**54th session of the H Geneva, 27 September 2023**

**Room XX, Palais des Nations**

**Human Rights Council**

**Annual panel discussion on the rights of Indigenous Peoples**

***The impact of certain development projects on the rights of Indigenous Peoples, in particular the impact on Indigenous women***

**Statement by Mr. José Francisco Calí Tzay**

**Special Rapporteur on the rights of Indigenous Peoples**

Mr. President,
Distinguished delegates,
Indigenous Peoples’ representatives,
Ladies and gentlemen,

It is a great honour to be part of this panel as Special Rapporteur on the rights of Indigenous Peoples.

Last year, my report to the Human Rights Council focused on Indigenous women and the development, application, preservation, and transmission of scientific and technical knowledge.

In the report, I explained that Indigenous women are often the custodians of a collective accumulation of scientific knowledge and technical skills related to food and agriculture, health and medicine, natural resource management, weather patterns, language, textiles, arts and crafts. Women’s knowledge is critical to maintaining cultural identity, managing the risks and impacts of climate change, protecting biodiversity, and achieving sustainable development.

For example, in Kenya, Ogiek and Sengwer women practice beekeeping, harvesting honey for food and medicinal purposes as an important element of forest conservation in support of biodiversity.

Women of the Kimberley region of Australia, guardians of the Fitzroy River, are speaking up to protect the interests of that communal, life-sustaining resource, preserving its health for present and future generations.

In Northern Thailand, the Shan, Lua and Akha indigenous women use rotational methods of sharing seeds within the community to ensure food security and limit any possible risk of extinction.

However, Indigenous women are disproportionately impacted by the effects of extractive industries on their lands. Their knowledge is devalued when the natural resources they steward are exploited without their free, prior and informed consent. Loss of access to and ownership of lands disempowers Indigenous women. Moreover, climate change gives new urgency to the recovery and preservation of indigenous women’s scientific knowledge.

Indigenous women in Asia are the primary agricultural producers in their communities but changing climate patterns causing droughts, floods and hurricanes disrupt agricultural production and force people, most often women, to find work in urban areas.

The Kuna people were relocated from their islands to the mainland of Panama, forced to move because of rising sea levels, flooding, and overpopulation. Changes in climate have altered indigenous food practices, and knowledge of land, threatening the cultivation of native seeds.

With women often leading the efforts to protect their lands and resources from external threats, such as development projects, the criminalization of indigenous environmental defenders has been well documented.

For example, in Guatemala, a Mayan spiritual leader and a defender of Indigenous Peoples’ rights was harassed, kidnapped, ill-treated, and accused of witchcraft, after she opposed a mining project that contaminated the waters of Lake Izabal. The project was supported by the local Development Council (or Consejo Comunitario de Desarrollo).

In the absence of legal recognition, indigenous knowledge is often considered to be in the public domain to be utilized, commodified, commercialized, exploited and benefited from through appropriation, reproduction and imitation; without free, prior and informed consent.

Indigenous art and culture have been exploited for tourism. The selling of artisanal products in a competitive market risks loss of identity and cultural practices, where mass production of imitation products occurs.

In Kathmandu, Nepal, the construction of a business complex that includes shops, theatres, offices, conference halls, a casino, a discotheque, as well as a Marriott hotel, was built on the land of the Indigenous Pradhan Newar, without their free, prior, and informed consent. This was a historically significant land that once contained a holy pond as well as important religious and cultural sites.

Pharmaceutical or agricultural companies have taken indigenous scientific knowledge and marketed it without permission or with no recognition given to the indigenous owners. For example, the Guarani Pai Tavytera people of Paraguay and the Guarani-Kaiowa people of Brazil have a sacred relationship with stevia, whose sweetening properties they have been aware of since time immemorial. They have denounced the misappropriation of indigenous knowledge by multinational companies, without consultation or compensation. This has led to the loss of territories and of the knowledge that resulted from its harvesting.

However, best practices led by Indigenous Peoples give us some reason for hope. Indigenous women are creating environments conducive to the preservation, development, use and transmission of their knowledge, when they have a voice in governance and when they are supported.

In 2018, a study by the Aboriginal and Torres Strait Islander Social Justice Commissioner of the Australian Human Rights Commission provided evidence that women’s knowledge is critical for supporting families and communities, maintaining social cohesion, healing people from trauma and illness, and caring for land, water and animals.

In Sierra Nevada de Santa Marta, Colombia, Arhuaca women engage in ethno-education and ethnobotanical research on sacred plants that have medical, spiritual and nutritional properties. Indigenous Nicaraguan women have formed cooperatives to apply agricultural, medicinal and artisanal knowledge to advance their economic opportunities.

The Commonwealth Scientific and Industrial Research Organisation of Australia works with Aboriginal and Torres Strait Islander communities on an initiative led by Indigenous Peoples to empower Indigenous rangers to use data and artificial intelligence in land management by enabling them to drive and develop artificial intelligence and digital tools. The project seeks to analyse species and habitats of cultural and ecological significance by mixing ethical artificial intelligence with indigenous knowledge and delivering practical solutions for conserving precious ecosystems on indigenous lands.

As we can see, for Indigenous Peoples, there are as many challenges as opportunities ahead. In our path towards sustainable development, we should leave no one behind, and this includes Indigenous women. It is true that there is no one solution for all those challenges, one size cannot fit all. That is why we need to keep bringing Indigenous Peoples on board, especially women, and listen to them. By giving them a voice and leadership opportunities, the international community will ensure that their scientific and technical knowledge is preserved, transmitted, and applied towards the sustainable development of our global village.