

# RIGHTS OF INDIGENOUS PEOPLES INTEREST GROUP NEWSLETTER

## **Editorial**

Indigenous rights are not a niche or peripheral concern. They sit at the center of today's urgent debates—social and racial justice, climate change, democratic legitimacy, cultural and biological diversity, and the uses of technology. This issue surveys developments from January to June 2025. Our goal is a broad, descriptive snapshot that captures both breakthroughs and persistent challenges across regions.

One throughline is concrete progress on land and heritage reclamation. We report on land-back measures—such as the return of territory to the Yurok Tribe in California and compensation awarded to the Yolngu people in Australia—as well as the repatriation of ancestors from European museums to communities in Australia and Japan. Set against these gains are ongoing struggles. Extractive industries continue to press into indigenous lands and resources, with concerns voiced from lithium mining in Chile's Atacama Desert to iron ore projects in Western Australia. Communities face displacement in the name of conservation in Tanzania and from climate impacts affecting First Nations in Canada. Accountability also features prominently: cases range from the conviction for the killing of a Noongar teenager in Australia, to a verdict on wartime sexual violence against Q'eqchi' women in Guatemala, to the reported release of activist Leonard Peltier in the United States.

This Summer Issue of our Newsletter is intended as a descriptive and informative chronicle of these and many other events. It is the product of a meticulous process of monitoring and compiling a vast array of information from journalistic outlets, international organizations, regional bodies, academic publications, and other relevant sources. As a compendium of reports originating from third parties, the newsletter does not seek to present a single, definitive narrative. Instead, it aims to provide our readers with a broad and diverse collection of data points. We encourage readers to approach this material with a critical eye, to consider the sources, and to use the information presented here as a foundation for your own analysis, research, and dialogue.

Produced collaboratively by the Facts and Norms Institute (www.factsandnorms. com) and the American Society of International Law's Rights of Indigenous Peoples Interest Group, this publication reflects the meticulous work of our assistant editors and contributors. I thank them for ensuring that our readers remain informed and equipped to engage with the evolving landscape of Indigenous rights.

We hope you find it a useful resource.

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Views contained in this publication are those of the authors in their personal capacity. The American Society of International Law and this Interest Group do not generally take positions on substantive issues, including those addressed in this periodical.



## INDIGENOUS RIGHTS DEVELOPMENTS

Jan 03, 2025: In California, a large dam removal project in U.S. history is underway on the Klamath River, long awaited by the Yurok, Karuk, and other Indigenous tribes. The demolition of four hydroelectric dams aims to restore fish populations, particularly salmon, central to tribal culture and subsistence.

Jan 18, 2025: Tanzania's Maasai communities remain under pressure from government-backed efforts to remove them from ancestral lands in the Ngorongoro and Loliondo regions. Authorities argue the need for conservation, while critics highlight the displacement's impact on indigenous rights and livelihoods.

Jan 22, 2025: Protests in Martinique, driven by cost-of-living issues and historical grievances, have reignited conversations around autonomy and the rights of Afro-Caribbean and indigenous populations. Demonstrators demand accountability for colonial-era injustices and greater self-governance. Similar unrest and political discontent are emerging across other French territories, including Guadalupe and French Guiana.

Jan 27, 2025: Navajo Nation officials are condemning recent U.S. immigration raids that targeted homes on tribal lands, detaining indigenous people who had longstanding community ties. Tribal leaders argue the operations violated sovereignty and traumatized families, demanding a halt to enforcement actions on their territory without tribal consent.

Jan 29, 2025: Authorities in Florida are investigating the illegal excavation and sale of Native American artifacts from burial sites. Tribal nations and archaeologists stress the deep cultural harm caused by looting and call for stronger protections under the Native American Graves Protection and Repatriation Act.

Feb 01, 2025: In Nigeria, the Oyo State government has directed civil servants to wear traditional attire every thursday to promote indigenous culture and identity. The policy is intended to revive pride in Yoruba heritage and encourage local textile industries.

Feb 3, 2025: Brazilian President Lula da Silva has launched new enforcement efforts to remove illegal miners from indigenous Yanomami land in the Amazon. The operations follow a humanitarian crisis caused by mining-related disease. malnutrition, and violence.

Feb 07, 2025: Indigenous children across Canada who were forced to attend residential schools between the 1870s and 1990s. They were separated from their families, stripped of their cultures and languages, and subjected to widespread physical, psychological and sexual abuse. Now, indigenous survivors and advocates in Canada are confronting a growing wave of residential school denialism. As misinformation spreads online, they work to preserve truth and memory through education, survivor testimony, and archival records. The movement emphasizes the urgent need for legal recognition of denialism as a form of harm and cultural erasure.

Feb 07, 2025: New Zealand has announced that passports will now include te reo Māori alongside English, marking a symbolic and practical recognition of indigenous identity. The move is part of wider efforts to strengthen the Māori language's status and visibility across public institutions.

Feb 10, 2025: Kashmiri communities, including Gujjar and Bakarwal indigenous groups, fear displacement as major road and rail projects linked to Prime Minister Modi's development agenda cut through orchards and traditional lands. Locals criticize the lack of consultation and the environmental and cultural damage caused by the projects.

Feb 14, 2025: At the African Union summit in Addis Ababa, leaders renewed calls for reparations for colonialism and the transatlantic slave trade. Despite resistance from former colonial powers, they pledged to continue pushing for international recognition and compensation for centuries of exploitation and displacement.

Feb 18, 2025: Native American activist Leonard Peltier has been released after decades of incarceration. Convicted in a controversial trial in the 1970s, his release is being celebrated by indigenous rights advocates as long-overdue justice and a call to address political imprisonment of indigenous defenders.

Feb 18, 2025: A leader from the indigenous Kakataibo people reports that illegal miners operating in the Peruvian Amazon are using indigenous children as human



shields to evade law enforcement. The region has seen escalating violence and exploitation amid weak state presence and growing criminal networks.

Feb 19, 2025: In Western Australia, the Wintawari Guruma Aboriginal Corporation is demanding AU\$1.1 billion in compensation from iron ore giant Rio Tinto, accusing the company of extracting minerals without consent on their ancestral land.

Feb 19, 2025: Estonia has begun phasing out Russian as a language of instruction in schools, raising concerns among linguistic minorities. Critics warn the policy could erode minority language rights in the name of national integration.

Feb 20, 2025: Two Nigerian communities have taken oil giant Shell to court in the UK, demanding accountability for decades of oil spills that devastated their lands and health. The case could set a precedent for transnational corporate responsibility in environmental and indigenous rights violations.

Feb 23, 2025: In Australia, a new interactive map by researchers documents over 10,000 First Nations deaths in frontier massacres during colonization, with the final record showing the extent of violence in the Northern Territory. Historians and Indigenous leaders call the project a step toward truth-telling and national reckoning.

Feb 23, 2025: In Guyana, the Upper Mazaruni District Council has raised concerns over miners encroaching on Jawalla village's titled indigenous lands. The community seeks stronger government action to uphold their land rights and remove unauthorized operations degrading the environment.

Mar 12, 2025: Australia's annual "Closing the Gap" report highlights little progress in reducing Indigenous incarceration rates, with First Nations people still vastly overrepresented in jails. Advocates say the data reflects policy failure and the need for community-led justice alternatives.

Mar 12, 2025: In Australia, a court has upheld a landmark decision awarding compensation to the Yolngu people of the Northern Territory for the loss of their land rights due

to government land leases in the 1960s. The case, led by the family of late Indigenous leader Yunupingu, affirms the right to redress for past dispossession.

Mar 19, 2025: As tensions in the Arctic grow, the Canadian government is increasing military presence and seeking indigenous partnerships to secure the region. Critics warn that cooperation must be based on genuine consent and not co-opt indigenous communities into state agendas.

Mar 20, 2025: Satellite images reveal aggressive deforestation for palm oil plantations in Indonesia's West Papua region, affecting the lands of Indigenous Papuans. Communities report land grabs, loss of livelihood, and ecological destruction, with little state intervention.

Mar 20, 2025: Under the Trump administration, a key federal report on Missing and Murdered Indigenous Women and Girls has been reportedly removed from government websites. Advocates say this hinders public awareness and accountability.

Mar 25, 2025: The village of Elim, Alaska, is resisting efforts to revive a uranium mine on ancestral lands. Community leaders cite environmental and cultural threats, and say previous consent for mining operations was not freely given.

April 01, 2025: In Canada, due to climate change, melting ice roads are isolating northern First Nations communities, affecting access to food, fuel, and medical care. Leaders are demanding infrastructure investment and climate adaptation strategies.

April 01, 2025: Protesters from indigenous communities in southern Peru blocked access to Glencore's Antapaccay mine, demanding environmental protections and fair compensation for pollution and land use. The standoff reflects longstanding grievances with extractive industries.

April 06, 2025: The Indigenous People of Biafra group has sustained weekly "sit-at-home" protests in southeastern Nigeria, demanding a referendum on self-determination. The campaign has disrupted commerce and schooling while drawing heavy-handed state responses.



April 07, 2025: Chile is fast-tracking lithium extraction plans, prompting backlash from Indigenous Atacameño communities who demand consent and control over resource decisions on their lands. They warn of environmental risks and cultural impacts.

April 08, 2025: Bolivia is reviewing contracts allegedly signed with "Kailasa," a fictional micronation led by a fugitive guru. The agreements supposedly involve indigenous lands, raising alarm over exploitation and misinformation targeting vulnerable communities.

April 10, 2025: Internal divisions have emerged within Ecuador's indigenous movement over which candidate to support in the upcoming presidential election. While some seek institutional alliances, others warn against compromising core demands for rights and autonomy.

April 11, 2025: Thirty-six indigenous ancestors' remains were repatriated from London's Natural History Museum to Australian communities. Taken during colonial times, these remains are part of a global effort to restore cultural and spiritual ties. This is the museum's fourth return, adding to over 1,775 repatriated ancestors worldwide. Indigenous leaders highlighted repatriation as essential for healing and reclaiming sovereignty.

April 11, 2025: Thousands of indigenous Brazilians gathered in Brasília demanding land rights, environmental protection, and political inclusion. The protests challenge the government's slow demarcation of indigenous lands and highlight threats from agribusiness and mining interests.

April 16, 2025: Indigenous groups in Peru are protesting a legislative proposal that would ease land access for industry in the Amazon. They argue it undermines territorial rights and would accelerate deforestation.

April 21, 2025: Mari Luz Canaquiri Murayari, an indigenous Kukama leader in Peru, has been awarded the Goldman Environmental Prize for her efforts to protect Amazonian rivers from oil contamination and industrial exploitation.

April 30, 2025: Three Ainu skulls held at Edinburgh University since 1913 were repatriated to the indigenous community in Hokkaido, Japan. Originally donated by anthropologist Dr. Neil Gordon Munro, who lived among

the Ainu, the remains were returned in a traditional ceremony. They will be interred at the Upopoy National Ainu Museum and Park. The Ainu, whose language is considered "critically endangered," welcomed the return as an act of dignity and ancestral respect. Edinburgh University emphasized that such repatriations strengthen global relationships and cultural healing.

May 08, 2025: Two men have been found guilty of the racially motivated killing of indigenous Noongar teenager Cassius Turvey in Perth, Australia. The case sparked national outrage and renewed calls to address systemic racism and violence faced by Indigenous youth.

May 10, 2025: Brazil and China have initiated talks to build a transcontinental railway linking a Peruvian Pacific port to Brazil's Atlantic coast. While potentially transformative for trade, the proposed route would cut through Indigenous territories and environmentally sensitive Amazon regions, raising concerns over sovereignty, consultation rights, and environmental impacts.

May 17, 2025: In central India, indigenous women are crafting «dream maps»—hand-drawn visualizations of sacred forests and water sites—that serve both as cultural records and legal tools to resist land encroachment and climate threats.

May 19, 2025: A delegation of Brazilian indigenous leaders protested at the European Parliament, warning that the EU-Mercosur trade agreement risks accelerating deforestation and undermining Indigenous land rights by promoting agro-industrial expansion.

May 20, 2025: Brazilian oil giant Petrobras is close to securing an environmental license to begin offshore drilling in the northernmost part of Brazil's Equatorial Margins. Critics warn of environmental risks. The aimed area shares geology with nearby Guyana, where Exxon Mobil is developing huge oil fields.

May 23, 2025: An indigenous tribe in the Brazilian Amazon has filed a defamation suit in U.S. courts against multiple media outlets for falsely portraying their community as involved in porn addiction. They argue these reports perpetuate harmful stereotypes and have caused cultural harm.



May 27, 2025: The U.S. Supreme Court has declined to review a case brought by the Apache Stronghold seeking to block the Rosemont copper mine near Tucson, Arizona. The decision is seen as a setback for indigenous efforts to safeguard sacred land against extractive industries.

May 28, 2025: A German court ruled against a lawsuit filed by a Peruvian Indigenous farmer against energy company RWE, which was accused of contributing to glacier melting in the Andes through greenhouse gas emissions.

May 28, 2025: Debates over Catalan and Basque language instruction in Spain are reigniting broader discussions across Europe about minority and indigenous language rights.

May 31, 2025: Five former paramilitaries were sentenced to 40 years in prison in a Guatemalan court after being found guilty of raping Indigenous Q'eqchi' women during the country's civil war.

Jun 04, 2025: Hugo Aguilar, a lawyer of indigenous Mixtec origin, was named president of Mexico's Supreme Court following a controversial election marked by low voter turnout. Aguilar emphasized the importance of judicial independence and respect for human rights in his inaugural address.

Jun 05, 2025: The Yurok Tribe in California has recovered more than 73 square miles of ancestral territory through the state's largest ever land-back project. The restored land along the Klamath River includes Blue Creek, a sacred site essential to the tribe's cultural and ecological practices.

Jun 05, 2025: In Western Australia's Pilbara region, mining giants Rio Tinto and China's Baowu have opened the Western Range iron ore mine. The project, located on the lands of the Yinhawangka people, includes a Social, Cultural and Heritage Management Plan co-developed with Traditional Owners.

Jun 05, 2025: Three Māori Party MPs were suspended from New Zealand's Parliament after performing a haka in protest of a bill they say undermines Indigenous rights. The suspensions are the longest in the Parliament's history.

Jun 06, 2025: In Canada, the Ontario government has passed Bill 5, prompting backlash from First Nations who

say the legislation undermines their treaty rights and paves the way for industrial development in the mineral-rich Ring of Fire region without proper consultation.

Jun 12, 2025: In Canada, the Heiltsuk Nation in British Columbia has ratified a written constitution that blends traditional hereditary governance with elected leadership and a women's council. The document affirms Heiltsuk sovereignty and outlines a path for future self-governance.

Jun 16, 2025: In Australia, over 597 indigenous people have died in custody since the 1991 Royal Commission into Aboriginal Deaths in Custody. In just the first half of 2025, 13 deaths occurred—including that of a 24-year-old Warlpiri man, Kumanjayi White, in Alice Springs. Experts highlight enduring failure to implement the Commission's 339 recommendations, emphasizing the need for independent oversight and aboriginal-led justice alternatives.

Jun 17, 2025: Growing interest in ayahuasca retreats in Ecuador has sparked concern over overharvesting sacred plants and commodifying indigenous rituals. Critics urge tighter regulation and indigenous leadership to preserve biodiversity and cultural integrity.

Jun 17, 2025: Ecuador reopened its mining concession registry after a seven-year moratorium. Indigenous and environmental groups warn this could lead to unchecked resource extraction on their lands, threatening both the environment and community rights.

Jun 20, 2025: Canada's latest infrastructure legislation includes provisions for indigenous engagement in project planning and management.

Jun 20, 2025: Finland passed a major reform expanding the Sámi Parliament's authority over land, culture, and language policy. The move is hailed as a historic milestone in strengthening Sámi self-governance.

Jun 21,2025: Illegal gold mining in Peru's Amazon has released mercury into the environment, posing grave health risks to Indigenous communities. Reports warn a public health disaster is looming unless immediate action is taken.



Jun 26, 2025: An AI-driven project is breathing life into Ainu, a near-extinct indigenous language of Japan. By analyzing archival audio, it aims to teach and preserve linguistic heritage.

Jun 27, 2025: Canada's Senate passed a law expediting major resource projects, even on indigenous lands. Critics fear it risks sidelining environmental assessments and meaningful indigenous consultation.

Jun 30, 2025: In Australia, Victoria's parliament has passed legislation making the First Peoples' Assembly a permanent advisory body to government—cementing crossbench support and advancing the framework for First Nations representation. ■

## **RECOMMENDATIONS FROM UN TREATY BODIES**

## Feb 25, 2025: Committee on the Rights of the Child, CRC/C/PER/CO/6-7

In its 98th session (13–31 January 2025), the Committee on the Rights of the Child (CRC) reviewed the combined sixth and seventh periodic reports of Peru, expressing deep concern over the persistent and structural inequalities affecting Indigenous children and those living in rural and remote areas.

The Committee emphasized that indigenous children face serious barriers to accessing birth registration, identity documents, education, healthcare, food security and protection services. It urged Peru to eliminate documentation barriers and ensure universal access to birth registration, especially in the Amazon Basin, as well as the discrimination faced by this group. The CRC also called for free, culturally appropriate health services in Indigenous languages, as well as expanded access to clean water, sanitation, and nutritional programs.

The Committee expressed alarm over the high prevalence of sexual violence and child marriage against Indigenous children, particularly in the Amazonas region, and recommended the implementation of prevention, health, and justice services, including interpreters in Indigenous languages. It further called for effective investigations and accountability for abuse within schools, religious institutions, and family settings.

In the context of business and environmental policy, the Committee urged Peru to consult Indigenous children in decisions affecting their territories and ensure environmental impact assessments before approving extractive and industrial projects. It also encouraged Peru

to ratify the Escazú Agreement and integrate childsensitive climate education in schools.

In education, the CRC noted significant gaps in access and retention for indigenous children and those in remote regions. It recommended improving infrastructure, teacher training, and ensuring availability of instruction in Indigenous languages to promote equitable and inclusive education.

## Feb 26, 2025: Committee on the Rights of the Child, CRC/C/HND/CO/6-7

In its 98th session (13–31 January 2025), the Committee on the Rights of the Child (CRC) issued its concluding observations on the combined sixth and seventh periodic reports of Honduras, raising significant concerns regarding the rights of Indigenous and Afro-Honduran children.

The Committee urged Honduras to fully implement the Public Policy against Racism and Racial Discrimination for the Comprehensive Development of Indigenous and Afro-Honduran Peoples (2016–2026). It called for urgent action to address structural discrimination and social exclusion affecting these groups, especially in relation to poverty, lack of access to education, health, clean water, and social services.

The Committee emphasized that Indigenous and Afro-Honduran children are disproportionately impacted by child mortality, malnutrition, and environmental risks, particularly in rural and remote areas. It recommended targeted investments and expanded infrastructure in health, nutrition, water, and education, including



### Recommendations from UN Treaty Bodies —continued from page 6

repairing damaged schools and ensuring school inclusion for Indigenous children.

The Committee also expressed concern about the prevalence of harmful practices, such as child marriage and early de facto unions among Indigenous communities, and called for stronger enforcement of the minimum age of marriage and culturally sensitive public awareness campaigns.

In relation to the climate crisis, the CRC urged Honduras to adopt child-sensitive climate policies and disaster risk management plans, ensuring Indigenous children's participation and protection from environmental harms, land degradation, and forced displacement. The Committee also encouraged Honduras to ratify the Escazú Agreement to uphold environmental and Indigenous rights.

## Feb 27, 2025: Committee on the Elimination of Discrimination against Women, CEDAW/C/BLZ/CO/5-9

In its 90th session (3–21 February 2025), the Committee on the Elimination of Discrimination against Women (CEDAW) released its concluding observations on Belize's combined fifth to ninth periodic reports. The Committee expressed several concerns and made recommendations regarding the rights of Indigenous women, particularly those of Maya, Garifuna, and Creole descent.

The Committee reiterated its concern over the delayed implementation of the 2015 Caribbean Court of Justice decision in Maya Leaders Alliance v. Attorney General of Belize, urging Belize to ensure Maya women and girls are fully included in the demarcation and titling of customary lands, and that their right to free, prior, and informed consent is respected.

It also noted the lack of meaningful participation of Indigenous women in policy-making processes, the underrepresentation of Maya and Garifuna women in public and political life, and barriers to their access to justice, including within customary systems. CEDAW further called for data collection disaggregated by ethnicity and better access to services for Indigenous women in areas such as health, education, employment, and protection from gender-based violence. However, it commended the country on the high representation of

women in the judiciary, including at the highest level of decision-making and in local governance, as well as on the election of the first Indigenous woman of Maya descent as Governor-General.

The Committee noted insufficient efforts to improve universal birth registration in rural and Indigenous areas, and that many Maya girls lack birth certificates and cannot apply for citizenship and social benefits, suggesting the facilitation of women's and girls' access to birth registration, especially in rural and Indigenous areas.

The Committee recommended that Belize ensure equal land ownership rights, include Indigenous women in the implementation of development projects, and uphold international standards on non-discrimination and cultural rights.

## Feb 27, 2025: Committee on the Elimination of Discrimination against Women, CEDAW/C/COD/EP/CO/1

In its 90th session (3–21 February 2025), the Committee on the Elimination of Discrimination against Women examined the Democratic Republic of the Congo (DRC) under the exceptional reporting procedure, focusing on conflict-related sexual violence, particularly in the eastern provinces.

The Committee expressed grave concern over the disproportionate impact of armed conflict on women and girls, and especially emphasized how colonial legacies, including arbitrary borders dividing ethnic communities, exacerbate tensions and vulnerability to violence, including sexual violence. Furthermore, it criticized the lack of tailored protection measures for women facing intersecting forms of discrimination, including Indigenous women, who are often at heightened risk of abuse, including sexual exploitation, forced displacement, and survival sex in and around IDP camps.

## Feb 27, 2025: Committee on the Elimination of Discrimination against Women, CEDAW/C/COG/CO/8

In its 90th session (3–21 February 2025), the Committee on the Elimination of Discrimination against Women released its concluding observations on the eighth periodic report of the Republic of the Congo, highlighting multiple concerns and recommendations in relation to Indigenous women and girls.



### Recommendations from UN Treaty Bodies —continued from page 7

The Committee commended legislative efforts including Decree No. 2019-199, which facilitates civil registration for Indigenous Peoples, and Decree No. 2019-202, which aims to improve their access to health and social services. It also acknowledged targeted consultations with Indigenous communities under climate-resilient development programmes.

Despite these efforts, the Committee noted that Indigenous women and girls continue to face multiple, intersecting forms of discrimination, especially in relation to access to justice, education, health services, economic empowerment, and protection from gender-based violence. It expressed deep concern over persistent harmful practices, such as child marriage and female genital mutilation, particularly in rural and Indigenous communities.

In the areas of health and education, Indigenous girls were reported to have lower school retention rates and limited access to inclusive educational facilities. The Committee called for specific measures to ensure their inclusion and retention in schools, and equitable access to reproductive healthcare. CEDAW further recommended that the Republic of the Congo enhance Indigenous women's participation in decision-making related to land, climate, and development, and ensure their rights are respected during environmental and social impact assessments, especially when fighting for human rights.

## Feb 27, 2025: Committee on the Rights of the Child, CRC/C/ECU/CO/7

In its 98th session (13–31 January 2025), the Committee on the Rights of the Child published its concluding observations on Ecuador's seventh periodic report, raising important concerns about the rights of Indigenous, Afro-Ecuadorian, and Montubio children.

The Committee noted persistent structural discrimination and disproportionate poverty affecting these groups, especially in rural and border areas. It urged Ecuador to adopt special measures to address unequal access to food, education, healthcare, birth registration, and digital connectivity. The Committee also stressed the importance of disaggregated data and targeted investments to ensure that budget allocations benefit Indigenous and ethnic minority children.

In relation to the impact of extractive industries, the Committee highlighted environmental degradation—particularly from illegal mining and agribusiness—which poses risks to children's health and access to clean water and land, as well as the need to combat child labor in indigenous communities. It recommended that Ecuador consult Indigenous communities, including children, to secure free, prior and informed consent before implementing projects affecting their territories, and to ensure culturally appropriate education and healthcare services. The Committee also emphasized the need to prevent discrimination and hate speech during social protests and to guarantee that Indigenous children are protected from violence and arbitrary detention.

## Feb 28, 2025: Committee on the Elimination of Discrimination against Women, CEDAW/C/LKA/CO/9

In its 90th session (3–21 February 2025), the Committee on the Elimination of Discrimination against Women (CEDAW) issued its concluding observations on the ninth periodic report of Sri Lanka, raising serious concerns regarding the situation of women and girls from marginalized ethnic and cultural communities.

The Committee highlighted that Tamil, Muslim, and Kandyan women, rural women, and those governed by customary laws like Thesawalamai face systemic and intersectional discrimination, including barriers to justice, education, health, and political participation. It also expressed concern over the continued application of colonial-era and discriminatory personal laws, including the Muslim Marriage and Divorce Act, which allows child marriage and limits women's legal standing in family courts.

CEDAW criticized the slow progress in transitional justice, particularly the lack of accountability for conflict-related sexual violence, disproportionately affecting Tamil women in the northern and eastern provinces. Recommendations also included the introduction of statutory quotas requiring political parties to ensure fifty-fifty parity, subject to fines in the event of non-compliance, in the nomination of candidates for elections to the Parliament and provincial and local councils, and promote the appointment of Indigenous to decision-making positions in political and public life.



### Recommendations from UN Treaty Bodies —continued from page 8

## Feb 28, 2025: Committee on the Elimination of Discrimination against Women, CEDAW/C/NPL/CO/7

In its 90th session (3–21 February 2025), the Committee on the Elimination of Discrimination against Women (CEDAW) released its concluding observations on the seventh periodic report of Nepal. The Committee raised extensive concerns regarding the rights of Indigenous and Dalit women, who face intersecting forms of discrimination in various areas of life.

The Committee highlighted the lack of constitutional recognition of the rights of Indigenous women, including their collective right to self-determination. It noted the underrepresentation of Indigenous and rural women in policymaking, limited access to education, health services, employment, financial credit, and modern farming technologies, as well as the lack of consultation and consent in large-scale development projects on Indigenous lands. CEDAW called for full respect for free, prior and informed consent and equitable benefit-sharing in all such projects.

The Committee also raised concern about pervasive caste-based discrimination and violence faced by Dalit women and girls, despite legislation prohibiting such practices. It urged Nepal to adopt a zero-tolerance policy on discrimination and to increase the representation of Dalit women in all branches of government.

CEDAW recommended that Nepal amend its Constitution to explicitly recognize Indigenous women's rights, enhance service delivery and participation in decision-making for Indigenous and rural women, and ensure their inclusion in climate and environmental governance. The Committee also emphasized the importance of equitable access to land, education, healthcare, and economic opportunities.

## Mar 25, 2025: Committee on Economic, Social and Cultural Rights, E/C.12/PHL/CO/7

In its 77th session (10–28 February 2025), the Committee on Economic, Social and Cultural Rights adopted concluding observations on the seventh periodic report of the Philippines, expressing concerns and providing recommendations regarding the rights of Indigenous Peoples.

The Committee noted unsatisfactory implementation of the Indigenous Peoples> Rights Act, particularly regarding territory demarcation and registration, and the failure to uphold free, prior, and informed consent for land use changes. It highlighted the displacement of Indigenous Peoples due to conflict and resource extraction, their limited access to healthcare, education, and basic services, and high rates of poverty. The Committee also pointed out inadequate environmental and proprietary impact assessments in development projects affecting Indigenous lands.

Among its recommendations, the Committee urged the Philippines to effectively implement the Indigenous Peoples<sup>3</sup> Rights Act, expedite efforts to guarantee their land rights, and ensure systematic and transparent consultations to obtain free, prior, and informed consent for activities impacting their traditional lands. It also called for measures to mitigate the impact of conflicts and natural disasters, ensure full access to basic services, and consider ratifying ILO Convention No. 169. The Committee emphasized holding businesses accountable for human rights violations and intensifying poverty reduction efforts targeting Indigenous Peoples.

Finally, it also recognized the specific challenges faced by indigenous peoples in the access to business entities, to justice, to climate change adaptations, education and physical, mental, sexual and reproductive health, as well as their higher rate of poverty.

## Apr 15, 2025: Committee on the Rights of Persons with Disabilities, CRPD/C/CAN/CO/2-3

In its 32nd session (3–21 March 2025), the Committee on the Rights of Persons with Disabilities (CRPD) issued its concluding observations on Canada's combined second and third periodic reports, with a strong focus on the rights of Indigenous persons with disabilities, including First Nations, Inuit, Métis, non-status, and off-reserve individuals.

The Committee welcomed Canada's adoption of the United Nations Declaration on the Rights of Indigenous Peoples Act (2021) and related action plan, as well as the Act respecting First Nations, Inuit and Métis children, youth and families (2019). However, it expressed concern

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over disparities in implementation across provinces and territories and the lack of mechanisms for close consultation with Indigenous persons with disabilities. It recommended Canada ensure that Indigenous voices are included in monitoring, policymaking, and program design at all levels.

The Committee was deeply concerned by the overrepresentation of Indigenous persons with disabilities—particularly women—in prisons, their exposure to solitary confinement, forced sterilization, and the disproportionate use of involuntary detention and treatment. It urged the repeal of coercive mental health and criminal justice practices, and the creation of culturally appropriate, rights-based, community-led services.

The CRPD criticized the slow and inconsistent deinstitutionalization of Indigenous children and adults with disabilities, who are often forced to leave their communities to access housing and care. It called for distinctions-based policies to ensure accessible housing, traditional health practices, and community-based support within Indigenous territories.

The Committee also noted the environmental racism experienced by Indigenous communities, including exposure to polluting industries, and recommended that all emergency and environmental policies address the intersection between ableism and environmental injustice.

In education and healthcare, the Committee emphasized the lack of culturally appropriate inclusive education, and the need to integrate traditional medicine into health services for Indigenous persons with disabilities. It called on Canada to ensure access to sign language, including Indigenous sign languages, and to extend benefits and protections to non-status and off-reserve Indigenous persons with disabilities.

## Apr 28, 2025: Committee on the Rights of Persons with Disabilities, CRPD/C/VNM/CO/1

The Committee on the Rights of Persons with Disabilities, in its concluding observations on the initial report of Viet Nam, expressed concerns regarding Indigenous persons with disabilities.

Specifically, the Committee noted that discrimination persists against minority populations, including Indigenous persons with disabilities. It recommended that Viet Nam modify its legislation to explicitly include actions to eliminate discrimination and empower Indigenous persons with disabilities, applying measures of access to restorative justice.

Furthermore, the Committee highlighted that awarenessraising campaigns on disability rights often do not reach Indigenous persons with disabilities, particularly those in rural and remote areas, and that publications may not be accessible to them. The Committee recommended ensuring that all public awareness-raising materials are accessible to persons with disabilities, including through translation into Indigenous languages such as Khmer. It also urged Viet Nam to implement comprehensive measures to ensure that Indigenous persons with disabilities are well-informed of their rights under the Convention and that all disability-related publications are available in accessible formats for them. Regarding children with disabilities, the Committee recommended ensuring that Indigenous children with disabilities have access to information and adapted communication tools to participate in decision-making.

In terms of imprisoned and detained indigenous persons with disabilities, the Committee expressed concern over whether they were guaranteed due process and the reasonable accommodations they require, and over the lack of mechanisms for submitting complaints of torture or other ill-treatment.

## May 6, 2025: Human Rights Committee, CCPR/C/ZWE/CO/2

At its 4212nd meeting, held on 21 March 2025, the Human Rights Committee it adopted the present concluding observations on the second periodic report of Zimbabwe, which had been analyzed in its 4191st and 2192nd sessions (March 06-07, 2025). The Committee manifested its concern regarding the impediments faced by the country's judiciary in its actions, and specifically suggested the expansion of the provision of free legal aid by strengthening the financial and human capacity of legal aid centres to facilitate access to justice for all, including those living in rural areas and Indigenous communities.



## **UN STATEMENTS AND REPORTS**

## Apr 17, 2025: Independent Expert on Human Rights and International Solidarity, A/HRC/59/40/Add.1

In its 59th session (16 June–11 July 2025), the Human Rights Council received the report of the Independent Expert on human rights and international solidarity, Cecilia Bailliet, on her visit to Denmark and Greenland. The report highlighted several challenges and concerns regarding the situation of Indigenous Peoples, specifically the Inuit and Greenlandic persons.

The Independent Expert noted that the integration of Greenland into Denmark occurred without an analysis of the colonial period's impact on the Inuit and Greenlandic people. A key concern raised by the Inuit was the recognition of their identity as an Indigenous People, in line with ILO Convention No. 169 and the UN Declaration on the Rights of Indigenous Peoples. They also seek the right to self-determination and respect for their free, prior, and informed consent regarding the exploitation of natural resources in their territory and activities affecting their environment.

Despite the Greenlandic authorities having responsibility for mineral resources and granting mining concessions, not all Inuit feel represented by the government of Greenland. Concerns were raised that flexible rules on Greenlandic permanent residency could be exploited for commercial gain from natural resources. Furthermore, the Inuit lack participation in investor-State arbitration cases involving extractive industries and direct representation in European Union institutions, limiting their ability to defend their interests. There is also concern that consultation with local communities is not equivalent to consultation with the Inuit, risking disagreements.

The report also addressed dilemmas concerning fisheries agreements with the European Union. The Greenlandic perspective is that the European Communities depleted fish stocks in Greenlandic waters in the latter half of the twentieth century. Following Greenland's withdrawal from the European Communities in 1985, an agreement led to the European Communities (and later the EU) paying a higher price for imported fishery products as compensation. However, recent renegotiations in 2021 have redirected 10% of funds previously allocated to education to renewable energy and biodiversity initiatives, which Greenland views as a decrease in

compensation for depleted fish stocks and solidarity in bad faith.

The report further points to an inequality in access to quality education between Danish and Greenlandic, especially Inuit, populations, as well as systemic stereotyping of and hate speech against Greenlandic people in State institutions and society in Denmark. The Independent Expert observed a lack of social cohesion between Greenlandic and Danish society, leading to misunderstandings and stigmatization, and insufficient mechanisms for processing discrimination claims presented by Inuit. The report calls for a common understanding through a truth commission to address continuous human rights violations and traumas rooted in Danish-Greenlandic history, including separation from family, loss of culture and language, violence (including sexual violence), and discrimination linked to past colonial policies, as well as cultural exchange initiatives, including student exchanges and art and music festivals, in different cities and towns of Denmark to reduce cultural misunderstandings and stereotyping and improve social cohesion.

The report also mentioned challenges such as insufficient resources for physical and mental healthcare and education in Greenland, and unremedied environmental damage from military operations.

# Apr 25, 2025: Report of the Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia, and Related Intolerance, A/HRC/59/62/Add.1

In its 59th session (16 June–11 July 2025), the Human Rights Council received the report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Ashwini K.P., on her visit to Brazil. The report highlights that indigenous peoples, alongside people of African descent, Quilombola communities, and Roma people, continue to experience pervasive manifestations of systemic racism.

The Special Rapporteur emphasized that while Brazil has acknowledged systemic racism and institutionalized efforts to combat it, indigenous peoples, who often face intersectional discrimination, continue to confront



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significant human rights challenges. The report specifically notes concerns regarding the right to ancestral lands, territories, and resources for Indigenous Peoples and Quilombola communities. It stresses that delays in the demarcation and titling of these lands contribute to vulnerability, conflict, and a lack of effective protection against illegal activities such as mining, logging, and agricultural expansion. These activities often lead to environmental degradation, deforestation, pollution of water sources, and threats to the health and livelihoods of Indigenous communities, including an increase in violence, and specifically sexual violence, against these peoples. The report calls for expedited processes for land demarcation and titling to ensure the protection of their territorial rights and traditional way of life.

Furthermore, the report underscores the disproportionate impact of environmental crimes and large-scale development projects on Indigenous communities, often without their free, prior, and informed consent. It highlights the violence and threats faced by Indigenous leaders and environmental defenders who advocate for their rights and the protection of their territories. The document also raises concerns on the disproportionate poverty faced by indigenous communities, which affects their access to health and education policies, and on their inadequate political participation and representation.

The Special Rapporteur also pointed to the challenges in access to justice for victims of racial discrimination and environmental crimes, including a lack of adequate legal aid, insufficient racial representation within the justice system, and significant case backlogs, all of which impede effective remedy for indigenous peoples. The report further recommends strengthening measures to prevent and address racist hate speech, including online, and tackling the growth of neo-Nazi cells, which may further exacerbate discrimination against marginalized groups, including indigenous peoples.

## Apr 29, 2025: Report of the Special Rapporteur on the Independence of Judges and Lawyers, A/HRC/59/52/Add.1

In her report on her visit to Chile, held from 29 July to 9 August 2024, the Special Rapporteur on the independence of judges and lawyers, Margaret Satterthwaite, expressed concern about the difficulties indigenous peoples face in accessing justice. The Special Rapporteur notes that the limited jurisdiction of the environmental tribunals could hinder their ability to address key environmental issues and stressed the need for measures to be taken to strengthen the tribunals' effectiveness, in particular given the number of cases being brought by indigenous communities. She also raised concerns that the growing punitive measures together with the definition of new crimes and the establishment of mandatory penalties may have led to overcrowding in prisons and increased the vulnerability of certain groups, including indigenous peoples.

She called for the lifting of the state of exception in the Araucanía and Biobío Regions, which affects the obligations of Chile towards Indigenous Peoples, for Chile to uphold the land rights of indigenous peoples and to formally recognize them in the Constitution and that close attention be paid to the cultural specificities of Indigenous Peoples in proceedings and in detention.

## May 19, 2025: Report of the Special Rapporteur on the Human Rights of Migrants, A/HRC/59/49/Add.2

In its 59th session (16 June–11 July 2025), the Human Rights Council analyzed a Report of the Special Rapporteur on the human rights of migrants, Gehad Madi, on the situation of migrants in Panama, highlighting the significant impact of migration on Indigenous communities in the Darién region.

Indigenous communities, including the Emberá-Wounaan, are deeply involved in the migration flow, providing essential services like transportation and goods to migrants. This interaction has brought some benefits, such as improved infrastructure and increased income, as well as substantial challenges: environmental strain from waste, abandonment of traditional livelihoods, and increase in school drop-out. A recent decline in migrant numbers has led to economic hardship and a heightened risk of local youth engaging in criminal activities.

The report also noted that perpetrators of crimes, including sexual and gender-based violence against migrants, sometimes originate from local communities, including indigenous communities, with impunity being a concern. The Special Rapporteur urged collaboration with Indigenous leaders to address impunity and prevent future crimes.

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# May 19, 2025: Report of the Working Group on Discrimination against Women and Girls, A/HRC/59/45/Add.2

In its 59th session (16 June—11 July 2025), the Human Rights Council received the report of the Working Group on discrimination against women and girls on its visit to Thailand. The report, which assesses the human rights situation of women and girls, noted that particular groups, including Indigenous and ethnic minorities, face multiple and intersecting forms of discrimination.

The Working Group found that Indigenous and ethnic minority women and girls are particularly at risk of exploitation, especially concerning trafficking in persons, with limited prevention, access to justice, and support mechanisms in place. Access to education also remains a challenge for ethnic minority women and girls. Furthermore, concerns were raised that a recent draft law on associations and foundations, proposed in 2024, may allow for the undue targeting of indigenous organizations.

# June 16, 2025: Independent Expert on Human Rights and International Solidarity, A/HRC/59/40 (advanced edited version)

In her report "International solidarity and Indigenous Peoples", submitted pursuant to Human Rights Council resolution 53/5, the Independent Expert on human rights and international solidarity, Cecilia M. Bailliet, provides examples of global Indigenous solidarity that can serve as inspiration for the international community and counter the trend towards multipolarity. In the report, the Independent Expert explains the link between Indigenous solidarity and the environment, migrants and minorities. She highlights the role of international law in providing a foundation for the creation of transparent, effective mechanisms that enable Indigenous Peoples to communicate solidarity demands, provides an overview of the key forums for Indigenous solidarity network-building and identifies some challenges therein. She further underscores the role of Indigenous women as solidarity leaders, the importance of funding education on Indigenous solidarity and the value of Indigenous participation in international forums. The Independent Expert concludes by providing recommendations to States to strengthen the right of Indigenous Peoples to international solidarity. The Independent Expert wishes to express her great appreciation to Jonathan Liljeblad and Yuri Mantilla for their valuable input to the report.

## June 25, 2025: Report of the Special Rapporteur on the Independence of Judges and Lawyers\*

During the 59th session of the UN Human Rights Council, Margaret Satterthwaite, Special Rapporteur on the independence of judges and lawyers, called on states to legally recognize the justice systems of indigenous peoples. In her report to the Council, Satterthwaite noted that indigenous peoples have the right to "maintain, strengthen, promote and develop their legal institutions and juridical systems," as stated in the UN Declaration on the Rights of Indigenous Peoples. Article 5 of the Declaration states that indigenous peoples are guaranteed the right to maintain their own legal institutions, while also retaining the right to participate in the "political, economic, social and cultural life" of the state they reside in. Article 34 of the Declaration allows indigenous peoples to "promote, develop and maintain" their own "juridical systems and customs, in accordance with international human rights standards." Satterthwaite observed that human rights treaty bodies, such as the Human Rights Committee, the Committee on the Elimination of Racial Discrimination, and the Committee on the Elimination of All Forms of Discrimination against Women, have recognized the importance of recognition of indigenous justice systems and their essentiality to the autonomy and self-determination of indigenous peoples. However, as Satterthwaite stated in the report, the status of indigenous justice systems still varies greatly across the world, with some states not recognizing them and some subordinating them to domestic norms. Satterthwaite recommended that states formally recognize the rights of indigenous peoples to maintain and develop their own legal systems, respect their jurisdiction and decisions, and limit state review of those decisions "to that which is strictly necessary to protect human rights."

\* Contribution by ASIL member Muhammad Farrel Abhyoso. The full report is not yet available in the UN databases. ■



## RECOMMENDATIONS, STATEMENTS, AND REPORTS FROM REGIONAL BODIES

#### **AFRICA**

January 11, 2025: At an Extraordinary Summit in Kampala, Uganda, the Heads of State and Government of the African Union adopted the "Kampala Caadp Declaration on Building Resilient and Sustainable Agrifood Systems in Africa." The declaration affirmed the need to promote indigenous knowledge and practices, recognizing their role in fostering environmental stewardship and resilience.

January 28, 2025: The 38th African Union Summit focused on the theme: "Justice for Africans and People of African Descent Through Reparations." The summit highlighted that reparatory justice for Africa—including land restitution in countries where land was taken from indigenous populations—can promote healing, equity, and recognition of the rights and contributions of African peoples.

January 31, 2025: The Peace and Security Council of the African Union, in a communiqué from its 1258th meeting, commemorated the third Africa Day of Peace and Reconciliation. The council underlined the need to utilize Indigenous approaches, such as traditional conflict resolution mechanisms and knowledge, to promote local ownership of peace processes.

April 8, 2025: The African Commission on Human and Peoples' Rights published a study on human rights and artificial intelligence. The report recognized that AI has significant implications for indigenous peoples and minority communities in Africa and called for the development of an inclusive governance framework. It also noted that AI-driven tools can help document and preserve indigenous languages and cultures for future generations.

May 2, 2025: The Pan African Lawyers Union, with support from civil society organizations, filed a petition before the African Court on Human and Peoples' Rights. The petition requests an Advisory Opinion on the climate change obligations of African states and includes a specific section on the rights of indigenous communities.

Jun 3, 2025: The African Commission on Human and Peoples' Rights adopted a resolution on the right to a healthy environment in Africa. The resolution deplored conservation and carbon-trading schemes that lease large territories to foreign investors, leading to the dispossession of indigenous peoples and local communities from their ancestral lands and livelihoods.

June 4, 2025: The African Court on Human and Peoples' Rights concluded a public hearing in the case of African Commission on Human and Peoples' Rights v. Republic of Kenya. The case concerns the enforcement of the Court's earlier judgments on the rights of the Ogiek indigenous people of the Mau Forest.

#### **AMERICAS**

February 17, 2025: The Inter-American Commission on Human Rights (IACHR) lifted precautionary measures for the Kuna de Madungandí and Emberá de Bayano indigenous peoples in Panama. The decision followed a substantive judgment on the case by the Inter-American Court and a long period without relevant information from the petitioners) representatives.

February 24, 2025: The IACHR lifted precautionary measures for members of 15 cabildos and reservations (resguardos) of the Pijao indigenous people in Tolima, Colombia. The Commission determined there was no longer evidence of a serious and imminent risk to the beneficiaries.

March 4, 2025: During its 192nd Period of Sessions, the IACHR held a hearing on the impacts on Indigenous Jurisdiction in Peru with the participation of the nongovernmental organizations Pueblo Achuar del Pastaza (FENAP), Central Única Nacional de Rondas Campesinas del Perú (CUNARC-P), and Instituto Internacional de Derecho y Sociedad, also with the presence of the State of Peru.

March 4, 2025: During its 192nd Period of Sessions, the IACHR held a hearing on the impact of extractive industries on indigenous peoples> rights in Peru with the participation of the non-governmental organizations Asociación Interétnica de Desarrollo de la Selva Peruana (AIDESEP) and Derecho, Ambiente y Recursos Naturales (DAR), also with the presence of the State of Peru.

## Recommendations, Statements, and Reports from Regional Bodies —continued from page 14

March 5, 2025: During its 192nd Period of Sessions, the IACHR held an ex-officio hearing on indigenous peoples' rights in the face of extractive projects in Suriname with the participation of the non-governmental organizations Association of Indigenous Village Leaders in Suriname (VIDS) and Caribbean Community Regional Office (CARICOM), also with the presence of the State of Suriname.

March 5, 2025: The Inter-American Court of Human Rights (IACtHR) extended provisional measures in the Juan Sebastián Chamorro et al. case to protect six additional individuals imprisoned in Nicaragua. One of the individuals, Steadman Fagot Muller, was imprisoned after publicly denouncing the invasion of indigenous territories.

March 7, 2025: During its 192nd Period of Sessions, the IACHR held an ex-officio hearing for a follow-up on precautionary measures for ethnic communities in the context of armed conflict in Colombia with the participation of the non-governmental organizations Amazon Frontlines, Center for Justice and International Law (CEJIL), Colectivo de Abogados «José Alvear Restrepo» (CAJAR), Comisión Intereclesial Justicia y Paz, Consejo Regional Indígena del Cauca (CRIC), Consultoría para los Derechos Humanos y el Desplazamiento (CODHES), and Unidad de Pueblos Indígenas Awá (UNIPA), also with the presence of the State of Colombia.

March 25, 2025: Following a working visit to Panama, the IACHR presented its observations on human mobility. The report highlighted the severe consequences for indigenous communities in the region, noting an absence of state presence and public services.

March 26, 2025: The IACHR published an admissibility report for a petition alleging the Colombian States responsibility for a massacre of four indigenous leaders by a paramilitary group in Panamanian territory (Report No. 35/25, Petition 80-15, Admissibility. Daniel Gutierrez et Al., Colombia).

March 27, 2025: The IACtHR maintained provisional measures protecting imprisoned members of the Mayangna indigenous community in Nicaragua, citing the state's non-compliance with previous orders.

March 27, 2025: In the case of Maya Kaqchikel Indigenous Peoples of Sumpango et al. v. Guatemala, the IACtHR published a resolution finding that Guatemala had only partially complied with the Court's judgment.

March 31, 2025: The IACHR's Office of the Special Rapporteur on Economic, Social, Cultural and Environmental Rights published a report on its visit to Brazil to assess the impacts of the 2024 floods in Rio Grande do Sul. The report includes a specific section on the human rights impacts on indigenous peoples and other rural communities.

April 2, 2025: The IACHR issued an extension and follow-up resolution on the precautionary measures protecting members of the Union of Indigenous Peoples of the Javari Valley (UNIVAJA) in Brazil, acknowledging both progress and ongoing challenges.

April 26, 2025: The IACHR condemned the continued misuse of the Public Prosecutor's authority in Guatemala to criminalize Indigenous authorities who led peaceful pro-democracy demonstrations in 2023.

May 20 & May 21, 2025: The IACtHR held hearings in two cases concerning the violation of the right to collective property for Indigenous communities: Comunidad de Salango v. Ecuador; Comunidad Garífuna Cayos Cochinos y Sus Miembros v. Honduras.

May 29, 2025: The IACtHR issued Advisory Opinion 32 on the Climate Emergency and Human Rights. The opinion stresses the need to recognize traditional and indigenous knowledge and address the differentiated impacts of climate change on these communities.

June 6, 2025: The IACtHR published an updated Case Law Bulletin on Indigenous and Tribal Peoples.

#### **EUROPE**

April 28, 2025: The Ukrainian Parliament Commissioner for Human Rights presented a report to the Council of Europe on the rights of national minorities and indigenous peoples amid the armed aggression by the Russian Federation.



## Recommendations, Statements, and Reports from Regional Bodies —continued from page 15

May 26, 2025: The Council of Europe's Advisory Committee on the Framework Convention for the Protection of National Minorities launched a new factsheet on the environmental challenges facing national minorities and indigenous peoples, such as the Sámi. It recommends actions to help communities adapt their economic activities to climate change to preserve their culture and language.

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### Selected Publications and Reports —continued from page 16

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