

June 11, 2018

Respectful greetings,

We transmit herewith a note in our capacity as Co-Chairs of the Indigenous Peoples Caucus, convened under the International Indigenous Peoples Forum on Climate Change (IIPFCC) during the Bonn Climate Change Conference 2018, which included the forty-eighth sessions of the Subsidiary Body for Implementation (SBI48) and Subsidiary Body for Scientific and Technological Advice (SBSTA48) as well as the fifth part of the first session of the Ad Hoc Working Group on the Paris Agreement (APA 1-5).

In accordance with the collective view of the Indigenous Peoples Caucus expressed during its preparatory meeting on April 29 2018 at the Evangelischer Kirchenkreis in Bonn, the Co-Chairs have prioritized the negotiations to further operationalize the Local Communities and Indigenous Peoples (LCIP) platform in the coordination and deliberations of the Indigenous Peoples Caucus during the 2018 Bonn Climate Change Conference.

As a variety of proposals have been made by Parties and the IIPFCC during the negotiations and, in order to ensure that the document which will be finalized during the twenty-fourth session of the Conference of Parties (COP24) reflects the views of Indigenous Peoples, and to safeguard the ownership of the document by Parties and Indigenous Peoples, we, as Co-Chairs, have worked to provide a note on the current status of said platform.

We highly value the importance of open, transparent and inclusive consultations between Indigenous Peoples and Parties, and encourage all interested Indigenous Peoples, Parties and other stakeholders to raise any ideas and concerns with us. Should any organization, Party or groups of Parties wish to consult with the IIPFCC through its Co-Chairs, please contact the Indigenous Peoples focal point to the UNFCCC Secretariat (Mr. Lakpa Nuri Sherpa, email: nuri@aippnet.org).

We are committed to engage further in a constructive dialogue on this important subject before and during COP24.

Please accept, the assurances of our highest consideration.

Juan Carlos Jintiach

Co-Chair Indigenous Peoples Caucus

Ghazali Oforella

Co-Chair Indigenous Peoples Caucus

I. INTRODUCTION

1. From April 30 to May 10 2018 the International Indigenous Peoples Forum on Climate Change (IIPFCC) met on the occasion of the Bonn Climate Change Conference to participate in discussions under the forty-eighth sessions of the Subsidiary Body for Implementation (SBI 48) and Subsidiary Body for Scientific and Technological Advice (SBSTA 48), the fifth part of the first session of the Ad Hoc Working Group on the Paris Agreement (APA 1-5), and other meetings.
2. The International Indigenous Peoples Forum on Climate Change was established in 2008, as a convening space for the Indigenous Peoples attending the sessions of the Conference of Parties, inter-sessional meetings of its subsidiary bodies, and other United Nations Framework Convention on Climate Change (UNFCCC) related meetings. The IIPFCC consists of participants from the 7 indigenous geopolitical regions, that includes a coordinating committee called the Global Steering Committee and a technical team to assist the IIPFCC in its work, the IIPFCC continuously seeks to reflect the 7 indigenous regions in aforementioned voluntary bodies. Respectful of the regional processes, the mandate of the IIPFCC is to spearhead efforts to influence decisions within the UNFCCC.
3. Since time immemorial, we have protected our lands, territories, resources, air, ice, oceans and waters, mountains and forests, and have been resilient throughout the worsening impacts of climate change and it is on our view that this platform can strengthen our ability to respond to climate change and collaborate with Parties and local communities in order to protect our livelihoods, cultures, lands, territories and resources.
4. In this regard, the Co-Chairs are grateful for the support that was provided by, particularly: The staff of the Secretariat of the UNFCCC, Indigenous Peoples' Center for Documentation, Research and Information (DOCIP), Indigenous Work Group for Indigenous Affairs (IWGIA), Servindi, and the Evangelischer Kirchenkreis Bonn. The IIPFCC also likes to express its gratitude to the many donors that have made the participation of Indigenous Peoples' representatives possible. The IIPFCC also expresses its deep appreciation to the people of the city of Bonn for demonstrating their continuing warm hospitality towards Indigenous Peoples, year in year out. On behalf of the IIPFCC, we appreciate all your help and hospitality, and hope that you will continue to do so in the future.
5. During the conference, Indigenous Peoples have participated in various meetings both inside and outside the Bonn World Conference Center to share our experiences, practices and views. The IIPFCC focused its work in particular on the Local Communities and Indigenous Peoples Platform, and the Talanoa Dialogue. The developments under specific processes such as the Suva Expert Dialogue, Research Dialogue, Durban Forum on Capacity-Building, Facilitative Sharing of Views, Stocktaking, Gender Dialogue that includes the Gender Action Plan, Action for Climate Empowerment, Agriculture, and Technical Expert Meeting were also closely followed and assessed by the IIPFCC. The IIPFCC Co-Chairs believe that we have made significant progress on many levels, and gathered important information for our decision-making that can further our participation and effectiveness both under and outside the UNFCCC.
6. In Bonn, the IIPFCC consisted of representatives from all 7 geopolitical regions, which included representatives of Indigenous parliaments, representatives from Indigenous Peoples' councils, multi-regional organizations, regional organizations, umbrella organizations and individual organizations. The IIPFCC gathered in a preparatory meeting on April 29th at the Evangelischer Kirchenkreis Bonn, and daily from April 30th to May 10th in a morning coordinating meeting, referred to as the Indigenous Peoples Caucus, which provided a unique and valuable opportunity for internal consultation and dialogue regarding issues concerning Indigenous Peoples and climate change. In addition the IIPFCC scheduled an ad-hoc meeting on April 30th in preparation of the *Multi-stakeholder workshop of the local communities and indigenous peoples (LCIP) platform* that occurred on May 1st. Regarding the negotiation sessions on the LCIP platform the IIPFCC met as frequently as the Co-Chairs deemed necessary to debrief said informal and informal-informal consultations.
7. The present note is for publication and contains general information and elaboration on some collective observations and recommendations, as we hope that that this will be of use to Indigenous Peoples, UN entities, Parties, and other stakeholders to help find solutions to the ongoing challenges that Indigenous Peoples face in the climate change regime. Please note that the following does not reflect the full range of the IIPFCC's views, recommendations and activities.

8. For practical purposes the term “Parties” will prevail as a generic term to identify the States party to the UNFCCC, though the term can be used interchangeably with “States” or “Member States” in present note, as we also reference language from the broader UN system.

II. LOCAL COMMUNITIES AND INDIGENOUS PEOPLES (LCIP) PLATFORM

A. Background

1. The LCIP platform is grounded by paragraph 135 of Decision 1/CP.21 (henceforth the Paris Agreement) established for the exchange of experiences and sharing of best practices on mitigation and adaptation in a holistic and integrated manner. Though established by the Paris Agreement in 2015, the Indigenous Peoples Caucus present at COP21 did not take initiative for the establishment of such entity under the UNFCCC.
2. In 2016, as key actors of the platform, Indigenous Peoples emphasized at COP22 in Marrakech the need for full, effective, direct and meaningful participation in the operationalization process, and highlighted that paragraph 135 contains two elements which must be read in tandem. As the Decision reads Paris decision recognized the need to strengthen knowledge, technologies, practices and efforts of local communities and indigenous peoples related to addressing and responding to climate change, and the Paris Agreement also established a platform for the exchange of experiences and sharing of best practices on mitigation and adaptation in a holistic and integrated manner. Indigenous Peoples underscored that the platform should be the mechanism to implement the first element.
3. As the informal consultations that occurred at COP22 should open a process to operationalize the platform, Indigenous Peoples unfortunately experienced the session more as a process in which Parties discussed the platform itself. In the absence of an agreement from the informal consultations, the Conference of Parties thus agreed for an “incremental approach” and for the SBSTA to undertake further work on operationalizing the platform, through a multilateral dialogue to provide proposals on operationalization including what the functions of the platform should be, taking into account on submission from Parties, Indigenous Peoples and other stakeholders. This dialogue occurred in May 2017 with a view to forwarding recommendations to COP23 in 2017.
4. The following year, under the Presidency of Fiji, COP23 decided in paragraphs 5-6 of Decision 2/CP.23¹ that the platform will strengthen the knowledge, technologies, practices, and efforts of local communities and indigenous peoples related to addressing and responding to climate change, through its functions which will be to facilitate the exchange of experience and the sharing of best practices and lessons learned on mitigation and adaptation in a holistic and integrated manner and to enhance the engagement of local communities and indigenous peoples in the UNFCCC process.
5. Concerned with a potential delay of the decision and failure of Parties to respect the right to self-determination of Indigenous Peoples in all the processes of the platform, the IIPFCC formed four overarching principles, all formulated within the normative framework of the UN Declaration. These principles must be respected in the developing process of the platform. The principles are: Full and effective participation of indigenous peoples; equal status of indigenous peoples and Parties, including in leadership roles; self-selection of indigenous peoples representatives in accordance with indigenous peoples’ own procedures; and adequate funding from the secretariat and voluntary contributions to enable the implementation of the functions of the platform. The Co-Chairs particularly commend the Indigenous Peoples Caucus, the co-facilitators of the debate on the principles Mr. Stanley Kimaren Riamit,(Masaai) and Ms. Grace Balawag (Kankanaey Igorot) for the successful development of said principles and its inclusion into the Decision mentioned in the paragraph above.
6. The IIPFCC regrets that despite the efforts of the Indigenous Peoples Caucus to engage constructively and provide guidance, the negotiations were again driven by political agendas causing Parties to fail to reach an agreement at COP23. To further operationalize the platform, the Conference of Parties decided in Decision 2/CP.23 that SBSTA48 would consider the establishment of a facilitative working group, which would not be a negotiating body under the Convention, with balanced representation of local communities

¹ <https://unfccc.int/resource/docs/2017/cop23/eng/11a01.pdf>

and indigenous peoples and Parties, and organize the first activity of the platform, to be a multi-stakeholder workshop to discuss the potential modalities for the development of a workplan for the full implementation of the three functions.

7. The IIPFCC deeply regrets Parties' inability to reach an agreement on the modalities of the facilitative working group for adoption at COP24 in Katowice Poland, as a number of proposals have been made that compromise UN documents, the organizational measures of Indigenous Peoples, and complicate and further delay the operationalization process.
8. Despite aforementioned and continuing challenges, the Co-Chairs are encouraged by the unity, work and dedication demonstrated by the Indigenous Peoples Caucus at the Climate Change Conference. We underscore the interventions made by all the Indigenous Peoples representatives in their collective, institutional, organizational and individual capacities, including those presented during the multi-stakeholder workshop on May 1st. The Co-Chairs are inspired by the views shared by Parties at the dialogue, as it was an important opportunity for Indigenous Peoples and Parties to continue to build the partnership, what may be seen as the partnership contemplated for the facilitative working group.

B. Opportunity for real partnership

1. Mutual trust, understanding and common purpose and real partnership between Parties and Indigenous Peoples is vital to effective and sustainable climate change action, we therefore welcome the steps taken by the UNFCCC, through its Parties, to improve the participation of Indigenous Peoples in decision-making.
2. Indigenous Peoples reiterate that the UNFCCC and its Parties must be consistent with the standards established by the United Nations Declaration on the Rights of Indigenous Peoples, and being no less than the standards established, and broader developments regarding Indigenous representation and participation under the United Nations.
3. The Declaration is the most comprehensive and relevant human rights standard-setting instrument for Indigenous Peoples, as it reaffirms rights that are also found in the Charter of the United Nations, both UN Covenants and other legally binding and non-legally binding international instruments relevant to Indigenous Peoples.
4. We recall the UN Permanent Forum on Indigenous Issues, in its report on the tenth session in paragraph 21, in which it called upon the United Nations Framework Convention on Climate Change and States Parties thereto to develop mechanisms to promote the participation of Indigenous Peoples in all aspects of the international dialogue on climate change. Also, States confirmed in paragraph 36 of the UN World Conference on Indigenous Peoples Outcome Document, adopted by consensus by the General Assembly, that Indigenous Peoples' knowledge and strategies to sustain their environment should be respected and taken into account when developing national and international approaches on climate change mitigation and adaptation.
5. In addition, the Co-Chairs highlight Theme 1, para 7 of the Alta Outcome Document (see A/67/994). The Alta document has a high level of legitimacy and is an important normative instrument as a result of a global consultation in preparation of the 2014 World Conference on Indigenous Peoples. Though prepared for this purpose, the document is a plan of action in its own right, and recommends States to implement a comprehensive human rights and ecosystem based approach into all climate change measures and initiatives recognizing and valuing Indigenous world views including knowledge systems, technologies, innovations and practices, customary institutions and Indigenous governance, lands and resources, with enforceable safeguards in all climate agreements.
6. Taking the aforementioned into account, the Co-Chairs deem appropriate to highlight in present note the Indigenous Peoples' right to participate in decision making. As it is widely accepted that the right of Indigenous Peoples' participation in decision-making has a clear relationship with the right of Indigenous Peoples to self-determination, and the obligations of States to consult Indigenous Peoples in matters that may affect them, based on the principle of free, prior and informed consent. As Indigenous Peoples are one of the key actors in the platform and are committed to impact the UNFCCC through the platform in a positive way, all the processes under the platform must implement the rights of Indigenous Peoples per the UN Declaration in this preparatory phase.

7. Indigenous Peoples continue to propose and emphasize measures to enable full and effective participation in the consultations. Amongst others is the arrangement to co-facilitate and co-moderate the consultations through an Indigenous representative elected by Indigenous Peoples in partnership with a representative appointed by the COP presidency to, monitor progress, and share relevant information regarding the platform. As applied in the preparation of the World Conference on Indigenous Peoples, the practice of co-facilitation or co-moderation is a crucially important component that would further strengthen the cooperation of Indigenous Peoples in this process as well as provide an example of good faith on the part of the UNFCCC to engage on an equal basis with Indigenous Peoples.
8. In respect of co-moderation, the Co-Chairs appreciate the distinguished co-moderators of the multi-stakeholder dialogue, SBSTA46 Chair Mr. Carlos Fuller and Ms. Grace Balawag, representative of Indigenous Peoples, as well as the outstanding co-moderators of the multi-stakeholder workshop, SBSTA48 Chair Mr. Paul Watkinson and Mr. Roberto Mukaro Borrero, representative of Indigenous Peoples. As Indigenous Peoples stressed that any appointment of an indigenous representative is required to be on the basis of equal standing and participation, we welcome the efforts of the COP presidencies, SBSTA Chairs, as well as the Secretariat of the UNFCCC to upholding these obligations.
9. Another significant step, is the continued concerted measure of ensuring the deliberations and negotiations informal to allow the most generous, broadest and meaningful participation of Indigenous Peoples in the operationalization process of the platform.
10. These and further steps are key towards addressing the many problems Indigenous Peoples are facing through the full, effective, direct and meaningful participation. Consequently, the Co-Chairs urge Parties to extend, and enhance these measures to further the participation of Indigenous Peoples in decision-making processes that affect them under the UNFCCC, as reflected in Article 18 of the UN Declaration on the Rights of Indigenous Peoples.
11. Full, effective, direct and meaningful participation in UNFCCC decision-making processes is therefore not our request, it is an obligation that Parties must fulfill. The platform should inspire the UNFCCC to continue and increase the partnership between Indigenous Peoples and Parties in the climate change regime, and aspire to meaningfully include Indigenous Peoples in its decision making.

C. Remedies for concerns

1. The IIPFCC has been actively involved in the negotiations on the platform, as it believes the platform can become a comprehensive, multifaceted and multi-layered program of activities to combat climate change as it can also become a mechanism in which Indigenous Peoples can share, strengthen, and integrate traditional knowledge and practices for conserving lands, territories and resources and participate in decision-making.
2. The Indigenous Peoples Caucus, through the Co-Chairs, are concerned about the inclusion of discriminatory provisions, and secondly concerned about the inadequate participation of local communities being used as an excuse to delay further development of the platform.

UN Declaration on the Rights of Indigenous Peoples

3. One of the key goals for Indigenous Peoples is relating the UN Declaration on the Rights of Indigenous Peoples to the climate change regime, through, amongst others contributing to a better understanding to Parties and other stakeholders, of the institutional, political and legal implications of the recognition of the UN Declaration both under and outside the UNFCCC.
4. It is clear to us that Parties are becoming increasingly aware of, and are concerned about the lack of understanding the UN Declaration, and that Parties are taking steps to address them. The Co-Chairs appreciate the efforts undertaken by various Parties to create more open dialogues between Indigenous Peoples and Parties, through *inter alia*, Informal sessions between Indigenous Peoples and Parties such as the ones held previously in Brussels, Ottawa, and Helsinki, and encourage Parties to continue these dialogues.

5. Referring to the August 2012 report to the General Assembly, former Special Rapporteur James Anaya indicated: *“Being among those most affected by climate change, indigenous peoples have for years been demanding greater protection of their human rights in the context of international discussions on climate change and for their effective participation in those discussions, in accordance with the principles of the Declaration on the Rights of Indigenous Peoples.”* (see A/67/301, para 62), and despite the 2012 report of the UN Secretary General on ways and means of promoting participation at the United Nations of indigenous peoples’ representatives on issues affecting them (see A/HRC/21/24), and despite studies on, *inter alia*, indigenous peoples and the right to participate in decision-making (see A/HRC/18/42) procedural rules that devalue the UN Declaration (see E/C.19/2016/4) and the study on the extent to which climate change policies and projects adhere to the standards set forth in the United Nations Declaration on the Rights of Indigenous Peoples (see E/C.19/2010/7), it is evident to the Co-Chairs that Indigenous Peoples face ongoing challenges to maintain the fundamental rights in the climate change regime, despite the Declaration being adopted by the General Assembly on September 2007 and being the most comprehensive and relevant human rights standard-setting instrument for Indigenous Peoples.
6. Taking aforementioned paragraph into account, the Co-Chairs believe Parties should be aware of the dangers involved in some of the proposals made in the draft negotiating text, among our collective specific concerns are the paragraphs proposed that indicate a need to reinforce the status and territorial integrity of States as set out in the Charter of the United Nations and article 46 of the UN Declaration, through attempting to negotiate human rights text, these proposals are substandard and allow for subjective interpretation of said documents which, Indigenous Peoples fear, will compromise the spirit, purpose and integrity of the UN Charter and the UN Declaration.
7. The General Assembly adopted the Declaration on September 17, 2007 with 144 Member States voting in favour, 4 against and 11 abstentions. The overwhelming majority that approved the Declaration and represents a commitment by States to the fundamental human rights that Indigenous Peoples should have had all along, exercised within the framework of the UN Charter, containing obligations on the part of Member States to promote and protect these basic human rights. It is also worth pointing out that the 4 States that have originally voted against the adoption changed their position towards, at a minimum, formal support of the UN Declaration, two States that originally abstained from the adoption have stated to support the document.
8. The prerequisite nature of the Declaration is stated in the first preambular paragraph, which states that the General Assembly shall be guided by: *“the purposes and principles of the Charter of the United Nations, and good faith in the fulfillment of the obligations assumed by States in accordance with the Charter”*, the preamble thus implies that respect of the UN Declaration is a requirement for States in all their activities that fulfill the obligations enshrined in the Charter of the United Nations. Additionally, the UN Declaration reaffirms rights that are found in international instruments relevant to Indigenous Peoples, including the UN Charter.
9. It is therefore abundantly clear that these instruments and its provisions are interconnected, and interdependent. Thus, the significance of the Charter or the Declaration is not to be diminished by highlighting one provision or principle. States are required to interpret these documents in its entirety, in light of the overall context and character. In contrast to the suggestion in the negotiating draft that in terms of the activities of the platform, including the workplan, that the activities may not be construed as authorizing or encouraging any action which would dismember or impair, totally or in part, the territorial integrity or political unity of sovereign and independent States, which subjectively reduces the UN Declaration to article 46(1).
10. In light of the interconnected nature of the provisions, the Co-Chairs emphasize that the UN Declaration is a holistic document and that none of the articles including Article 46 should be regarded as stand-alone provisions of the Declaration, as the article at hand is closely linked with UN Declaration articles 3, 4, 5, 10, 11, 12, 14, 15, 17, 18, 19, 22, 23, 26, 27, 28, 30, 31, 32, 36, 40 and 41 as they reaffirm the right to self-determination of Indigenous Peoples and more specifically the right to participate in decision-making processes.
11. Additionally, Article 42 of the UN Declaration arranges that the United Nations and States “shall promote respect for and full application of the provisions of this Declaration and follow up the effectiveness of this Declaration”. The UNFCCC and its Parties, when developing laws and policies on climate change are

therefore, under the Declaration, required to promote respect for, and the full application of, the UN Declaration.

12. Taking aforementioned into account, the Co-Chairs are of the view that the current negotiations should not only be based on goodwill, but on full respect for the UN Declaration to ensure the acclaimed human rights based approach², in this process, and under the broader climate change regime. Ergo, any reference to international instruments, such as the Charter of the United Nations and the UN Declaration on the Rights of Indigenous Peoples must be objective to preserve the spirit, purpose and integrity of these international instruments.

Local Communities

13. The Co-Chairs are convinced that the operationalization process will create a more holistic and integrated approach to climate action, that embraces Indigenous Peoples, institutionalizes the rights of Indigenous Peoples, and respects and integrates traditional knowledge through its knowledge holders. As we perceive it being a significant step towards advancing the partnership between Indigenous Peoples and Parties, Initial steps have already been made. Indigenous Peoples are organized, through a representative constituency under the UNFCCC and have participated constructively holding a distinct and special status as the UN Declaration establishes a normative framework for partnership, mutual respect and good faith.
14. Indigenous Peoples have much to offer in terms of best practices and measures for sustainable development and climate change mitigation and adaptation, if our world views including knowledge systems, technologies, innovations and practices, customary institutions and Indigenous governance, lands and resources are recognized, valued and included in policy development, provided that these policies comply with the rights of Indigenous Peoples, such as the rights enshrined in the UN Declaration on the Rights of Indigenous Peoples.
15. As the platform is a learning and knowledge-sharing platform, that will embrace traditional knowledge holders, and our diverse knowledge systems, as they are important for the development of policies and strategies under the climate change regime that include, but not limited to, assessment processes, monitoring and defining indicators for climate change, transmission of traditional knowledge, innovations and practices. As local communities are also part of the platform, we welcome local communities, through a formal representation channel under the UNFCCC, and their contributions to the purpose and functions of the platform (see the Local Communities and Indigenous Peoples Platform chapter, background section, para 4 of present note).
16. In view of the negotiations on the modalities of the Facilitative Working Group, specifically the inclusion of local communities, Indigenous Peoples have been requested to comment on issues specific to local communities. As communicated to Parties, the representative of Indigenous Peoples in the negotiations emphasized and elaborated upon the continuing position of Indigenous Peoples that we, collectively as well as individually, can only speak on behalf of Indigenous Peoples and respect the right of local communities to speak on their own behalf. Therefore, we will not speak on behalf of local communities or take a position on this matter in the negotiations.
17. Though suggested at the negotiations, the Co-Chairs reject that this platform, and its activities including the operationalization process, to start, or become a venue for, a debate on a singular authoritative definition of Indigenous Peoples, considering that the UN Declaration does not set out a definition, and the Indigenous Peoples Caucus continue to highlight the importance of self-identification as reflected in Articles 9 and 33 of the UN Declaration. An appropriate source that helps identify Indigenous Peoples, in addition to the main criterion of self-identification, is proposed by José Martínez Cobo in his "*Study of the problem of discrimination against indigenous populations*" commonly known as the Martínez Cobo Study (see E/CN.4/Sub.2/1986/7 and Adds. 1–4).
18. There is no one-size-fits all approach to promoting the participation of the key actors of the platform, nor can organizational measures applied by Indigenous Peoples such as collective rights, and self-selection,

² See, *inter alia*, the Deputy United Nations High Commissioner for Human Rights "Climate change and human rights", address to COP13 of the UN Framework Convention, December 2007.

accommodate local communities. Indigenous Peoples have amongst others, the following arrangements and measures:

- a) Indigenous Peoples have minimum standards as reflected in the UN Declaration, entirely devoted to the rights of Indigenous Peoples as Peoples.
 - b) Indigenous Peoples are rights holders, with also collective rights to lands, territories and resources entrenched in Articles 3 and 26 of the UN Declaration as well as ILO Convention 169 and its predecessor Convention 107.
 - c) Indigenous Peoples are globally organized through seven geopolitical regional groups; Africa; Asia; Central and South America and the Caribbean; the Arctic; Central and Eastern Europe, Russian Federation, Central Asia and Transcaucasia; North America; and the Pacific.
 - d) Indigenous Peoples' participation in the UNFCCC is streamlined through the International Indigenous Peoples Forum on Climate Change, the convening platform of the Indigenous Peoples Organizations constituency.
19. Regarding the composition of the facilitative working group, there was an elaborate discussion on the number of Indigenous Peoples representatives as well as representatives of local communities in relation to the number of Party nominated members, whilst taking into account that Indigenous Peoples are organized through 7 geopolitical regions and balance. The Indigenous Peoples Caucus, at this point, refrains from intervening into this discussion and only emphasize the need for Indigenous Peoples to have at a minimum 1 representative per indigenous geopolitical region, also, of critical importance to Indigenous Peoples is representational balance with Parties.
20. Encouraged by the constructive relationship between Indigenous Peoples and local communities under the UN Convention on Biological Diversity's programme of work for Article 8(j), the Co-Chairs observe that, a representative constituency composed of local communities has not yet come forward under the UNFCCC. A central concern is that several Parties suggested that the accreditation and interaction arrangements are too time consuming and that an expedited process should be made available for local communities, differentiating between the accreditation and interaction arrangements of the nine constituencies, including Indigenous Peoples. Such arrangements would compromise the validity and efficacy of the current UNFCCC accreditation process.
21. Another concern are some proposal regarding the composition of the Facilitative Working Group, it was suggested that the nomination process for local communities could be accommodated through the Indigenous Peoples' procedures. The Co-Chairs would deem any arrangements unacceptable as self-selection is a priority as stipulated by the principles of the IIPFCC in this process, and reflected in Article 18 of the UN Declaration. We expect Parties as well as local communities to respect our self-selection processes, as we respect the internal procedures of Parties and local communities.
22. It is evident that, the lack of organization of local communities, and the ambiguity that remains on local communities are used as an excuse by some to block the ambition of Indigenous Peoples, and delay the further operationalization of the platform. The Co-Chairs are looking forward to arrangements that will promote the participation of local communities while advancing the platform.

III. CONCLUSION

1. **Reaffirming the UN Charter, the UN Declaration on the Rights of Indigenous Peoples, the Alta Outcome Document, and the Anchorage Declaration, the United Nations General Assembly Resolution 66/288, the Paris Agreement, and recalling decision 1/CP.21 and decision 2/CP.23, the Co-Chairs are extremely disappointed that political agendas once again delayed the crucial decision to further operationalize the platform.**
2. **We believe that the full implementation of the Local Communities and Indigenous Peoples (LCIP) Platform depends upon reaching consensus and we urge Parties to attach a high priority to achieving a Decision text at the twenty-fourth session of the Conference of Parties that not only fully respects international legal instruments such as the Charter of the United Nations, and the**

United Nations Declaration on the Rights of Indigenous Peoples, but also paves the way for further partnership between Parties and Indigenous Peoples in addressing climate change.

- 3. The Co-Chairs will continue to ensure the operationalization of the platform to be consistent with the UN Declaration and will prohibit any attempt to minimize or define the rights enshrined, and continue to emphasize that the operationalization process should not become an excuse for Parties to subjectively interpret international human rights instruments.**
- 4. The Co-Chairs welcome the continued flexibility and innovation from the UNFCCC and its Parties to ensure the participation of Indigenous Peoples, in accordance with the standards of participation affirmed in the UN Declaration on the Rights of Indigenous Peoples, and will work hard to further institutionalize the rights of Indigenous Peoples.**
- 5. The Co-Chairs are looking forward to arrangements that are in line with the ambition of Indigenous Peoples to advance the platform without further delay.**
