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Closing Statement of the Indigenous Peoples Caucus
UN Forum on Business and Human Rights
Theme: "*Delivering on the UNGPs in a Time of Global Crises*"

Madame Chair,

We, the Global Indigenous Peoples Caucus, come to this year's Forum carrying both deep concern and renewed resolve. Despite claims by States and corporations of progress in delivering on the UNGPs, Indigenous Peoples continue to suffer widespread and systematic violations of our individual and collective rights, including criminalization, attacks and killings of Indigenous Peoples' human rights defenders.

We are facing an aggressive expansion of mining including transition minerals and deep sea mining; so-called renewable energy projects including offshore wind farms, monoculture, agribusiness, infrastructure projects, and biofuel plantations in our territories, often imposed without respecting our right to self-determination and without our Free, Prior and Informed Consent (FPIC). These activities drive dispossession, degrade ecosystems, destroy our livelihoods and harm our health. Simultaneously, the continued expansion of fossil fuel production, and promotion and imposition of false solutions intensify harm across our territories and undermine global climate goals.

Despite these contradictions, we welcome the COP30 decision under the Just Transition Work Programme which asserts that all just transition pathways *respect and promote the internationally recognized collective and individual rights of Indigenous Peoples, including the right to self-determination*. We underscore that FPIC is an integral element of the rights of self-determination. From which all our rights either flow or are linked to. Integral to uplifting our self-determination is to ensure full respect for FPIC in all circumstances. Therefore, we call for the full and effective participation of Indigenous Peoples in the development of the National Action Plans on Business and Human Rights including follow up action plans, and urge for the adoption of legislation and enforcement of mandatory human rights due diligence.

We commend the UN Working Group on Business and Human Rights for its resolution to prepare a dedicated report on Indigenous Peoples, FPIC and business activities. We urge all rightsholders to respond to the call for inputs so the report reflects our lived realities and provides clear guidance on the proper implementation of FPIC consistent with our right to self-determination. We also commend the Working Group for releasing statements and communications on emerging and critical human rights issues in Asia and we encourage the Working Group to continue this practice.

We reiterate our serious concern regarding the final draft of the Consolidated Mining Standard Initiative (CMSI). While it outlines a process for FPIC, it does not affirm Indigenous Peoples' collective decision making, including the right to say NO. FPIC is not optional; including in relation to the threat of relocation. FPIC must always be consistent with the UN Declaration on the Rights of Indigenous Peoples. FPIC without the power to withhold consent is not FPIC. It violates our right to self-determination and sets a dangerous precedent for business activities.

Colleagues,

There can be no credible implementation of the UNGPs without the respect and protection for Indigenous Peoples' right to self-determination. Despite escalating risks, and criminalization, we continue to protect most of the world's remaining biodiversity and we steward vital ecosystems that buffer the planet from climate collapse. We therefore call on states, businesses, and investors to:

- Recognize and uphold the rights of Indigenous Peoples including our collective rights to self-determination and free, prior and informed consent in accordance with the United Nations Declaration on the Rights of Indigenous Peoples, and acknowledge the rights and protections for Indigenous Peoples in voluntary isolation and initial contact, in accordance with relevant international human rights instruments and principles.
- Ensure that States fulfil their duty to protect, respect, and fulfil Indigenous Peoples' human rights, including by adopting binding measures to protect Indigenous human rights defenders, enforcing zero tolerance for attacks, and ratifying the Escazú Agreement. This must include the full and effective participation of Indigenous Peoples in the development and implementation of National Action Plans on Business and Human Rights.
- Ensure that business and investors fully commit publicly to ensure zero attacks against Indigenous Peoples and defenders of collective rights.
- Recognize the right to self-determination and secure Indigenous Peoples land rights and ensure FPIC for all business, and climate-related activities as part of Mandatory Human Rights and environmental Due Diligence
- Guarantee the full and effective participation of Indigenous Peoples—including women, youth, persons with disabilities, and sexual and gender diverse indigenous persons,—in all stages of decision-making on business activities affecting us.
- Establish accessible and effective accountability and remedy mechanisms that deliver justice, respect customary justice systems, integrate our values, and align with the International Court of Justice (ICJ) standards for a clean and healthy environment.

A truly just and sustainable future demands a rights-based approach that places Indigenous Peoples at the center, not at the margins, of global action. We stand ready to engage and cooperate in good faith grounded in the full respect and protection of our rights and guided by the UNGPs. We call on all participants to join us in this same spirit of genuine commitment and shared responsibility. Thank you.