**THE OAXACA ACTION PLAN OF INDIGENOUS PEOPLES:**

**FROM CANCUN TO DURBAN AND BEYOND**

**October 12th, 2011**

We, the representatives of Indigenous Peoples from all regions of the world gathered from October 10th to 12 , 2011 in Oaxaca, Mexico, the homeland of many indigenous peoples, have participated in the *Second Technical Workshop of Indigenous Peoples and States in the UNFCCC*  in preparation for COP17 in Durban South Africa. We express our profound appreciation to the Governments of Mexico, Oaxaca and to Indigenous Peoples of this land, for their warm hospitality and their efforts in organizing this important gathering. We deeply appreciate the representation of the outgoing COP President (Mexico) and incoming COP President (South Africa) and their role in the successful outcome of this workshop. We also thank the participating States, including Mexico, South Africa, Philippines, Denmark, Indonesia, Bolivia, Argentina (as President of G 77 and China), Panama, Peru, the European Union and the delegations of Indigenous Peoples from around the world for their essential contributions.

We acknowledge this historic opportunity to gather, exchange views, assess progress, and develop strategies for a common work from Cancun to Durban and beyond. We came together with the common understanding that Climate Change, including global warming, pose an urgent threat to all peoples, Mother Earth and the natural world. We recognize that the Arctic, forests and other natural ecosystems where Indigenous Peoples live have an essential role in maintaining global climate processes on which all humanity depend. We affirm that we must work together to find solutions for the sake of our future generations.

The outcomes of this Technical Workshop are as follows:

**I. Advances in Cancun:**

1) The Cancun Agreement for Long term Cooperative Action (LCA) included positive elements relating to Indigenous Peoples, particularly regarding full and effective participation, respect for traditional knowledge and the rights of Indigenous Peoples, “taking note” of the UN Declaration on the Rights of Indigenous Peoples.

2) Increased inclusion of Indigenous representatives in State delegations and active support for Indigenous Peoples’ concerns on climate change by some States.

3) Based on the efforts of indigenous peoples, there were positive advances in the participation of Indigenous representatives in several global climate change related bodies such as the UN-REDD, the Forest Carbon Partnership Facility, the Forest Investment Programme (FIP), as well as in some national bodies such as National Task Forces on REDD+.

4) The adoption of the Report of the 10th session of the Permanent Forum on Indigenous Issues (May 2011) by the Economic and Social Council with the following recommendation: “The Permanent Forum calls 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”.

5) The adoption by the 18th HRC session of the Report of the 4th EMRIP session which recommended that “the principle of full, formal, equal and effective participation by indigenous peoples should be applied to all future world conferences on the basis of the rights affirmed in the Declaration on the Rights of Indigenous Peoples”.

**Commitments by Some States participating in this Technical Workshop:**

1. To continue engagement and dialogue with Indigenous Peoples leading up to, during and beyond Durban;

2. To develop common platforms to advance the effective participation of Indigenous Peoples in UNFCCC processes including funding and technical support;

3. To define common strategies to advance the recognition of the rights of Indigenous peoples in the UNFCCC agreements including the explicit reference to the UN Declaration on the Rights of Indigenous Peoples , and facilitating access to funds by Indigenous Peoples under the Green Climate Fund;

4. To facilitate meetings of Indigenous Peoples and State representatives in Durban and beyond on a regular basis;

5. To support stronger reference to the recognition of Traditional Knowledge throughout the work of the IPCC;

6. To support and strengthen the implementation of the Cancun Agreement relating to its recognition of Indigenous Peoples’ rights;

7. To include Indigenous Peoples representatives in state-delegation to Durban;

8. To establish mechanisms for the engagement of relevant government agencies with Indigenous Peoples and stakeholders at the national level, and to address the concerns of Indigenous Peoples;

9. To support a 2nd round of commitment to the Kyoto Protocol by all Annex 1 countries;

10. To share the result of this Workshop with States for their information and consideration;

11. To submit text proposals for a Durban outcome to include the following:

a) Explicit reference to the UN Declaration on the Rights of Indigenous Peoples as the framework for respecting rights;

b) Ensuring that Indigenous Peoples are effectively involved in establishing, designing and implementing the REDD+ information system on how safeguards are being addressed and how forest emission levels and reference levels are being monitored, reported and verified at the national and global levels. This includes community participatory MRV processes, participatory mapping of forests in Indigenous Peoples’ territories, development of a matrix for the safeguards contained in Appendix 1 of the Cancun Agreement as the basis for evaluation, and provision of financial and technical support for Indigenous Peoples to do all these.

c) Establishment of a separate REDD+ window under the Green Climate Fund, recognizing that REDD+ addresses both mitigation and adaptation, and that access to this fund by Indigenous Peoples should be ensured.

d) In the AWG-LCA decision on REDD+ , results-based actions for the full implementation of REDD+ should not be limited only to carbon emissions but ensure that all the 5 areas of REDD+ are included and multiple functions of forests (forest-related livelihoods, ecosystem services, cultural, spiritual functions, etc.) are recognized, incentivized and enhanced. Sources of funds should be mainly public funds.

e) Proposals for a more balanced approach and access to funds for adaptation and mitigation. Adaptation is a bigger concern for Indigenous Peoples who are living in the most vulnerable ecosystems and suffer the most adverse impacts of climate change. Therefore, direct financing and technological assistance for Indigenous Peoples to adapt should be ensured. Traditional knowledge systems and technologies of Indigenous Peoples for adaptation should be supported.

f) In the area of capacity- building, Indigenous Peoples’ capacities for mitigation and adaptation should be supported through policy reforms and finance and technology transfer.

g) Social and economic consequences of response measures on Indigenous Peoples should be addressed. Free, prior and informed consent of Indigenous Peoples should be obtained regarding the building of renewable energy sources, such as hydroelectric dams, geothermal dams, wind-power and biofuel production in their lands. The UN Declaration on the Rights of Indigenous Peoples (UNDRIP) that was noted in this decision should serve as a framework.

12. The government of Bolivia ratified its position regarding the Peoples’ Accord at the 1st Conference on Climate Change and Defense of Mother Earth, held in Cochabamba last year and presented at COP 16 in Cancun.

13. The representatives of Denmark and Peru stated they could not assume any commitments on behalf of the States they represent at this time. They further stated that they will inform their Ministries of Foreign Affairs about the results of this workshop.

**II. Concerns and Challenges for Durban (COP 17) and Beyond:**

1. Lack of implementation/operationalization of the positive elements of the Cancun Agreement particularly relating to the respect for the rights of Indigenous Peoples, and establishment of mechanisms for their full and effective participation in climate change processes on all levels;

2. Weak reference in the Cancun Agreement to the holistic ecosystems approach and the recognition of the collective rights of Indigenous Peoples in accordance with the UN Declaration on the Rights of Indigenous Peoples as a human rights framework for all actions and activities relating to climate change;

3. Absence of any provision for the direct access of Indigenous Peoples to financial support their initiatives for capacity-building, adaptation, mitigation and to appropriate technologies;

4. Lack of recognition and formal participation of Indigenous Peoples as rights holders, as distinct from stakeholders, in the UNFCCC other climate change related bodies;

5. The lack of political will by some States to commit to a second period of commitment to the Kyoto Protocol with ambitious targets to reduce greenhouse gas emissions;

6. Lack of commitment by some developed countries to commit significant long-term public funding to the Green Climate Fund;

7. Continued promotion by some States of private funding from carbon market sources for REDD+, and its role in the expansion of fossil fuel extraction projects including those opposed by Indigenous Peoples;

**INDIGENOUS PEOPLES’ RECOMMENDATIONS TO STATES:**

1. For G-77 and China as well as other States, to take effective steps to engage with Indigenous Peoples through constructive dialogue, regular meetings and to give serious consideration to Indigenous Peoples’ concerns, perspectives and text proposals for inclusion in the final Durban Agreement;
2. To establish mechanisms for the full and effective participation of Indigenous Peoples in all climate change measures, actions and processes;
3. To enter into a renewed and strengthened legally-binding agreement to reduce Greenhouse Gas emissions through a 2nd period of commitment to the Kyoto Protocol in Durban, consistent with the recommendations from the “Indigenous Peoples Ixcaret Technical Workshop with States on the UNFCCC Negotiations” (September 2010);
4. Integrate full respect for the Rights of Indigenous Peoples, including full and effective participation, into all aspects of the process, decisions and outcomes made in Durban;
5. Include Indigenous Peoples in State delegations in Durban, also respecting their autonomy as Indigenous Peoples ;
6. To provide funds and technical support directly to Indigenous Peoples for their effective participation in meetings and activities related to the UNFCCC;
7. To ensure the application of safeguards in the Green Climate Fund; to make the Fund transparent and accountable with an independent governing body which includes the participation of Indigenous Peoples;
8. To call upon the developed countries to commit adequate and long-term funding for the Green Climate Fund, including measures to avoid any funding gaps, and to earmark funds for Indigenous Peoples’ projects;
9. Acknowledge the important role of the Arctic Council as a model for cooperation between States and Indigenous Peoples and encourage other States and regions to consider implementing similar processes.

**STRATEGIES FOR DURBAN AND BEYOND**

***Based on the above advances, challenges and concerns, as well as the critical and worsening impacts we are seeing in our communities around the world, we have identified and prioritized the following strategies for our work in Durban:***

1. We will build upon the gains of Indigenous Peoples in Cancun and other UN processes supporting full and effective participation. Advances include the Xcaret Resolution from 2010, the report of the UN Expert Mechanism on the Rights of Indigenous Peoples to the 18th session of the UN Human Rights Council, the report of the UN Permanent Forum on the Rights of Indigenous Peoples, declarations by the International Indigenous Peoples Forum on Climate Change, and the framework for the right to participate in decision-making provided by the UN Declaration on the Rights of Indigenous Peoples;
2. Organize an exposition focusing on Indigenous Peoples’ solutions and adaptation strategies during the COP 17 session to build awareness about Indigenous Peoples contributions and concerns;
3. Arrange meetings with State ministers and delegations for increased engagement, in particular, with African states and G-77 and China regarding the UNDRIP, and to build awareness and advance understanding about the rights and perspectives of Indigenous Peoples;
4. Gather support from NGOs and other stakeholders to endorse Indigenous Peoples’ proposals, build solidarity and coordinate actions within and outside the UNFCCC proceedings;
5. Develop indicators, methodologies and reporting systems to measure and monitor implementation of REDD + safeguards by States, including Free Prior and Informed Consent;
6. Work to incorporate Indigenous Peoples’ Substantive Issues in the Durban outcome text by:
7. Strengthening the recommendations for the Rights of Indigenous Peoples and the UNDRIP;
8. Calling upon Annex 1 States to enter into a 2nd Kyoto Protocol commitment period for substantial, legally binding reduction of Greenhouse Gas emissions with the inclusion of specific language which recognizes the rights of Indigenous Peoples;
9. Promoting a chapter on Indigenous Peoples’ Traditional Knowledge in the Durban Outcome document and initiating mechanisms to gather Indigenous Peoples’ proposals and responses on national/regional levels in this regard;
10. Ensuring that financing for REDD + is based on public funds and not on the carbon market and includes safeguards for Indigenous Peoples’ rights. This includes free prior informed consent, full and effective participation and respect for traditional knowledge and practices, in accordance with international human rights norms and standards including UNDRIP;
11. Developing proposals in conjunction with States to establish mechanisms for Indigenous Peoples to directly access funds from the Green Climate Fund to implement their own climate change mitigation, adaptation, appropriate technologies and capacity building programs;
12. Actively participate and have effective input in the preparatory process leading up to and including the World Conference on Sustainable Development, “Rio + 20” in June 2012, as well as the World Conference on Indigenous Peoples in 2014, recognizing that these World Conferences will provide an important opportunity to address Indigenous Peoples’ concerns regarding the UNFCCC and related processes. Participation shall be based on the rights affirmed in the UN Declaration on the Rights of Indigenous Peoples, including the right to participate in decision-making and free prior and informed consent.

***Agreed by consensus October 12th, 2011, Oaxaca Mexico***