteur on the Rights of Indigenous Peoples at his official and personal email addresses: hrc-sr-indigenous@un.org (official); josefcalitzay@arizona.edu (personal).

13

For UNDRIP to become entrenched as a universal, binding instrument, Indigenous Peoples must cite and use it as much as possible.

4 Implications for Policy, Practice and Action

The retreat's discussions have conceptual and practical implications for policymaking and action by Indigenous Governments, national and international government bodies, as well as for non-governmental organizations, academia, philanthropic and donor organizations, and the corporate sector. The principal implications flowing from the conversations are consolidated thematically below.

Conceptual Implications

1. Climate (in)Justice

Using the term 'Climate Justice' in the context of Indigenous Peoples' territories and experiences may obscure the realities of injustice taking place. While it can remain an aspiration and referent, the term needs to be used cautiously, and even reconsidered. New framings are needed with a view to uniting transformative action towards restoring life-systems.

2. Territories of Life

The concept of Territories of Life offers a guiding principle and framework for individual and collective healing, relationality, sovereignty and transformative change.

Research implications

3. Ethical Research

Ethical research must be co-designed with Indigenous Peoples based on their free, prior and informed consent, resulting in outcomes that benefit and meet the needs and lifeplans of Indigenous Peoples; and that value and give credit to Indigenous scientific knowledge and intellectual property rights, while honouring the role and teachings of ceremony.

Autonomous Indigenous research must be encouraged and supported, with donors reducing their bureaucratic requirements to enable direct funding for Indigenous partners; and Indigenous partners strengthening their capacities regarding how to access and administer donor funding.

Implications for Designing Transformative Pathways

4. Revitalize and Share Indigenous Ways of Knowing, Being and Pedagogy

Revitalizing and valuing Indigenous ways of knowing, being and governance—including Indigenous legal orders and spirituality; and engaging in Indigenous pedagogy towards upholding the guiding principles of respect, reverence, reciprocity, responsibility and relationship, comprise critical tools in transitioning away from the extractivist, capitalist model that has led to our climate crisis.

5. Integrate Women, Youth and Elders

Women, youth and elders have distinct roles in addressing the climate crisis and their voices and knowledges must be incorporated in designing pathways forward, creating enabling conditions for this to happen.

6. Recognize and Value Ancestral Stewardship, Ensure Territorial Legal Security

The current carbon market schemes must be rethought completely: They are hindering—not aiding—land stewardship and conservation and are based on false premises that commodify and put a price on nature, enabling polluters to continue business as usual. There must be an end to top-down conservation models that displace or remove ancestral stewards from their lands and create further legal insecurity for Indigenous title while prioritizing greenwashing the pollution companies are creating elsewhere. Further, the current narrow focus on planting trees and preserving forests needs to be reconsidered, as this can backfire completely should these carbon sinks end up burning and releasing their sequestered carbon. Reversing these top-down, exclusive corporate ‘solutions’ means considering specific solutions for specific places, where the role of Ancestral Peoples and their scientific knowledge and practices stewarding the forests, the seas and the land are recognized and valued. In these contexts, the ancestral knowledge of Afro-Descendant land stewards must be recognized and valued side-by-side Indigenous Peoples. Ensuring legal security to ancestral lands is urgent.

7. Respect Ancestral Peoples’ Rights

Any mining towards ‘the green energy transition’ must fully respect the rights of Indigenous Peoples outlined in UNDRIP, and the rights of Afro-Descendant Peoples, including their own processes and laws around Free, Prior and Informed Consent. Any projects that follow Indigenous and Afro-Descendant due process and obtain Indigenous and Afro-Descendant Peoples’ consent, must lead to partnerships in benefit-sharing, or be fully led by the original land stewards themselves.

8. Combat Illicit Economies

States must take concrete actions to address the growing presence of illicit armed actors in ancestral territories, and the nefarious and violent effects this has on territorial and cultural integrity, fuelling climate crisis. Indigenous and ancestral peoples must continue strengthening their autonomous land stewards and monitors through People-to-People exchanges to share concrete strategies for individual and collective self-protection in these contexts.

9. Protect Uncontacted Peoples, Reverse (in)justice in the Sea

States must pay special attention to protecting uncontacted Indigenous Peoples and those living in voluntary isolation particularly in the context of illicit economies that exacerbate climate crisis; and to cleaning-up the climate injustices taking place around the accumulation of plastics in our planet’s seas.

10. Re-design International Processes, Fund Ancestral Peoples Directly

International processes designed to combat the climate crisis must be redesigned so they enable Indigenous Peoples’ participation from the grassroots, including women, youth and Elders, and put in place special support mechanisms to enable this participation, particularly for women (childcare, elder care, among others). This design should consider how Indigenous territories in and of themselves—as communities of human and non-human beings—can participate and be heard. Beyond including Indigenous Peoples’ intergenerational and gendered participation in these global processes, resources to combat the climate crisis must be redistributed and flow directly to Indigenous Peoples so they can fulfil their unique responsibilities for the benefit of all humankind and life systems.

11. Unite Humankind in Shared Responsibility

To combat the climate crisis effectively, all humankind and peoples must unite. It is a shared responsibility that includes—but goes far beyond—Indigenous Peoples and their ancestral knowledge.

Implications for Indigenous Peoples Scaling Up

12. Scale-up through the UN Special Rapporteur

To scale-up action internationally with the UN Special Rapporteur, Indigenous Peoples need to make petitions directly, and send the relevant information to Francisco Cali Tzay, United Nations Special Rapporteur on the Rights of Indigenous Peoples at his official and personal email addresses: hrc-sr-indigenous@un.org (official); josefcaltzay@arizona.edu (personal).

13. Use and Cite the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)

For UNDRIP to become entrenched as a universal, binding instrument, Indigenous Peoples must cite and use it as much as possible.



5 Closing Reflections

Our retreat was designed honouring the teachings and importance of ceremony. Just as it started, it closed in ceremony offered by Elder Otsi'tsaken:ra. His words are a wake-up call for us all to change the path of human beings on this earth:

“Our mother is sick, and our mother is hurting. Our mother is struggling. And just like us, when we get a cold, there's only two things that could happen. One is that our body will fight the cold and we will heal; or two, our body is too weak, and we will die. The earth is the same way. The earth is sick and struggling. And you know who the disease is? It's human beings. So, two things will come of this: either we start to understand our place in this world now; or she will get rid of us. And she has time on her hands..

Big governments, they think they've got power. They've got guns. They've got their laws, their police, their vehicles. But our prophecies tell us, there will come a time when human beings will be given a lesson. And maybe we need to keep telling the big money people that think they've got all the guns, they've got no power. When the earth will change, their guns won't mean anything. Their money won't mean nothing. So, we need to tell them. We have to change the path of human beings on this earth.”

—Elder Otsi'tsaken:ra, Kahnawà:ke
First Nation, Turtle Island
(excerpt from closing ceremony)

Annex 1

Perspectives on Climate justice

Annex 1: Perspectives on Climate justice

Six mixed breakout groups discussed the questions: *What is Climate Justice? How is it different for Indigenous women, youth, elders?*

Participants framed the discussions considering the term 'climate change', with two key observations. First: We're not at a moment of climate change, but at a moment of environmental crisis—a moment of no return—where we are all affected, but differently. And second: Climate change is the result of broken relationships. It is not a separate "thing" that can be isolated from other processes. It requires reframing, and illuminating linkages for example with biodiversity, rather than treating these as separate silos.

What is Climate Justice?

Rather than definitions, conversations centred around analyzing the concept's appropriateness from the perspective of Indigenous cosmovisions and experiences, and identifying critical elements that might help bring it about.

Only a handful of definitions surfaced, including:

- Harmony in the relations between all beings;
- Health for all, including considering broader determinants of social health and social justice alongside systemic racism; and
- It has a changing, not static, definition. An 'outside' definition regards climate justice as the responsibility that should be assumed by those who are causing the destruction of territory, the destruction of nature. But also, it refers to the equitable distribution of benefits. But that 'outside' definition is not sufficient to speak about climate justice.

The following considerations were shared about the concept, retaining the voices of participants:

Climate justice is...

...not possible to consider without first making visible and analyzing the injustices and discrimination Indigenous Peoples' experiences in their territories. Indigenous Peoples do not see or live climate justice; instead, they see climate injustice. If you say "justice" it means, there is justice; but there is no justice at all!

...a very cold, distant and anthropocentric term that is part of global discourses, and foreign to community level discourses. Climate justice begs the questions: What happens with non-human lives. and with all beings, both living and non-living? What happens with spiritual lives? We need to incorporate them into climate justice and think about justice for the seven generations to come. We need to overturn the current manifesto that separates people from nature.

...guaranteeing the rights and dignity of people, and the dignity of the territory as a living being. The territory is a community that is inhabited not only by human beings, but by other beings as well, who need to be equally protected and guaranteed a participation mechanism in decision-making. And how would we do that, is the big question? How would we create a mechanism for the territory to participate as a living being?

...not a global phenomenon, but very specific to each community, with differentiated solutions and ways of repairing relations. "Justice" means considering diversity—of each territory and the people that inhabit it.

...recognizing and addressing differences in terms of the contributions to and the impacts of climate change. "Justice" goes beyond dealing with damages or demands; it is more of a reciprocity and working together to meet needs, and perhaps mutual aid. It's about healing relationships. Justice includes recognizing and shifting power relationships. It is a matter of restoring dignity from the consequences of ongoing structural injustices.

...transforming the system that is bringing about contamination and destruction of the territory and planet. If we don't think about definitively transforming the system, there is no justice. It cannot be solely, 'pay to contaminate.'

"Climate Justice is not about renewing our existing system and asking how we can carry it forward into the future through renewable power or other 'solutions'. It requires going beyond 'climate solutionism' to fundamentally change the system."

...going back to basics: take only what's needed; recognize the difference between wants and needs; and focus on the basics of water, food, air, and a good life for all beings.

...confronting capitalism either to heal and transform it, or to kill it, as with the Windigo central to the normative framework of several First Nations (see box). Rather than engage in denial, we need to acknowledge capitalism is ill or diseased.

...putting into practice the 5 Rs, and holding corporations accountable and responsible for bad deals, rather than engaging in policies and practice today for future generations to shoulder and clean-up. We need to put a name and face on those who are affecting the communities; and make visible the powers of the elites in each country, and the impacts their activities have on the climate.

...recognizing that solutions that produce results are already available in Indigenous homelands. These solutions only need support and financing so they can continue, be massified and shared. Right now, outsiders or extractivists set the rules and bring the 'solutions'.

...redistributing the resources available to address climate change that are now flowing only at the highest levels, and don't make it to the communities.

...making visible and recognizing the important work of Indigenous Peoples in caring for the forests.

...aligned with food sovereignty for Indigenous communities.

From a process perspective, Climate Justice requires:

- Ensuring Indigenous Peoples have access to information and participate actively in transforming and shaping decision-making where Indigenous Knowledge is carefully considered. Currently, Indigenous Peoples simply provide information, and do not participate beyond this, or know what is taking place in their territories around climate mitigation.
- Fundamentally remaking the COP and other international venues that are so out of reach for so many people.
- Democratizing decision-making and increasing capacity for engagement. This requires time and solidarity, particularly for Indigenous Peoples, women and youth; groups that are often left out of conversations and are disempowered. It also requires considering mechanisms for how the territory as a community of beings can participate in decision-making.

- Struggle and fight. Any serious engagement with questions around justice, decision-making and equality requires struggle, it requires fight. And recognizing this work in its context of earlier struggles, and the struggles that will continue into the future.
- Scaling-up to become global politics. Right now, the folks who are pushing for climate justice are the same people who are living these injustices.

“The Windigo is a human that transforms into a cannibal and eats people. From an Indigenous legal order perspective, the Windigo is like capitalism. And the Windigo is causing a lot of harm. The Windigo was somebody or something that had a relationship with the people: somebody’s brother, somebody’s cousin, somebody’s auntie, father, mother, uncle, grandfather. And if a person turned into a Windigo, then you wanted to heal that person. Just as you would want to heal capitalism. So how do you heal capitalism, how do you heal the Windigo? Because the only other choice would be to kill capitalism, to kill the Windigo.”

Differential Effects of Climate (in)Justice – Women, Youth and Elders

Aspiring to climate justice means considering the differentiated effects that the climate crisis—and the broader structures that have spawned it, including colonialism, racism and discrimination—have had on women, children and youth.

Women

For women, aspiring to climate justice means:

- Addressing the legacy of patriarchy, for example as it is enshrined in Canada’s Indian Act, and internalized colonialism.

“We have to speak out about internalized colonialism, where we think we have to uphold patriarchy and keep ourselves at a subservient level. We need to empower ourselves as women too.”

- Confronting the ‘cheap care’ model: Women generally take care of the elderly and the children. This is the product of the modern, co-evolved, capitalist society that exploits our cultures and disempowers women.
- Transforming the historic discrimination against Indigenous women, Black women, Peasant women, and access to basic rights. We’ve been historic victims of patriarchy, machismo, and we need to transform that. We’ve been discriminated against; we’ve been made vulnerable with regards to basic needs — health, education, housing, access to lands. So, justice must foresee that women have access to those rights in a differentiated way in the territories.
- Generating mechanisms to protect and support our women, who are feeding and leading these important processes. What happens with the children of women leaders? What happens with these responsibilities? It’s important to provide that support.

“We feel used rather than recognized for our important work, and that’s where injustice arises. In spaces such as COP and others, people speak about the importance of the forests... But there are people taking care of the forests! And their work is not reflected.”

Youth

For youth, aspiring to climate justice requires:

- Protecting youth. In Latin America and the Caribbean youth are increasingly getting involved in illicit economies, such as illegal mining, cultivation of coca and narco-trafficking. It has to do with the lack of other incentives, the absence of the state and dearth of basic human needs. There is a narrative of aspiring to economic development, of having cellphones etc; and involvement in illicit economies is a simpler path.
- Guaranteeing meaningful participation for children and youth in decision-making. Rather than treating them as ‘not of age yet’, and simply drawing nice pictures of their territory, they need to contribute perspectives and visions that get integrated into decision-making.

Elders

Elders have invaluable knowledge about caring for the territory, which is being lost. The death of each elder implies not only physical death, but the loss of their knowledge of the plants, the trees, and other things that today’s youth don’t necessarily know about or recognize as important when they assume leadership roles. This reality is exacerbated in the context of violent internal armed conflict — as experienced by the Asháninka People in Peru in the 80s and 90s, for example — where a whole People were forcefully displaced, and their elders died either from assassination or by disease.

“Elders are a living library of knowledge. But our elders are dying. They are living in conditions of indignity, abandoned, with many in very complex situations without access to basic human rights. We need to protect that knowledge, to protect our elders that are still alive, and to guarantee mechanisms for them to pass on their knowledge. That the library that is our elders stays here when our elders transcend to the other plane.”

In aspiring to climate justice, it is imperative to:

- Include elders’ knowledge as an important source of information in considering deforestation and other threats.
- Establish mechanisms for passing on the knowledge of those elders who are still with us.
- Ensure elders live in conditions of dignity and have access to basic human rights.

“The children will be far more affected—they will need to shoulder the largest crisis of the planet. We need to incorporate our children’s visions in these gatherings and guarantee them effective participation.”

INDIGENOUS
PEOPLES,
CLIMATE
JUSTICE
AND ACTION
RESEARCH
IN THE AMERICAS

Annex 2

Perspectives on Ethical Action Research

Annex 2: Perspectives on Ethical Action Research

Two separate breakout groups discussed the questions: *What is ethical research with Indigenous Peoples? What are the challenges and opportunities?* One group was comprised of Indigenous participants only; and another of academic, NGO and donor participants. Key points were presented and discussed in plenary.

Indigenous perspectives:

For research to be ethical it must be undertaken with respect, reciprocity, making visible the research process, and it must have authorization and be based on free, prior and informed consent regarding the research process. When we speak about consent, this does not simply involve for others to say what will be done, and for us to say yes or no; but that research processes are conceived with us, the Peoples. And that decisions ensure our voices and needs are part of the research process. Research should not only go one way; but in a pathway that circulates in favour of those who are part of the research. This involves starting from certain key principles, such as interculturality.

Research needs to respond to our needs and to our life plans. We need access to information; and information must be returned. Often, we don't have information generated through research that we need. For example, there are water quality studies, but our communities don't know what our water quality is. Intellectual property rights need to be recognized, and credit given to Indigenous knowledge contained in research.

Challenges and Opportunities

Challenges include the very high level of bureaucracy for very small funds, limiting the ability for communities to access them; that companies are in the driver's seat with regards to establishing the price and the rules for carbon market; and the egoism involved. For example, in moments just prior to COP, everyone is trying to capture Indigenous Peoples to take to these

international tables. Yet the financing from these processes does not get to the communities.

In terms of opportunities, Indigenous Peoples have the knowledge around the high levels of biodiversity in our territories. We also know how to administer projects. Many of our communities are titled owners; yet we need to promote titling.

"We declare NO to knowledge extractivism. We continue to replicate gold and rubber extractivism with regards to knowledge. We are the subjects — not the objects — of research. That means putting into dialogue at the same level all the knowledges that are present. We do not want people to refer to us with categories such as experiences, cultural practices, rituals. No! This is knowledge. It needs to be at the same level."

Specific proposals

- Understand orality as scientific method and value traditional ancestral knowledge that cannot be expropriated or privatized by scientists or universities.
- Build capacity and train indigenous diplomats to come into direct contact with funding sources. Climate change funding that currently exists mostly goes to States rather than directly to communities. A window of financing should be opened for

direct funding to communities, which would require direct negotiations with the leaders of these communities.

- Encourage women leaders, promote new knowledges, and appropriate new technologies around monitoring, and promoting territorial guards. We need capacity strengthening around territorial planning and other issues that affect us.
- Ensure access to information. Lots of scientific information is generated and exists that is not socialized in the territory, and often it is in foreign languages. There is a co-responsibility to bring this information back and disseminate it.
- Strengthen community understanding around funding processes and sources and improve community decision-making and administration of finances.
- Consider community-led privatization of our rainforest. Ultimately, companies come and privatize our lands, Making it difficult for us to appropriate that territory back. Community-led privatization would mean that we would establish our own rules to be upheld.
- Ensure community voices are in the centre of decision-making; we need to participate effectively.
- Reduce the education gap, and access to intercultural education. One way is through financial education.
- Avoid intermediaries in financing. Often the funds go to technical teams and very little is distributed for the benefit of the communities.
- Promote intergenerational dialogues: sharing with children — from when they are infants—to the elders who have the stories and knowledge of our territories.

- Articulate actions with the various actors in the territory, promote cooperation, gatherings, and effective mechanisms.
- Learn how to negotiate. We cannot be in global spaces without knowing about the protocols, best practices or how the structure of decision-making functions.

Academic, NGO and donor perspectives:

Research that is ethical is co-created with communities, with the objectives, research questions, budgets and roles of partners co-defined. This approach eliminates the idea of academic extractivism: There is nothing to 'bring back' as the information does not leave the communities. Rather, the task is socializing the co-constructed research within the communities.

Ethical research is a bilateral process based on mutual learning and the validation of different types of knowledge, worldviews and perceptions of reality. The approach involves long-term research relationships that forge interpersonal relationships that go beyond institutional or professional relationships. For some it can be a way of life based on friendship and commitments from each side, undertaken with humility. In this context, research results are presented collectively to donors and others.

While co-creation is an important aspect, so too is encouraging and supporting autonomous Indigenous research.

Challenges and opportunities

Key challenges include how communities engaged in co-created research benefit financially. Donors often pose institutional barriers: parameters and requirements for funding are onerous, with bureaucratic processes and time pressures that do not adjust to community realities. The key opportunity is for interlocutors to accompany the first phases of accessing research funding in a way that enables autonomy and community objectives.

Another challenge is when objectives for research are pre-stated or pre-defined by donors. For example, in our retreat the concept of 'climate justice' — we all had very different conceptions and ideas around this concept and its validity. If financing involves a pre-conceived answer, it can affect the process and pathways. Research must be defined by the communities, and not by the funders— funders need to be open to different answers.

Relations with outside financing can result in changes to community dynamics. As part of the co-creation of research, it's important to identify and collectively address with communities how to resolve eventual conflicts that might arise because of funding.

Annex 3

**Roundtable with the UN Special Rapporteur
on the Rights of Indigenous Peoples,
Francisco Cali Tzay**

Annex 3: Roundtable with the UN Special Rapporteur on the Rights of Indigenous Peoples, Francisco Cali Tzay

Our October 2 policy roundtable with Francisco Cali Tzay confirmed that many key messages emerging from our retreat had been echoed by other Indigenous Peoples globally and taken up in the Rapporteur's thematic reports and considerations (Box 3). The following section synthesizes the Rapporteur's keynote address ([found in full here](#)), the short presentations by Indigenous participants and key discussion points. The unedited roundtable video is available [here](#).

Key messages from the UN Special Rapporteur

In his intervention, UN Special Rapporteur Francisco Cali Tzay commented on select findings from his official trip to Canada March 2023, and on the impacts of the climate crisis on Indigenous Peoples globally.

He applauded Canada for advances made around its 2021 uptake of UNDRIP in domestic legislation and its Action Plan with 181 measures around implementation, including guidance on FPIC for natural resources projects and establishing an Indigenous rights monitoring mechanism; and for efforts to support Indigenous-led conservation. Yet he noted with regret that *"significant achievements are often acquired through court decisions or case settlements rather than implementation of governmental policies, and these advances are ultimately the result of Indigenous Peoples' strong determination and unabated courage to defend their rights."*

The Rapporteur's overview of the impacts of climate change on Indigenous Peoples echoed those raised by retreat participants. Indigenous women and girls are disproportionately affected

by loss of lands, territories and resources due to climate change, and there is urgency to recover and preserve Indigenous women's scientific knowledge. Further, women often lead territorial defense efforts, and are subject to criminalization for their environmental defense work. While new policies must recognize and implement gender-based approaches to address the unique impacts of the climate crisis on Indigenous women and girls and their unequal access to emergency response, special attention should also be given to Indigenous elders who are important keepers and transmitters of Indigenous knowledge, culture and language, and are more vulnerable to the health impacts of climate change.

"Indigenous Peoples' scientific knowledge, collective land tenure systems, and sustainable management of resources have preserved and conserved our planet for centuries, proving that respect for our rights is a fundamental step to achieving sustainable and effective conservation goals. Indigenous Peoples make up just five percent of the global population but are protecting 80 percent of the world's remaining biodiversity."

—Francisco Cali Tzay, UN Special Rapporteur
on the Rights of Indigenous Peoples

Cali Tzay stressed that despite Indigenous Peoples' important contributions to biodiversity and their role as agents of transformation in the face of climate change, they are often excluded from the design and implementation of programs. They continue to be dispossessed of ancestral lands in the name of conservation and climate change schemes. Increasing protected areas cannot address climate change without other substantive

measures tackling the real drivers of the climate crisis, namely changing consumption patterns and reducing carbon emissions.

Further, Indigenous Peoples must be included as rights holders and stakeholders, with due recognition of their knowledge and capacities for stewarding the world's biodiverse regions. While international conferences are increasingly recognizing this role, the measures taken are insufficient. They do not value Indigenous Knowledge as contemporary and dynamic, or as the sophisticated set of understandings of no less value than other kinds of knowledge: "To recognize this," the Rapporteur underscored, "I have adopted the terminology of 'scientific and technical knowledge' in place of 'traditional' or 'customary' knowledge."

Addressing international conservation organizations and corporations, Cali Tzay emphasized Indigenous-led conservation and climate change action should be at the forefront of efforts to combat the crisis, and the practice of fortress conservation discontinued.

"In Canada, the Kaska Dene are just one of many First Nations that are leading their own conservation initiatives by establishing Indigenous Protected and Conserved Areas governed through Indigenous law and knowledge systems. Notably, Indigenous women are leading two-thirds of the 23 proposed IPCAs of the Indigenous Leadership Initiative and nearly half the Indigenous Land Guardian programs that manage, restore and monitor protected areas."

—Francisco Cali Tzay, UN Special Rapporteur on
the Rights of Indigenous Peoples

Likewise, the extractive industry merits special attention: It is responsible for half of global greenhouse gas emissions and 90% of biodiversity loss; and government-backed projects violating Indigenous rights have led to criminalization of Indigenous Peoples defending their territory, fuelling conflict.

The Rapporteur reiterated concerns regarding the human rights abuses against Indigenous Peoples committed by Canadian companies operating abroad. Canada is home to almost half of the world's publicly listed mining and mineral exploration companies, with some 200 Canadian companies present in 97 foreign countries. Repeatedly, UN Treaty monitoring bodies have called on Canada to adopt a regulatory framework to hold these transnational companies accountable for rights violations. He implied that to date these efforts have fallen short, underscoring businesses have the responsibility to respect human rights wherever they operate; and the State "has extraterritorial obligations to take steps to prevent and redress infringements of [human] rights committed abroad by business entities over which it exercises control."

Yet even in Canada these global standards are not being met. Indigenous Peoples are fighting for climate justice and opposing the construction of TC Energy's Coastal GasLink and the federal government-run Trans Mountain pipeline that were approved without the consent of all affected Indigenous Peoples, particularly hereditary chiefs who assert jurisdiction off-reserve. Injunctions and exclusion zones have criminalized Indigenous opposition to these projects and led to the forced evictions and arrests of Wet'suwet'en People on their ancestral lands. Other land defenders were arrested for blockading the Transmountain Pipeline route.

With regards to climate financing, Cali Tzay underscored insufficient funds have been allocated to support Indigenous Peoples-led initiatives, advance the recognition of their collective land rights, preserve their ways of life, or protect against violence by third parties. And despite international pledges to advance the recognition of Indigenous Peoples' rights over their territories and the protection of tropical rainforests (with 1.7 billion USD pledged at COP 26 by governments and philanthropic organizations), lack of transparency and reporting and monitoring mechanisms makes evaluating compliance with these commitments difficult.

Indeed, international funding does not effectively reach Indigenous Peoples and their own projects, according to recent studies.

To reverse this situation, Cali Tzay underscored:

- Funding practices and grant design need to be modified to enable Indigenous Peoples to access, manage and benefit from funds more easily and quickly. Funding must be channeled in ways relevant and appropriate for Indigenous Peoples; be flexible, long-term, gender-inclusive, timely and accessible; and ensure accountability.
- Transformative changes need to occur in the practices and infrastructure of climate and conservation funders, including international NGOs, private foundations and philanthropic bodies, and government agencies to accommodate the world view and realities of Indigenous Peoples and support Indigenous self-determination.
- Capacity support must be provided to enable Indigenous Peoples to hire external legal, financial and technical experts, and gain experience through deal-making. Indigenous Peoples need to build their own technical units within their organizations to meet the minimal requirements of donors and other funders.
- As called for by Indigenous Peoples at COP-27, there should be an independent Indigenous-led global green funding mechanism to support coordination, solidarity, experience and knowledge sharing, and lobbying and advocacy work for Indigenous Peoples from the seven sociocultural regions.

The Rapporteur closed his keynote address emphasizing that securing the collective land rights and self-determination of Indigenous Peoples over their territories is a necessary component of green financing, and instrumental for the conservation of biodiversity and climate change adaptation.

Spotlights from Distinct Territories of Life

Select Indigenous participants shared short presentations with the UN Special Rapporteur to highlight distinct climate injustices and issues: Marisol Garcia Apagueña, Kichwa, Peru National parks in Peru are created without prior consultation or free, prior and informed consent, using a conservation model that excludes Indigenous Peoples. These green spaces are used to build-up the image of transnational corporations to whom carbon credits are sold; they appropriate these 'solutions' based on nature, while Indigenous Peoples forced out of their homelands do not receive one cent. We have the responsibility to make visible this injustice. There cannot be climate justice without first bringing about legal security to Indigenous Peoples' territories.

“There cannot be climate justice without first bringing about legal security to Indigenous Peoples' territories.”

—Marisol Garcia Apagueña,
Kichwa, Peru

Carlos Doviaza, Embera, Panama

We need to strengthen traditional structures; there is very little international funding dedicated to this. We speak of territory, autonomy, unity. States need to recognize us and our strengths; but also, we need to strengthen our own organizations, and to speak of unity as humans. We need to recognize that Indigenous systems need to be adapted; we need to cultivate the earth using ancestral knowledge. We need to dialogue amongst Indigenous Peoples—there is only one earth, and climate change affects us all. We need to have intercultural dialogues with those who are here, and with those who are not here.

Yanet, Ashánika, CARE, Peru

Speaking on behalf of two Peoples in voluntary isolation and two in initial contact in Peru, the critical issue is the growing advance of narcotrafficking and associated violences in my area and in many areas in Peru. In the 80s and 90s,

we had a lot of forced displacement. But today, our rights are still being violated. Even if we have worked to establish our own early warning system and economic development projects, we do not have legal security in our communities. We need the Peruvian State to take concrete actions in this regard.

Erika Margarita Campos, Proyectos de Adaptación, Yucatán, Maya, México

Yucatán is home to many resources, such as water. Many 'sustainable' and megaprojects have come to the area. Genetically modified organisms (GMOs) came to Campeche, and the forest was cleared for genetically modified soya. Airplanes are used to fertilize these crops with toxic substances, where bees are killed, and where surface soils and waters are contaminated. There seems to be no limit to pig farming. Our food goes abroad. There are also impacts from real estate and renewable technologies. While renewable energies are promoted in Mexico, there are no community-led experiences to date.

Carlos Jiménez Caceres, Aymara, Chile

In Chile, the recent constitutional process took a regressive step back by omitting Indigenous Peoples' autonomy and advancing instead with cultural rights. The Constitutional Council also avoids measures for climate change adaptation and does not recognize the fundamental role of Indigenous Peoples. The national strategy for a 'just energy transition' does not respect Indigenous political or economic autonomy, nor Indigenous territories. Moreover, Indigenous consultations have been ineffective, and co-government has not worked.

Vairoa Ika, Rapa Nui

Rapa Nui has enormous environmental challenges. As an island in the Pacific, it receives all the plastic of the world. The reefs are very affected. This and other pacific islands receive the break-off plastic from the world's largest island of floating plastics which is close by. There is climate injustice because children and adults need to clean up this garbage. We need support to address this issue.

Manari Ushigua, Sápara, Ecuador

We have proved that Indigenous knowledge is scientific knowledge—there is not much difference between them at all—and Indigenous knowledge works. We're seeing from the forest that climate change is already here. So, we cannot speak about adaptation futures, but adaptation in the present. That means we cannot differentiate between humans, and we have to unite to address climate change. We need new terms, new words other than 'sustainable' for aligning ourselves in these new pathways and to start caring for our spaces of life.

“We have to unite to address climate change. We need new terms, new words other than 'sustainable' for aligning ourselves in these new pathways and to start caring for our spaces of life.”

—Manari Ushigua,
Sápara Nation, Ecuador

Sonia Mutumbajoy, Inga, Colombia

The Andean-Amazonian territory in Putumayo is very rich and full of water sources. But it has been the victim of extractivism, deforestation but also knowledge extractivism. Indigenous Peoples have been in the middle of this, safeguarding thinking grounded in spirituality. Because the habitat belongs to human beings but also spiritual beings, even if the latter do not occupy much importance in debates on climate crisis. A Canadian mining company recently came to our territory, with a proposal for exploitation. The presence of this company is generating a series of situations, including water contamination and threats to leaders and spirituality. Most of the Indigenous lands in Putumayo are not yet titled collectively; and carbon credit schemes are arriving, with the idea that nature has a price. We call on the Special Rapporteur to ensure that Indigenous Peoples' rights are fully guaranteed, and that the territory remains physically and spiritually integral. The answer for combating the climate crisis is in the spiritual.

“We call on the Special Rapporteur to ensure that Indigenous Peoples’ rights are fully guaranteed, and that the territory remains physically and spiritually integral. The answer for combating the climate crisis is in the spiritual.”

—Sonia Mutumbajoy,
Inga, Colombia

UN Special Rapporteur’s Responses

Responding to Indigenous participants’ presentations, the Rapporteur noted, among other things:

- It’s a worry that direct funding is not getting to Indigenous Peoples—10 percent is a lot even. Those same agencies that act as intermediaries keep most of the funds. Financing needs to get to Indigenous Peoples’ traditional structures and authorities of Indigenous Peoples.
- Narcotrafficking isn’t only happening in Peru. In India narcotrafficking is also significantly affecting traditional authority structures—they are being coopted.
- It is true that Chile has not taken into account the Special Rapporteur’s observations. The exploitation of lithium, presented as the transition or the alternative to fossil fuels, is very worrying not only in Chile, but in Bolivia and Argentina. It is not acceptable that the green transition be at the cost of the suffering and forced displacement of the lands and territories of Indigenous Peoples.
- It is necessary to make formal petitions directly to the Rapporteur for him to act on specific cases. States usually respond because they do not like it when they are blamed for not respecting Indigenous Peoples’ rights. Relevant information should be sent to Francisco Cali Tzay, United Nations Special Rapporteur on the Rights of Indigenous Peoples at his official and personal email addresses: hrc-sr-indigenous@un.org (official); josefcalitzay@arizona.edu (personal).

Discussion: Select Questions & Answers

Q1: *Are there any agreements or concrete actions at the UN to ensure that the Declaration is fulfilled, especially with regards to self-determination?*

UNSR A1: The agreement is simple: They have the obligation to uphold what they have signed, what they have ratified. In addition, some States like Colombia have also ratified ILO Convention 169. I don’t want you to get into the discussion of whether the Declaration is legally binding. For me it’s binding. Why? Because UNDRIP simply restates rights that are already recognized in other international instruments that are binding. And even if it weren’t binding, lawyers know that law needs to be binding when it’s used. If you stop using it, it stops being positive [law] —it stops being active. As long as we continue to use UNDRIP as the legal base of our claims to States, we will be making it binding. Some 75 years after the Universal Declaration of Human Rights, nobody—not one State—questions whether the Universal Declaration is binding or not. Why? Because it’s used every day. So, let’s use our Declaration! As the legal basis for our rights in our countries, and that way we will render it positive [law].

Q2: *In Colombia, prior consultation is not free, prior or informed. It’s become a mechanism that makes rights vulnerable, it’s become a merely formal requirement, that instead of safeguarding territory, legitimates the intervention or presence of different interests in the territory.*

What is being done from the rapporteurship, from your role—or in dialogues with States—to advance from that figure of consultation to the true free, prior and informed consent of Peoples

and our decision to protect the territory? An issue so important in these debates about climate justice and climate adaptation, where Indigenous Peoples’ territories are the base for the survival of humanity.

UNSR A2: I’ve been emphasizing that free, prior and informed consultation cannot merely be a formal issue, but it should be undertaken in the spirit of ILO and the Declaration. This year I even approached the ILO to address that, because

there are many ILO officers backing consultation as a mere formality—and not how it should be done. I don’t mind calling out the very institutions of the United Nations when they are collaborating with States and violating the rights of Indigenous Peoples. In some countries UN agencies have even left because of my speaking out. Because it is not right that UN agencies—that are based fundamentally on respecting human rights—are collaborating with States to violate indigenous Peoples rights.

“It is not right that UN agencies—that are based fundamentally on respecting human rights—are collaborating with States to violate Indigenous Peoples’ rights.”

—Francisco Cali Tzay,
UN Special Rapporteur on the
Rights of indigenous Peoples





**Indigenous Peoples,
Climate Justice
and Action Research
in the Americas:**
Exchanging Knowledges
and Building Alliances
for Territories of Life

key Messages
& Lessons Learned

A retreat co-hosted by the Centre for Indigenous Conservation and Development Alternatives (CICADA), McGill University and the Mohawk Council of Kahnawà:ke (MCK) with the support of the International Development Research Centre of Canada (IDRC)

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