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Statement by
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Statement by the Special Rapporteur on the Rights of Indigenous Peoples
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Madam/Mr. Chair,
Distinguished Delegates, Colleagues, and Friends,

I am honoured to present today my second report to this Committee of the United Nations General Assembly in my capacity as Special Rapporteur on the rights of Indigenous Peoples.

This is my final report on Indigenous Peoples' lands, titled "Identification, demarcation, registration and titling: practices and lessons". It builds on the interim report I presented last year.

Overall, this report reveals that, nearly twenty years after the adoption of the United Nations Declaration on the Rights of Indigenous Peoples, the demarcation and titling of Indigenous Peoples' lands and territories remain uneven and inadequate. Yet, the Declaration was intended to enable States to redress historical land injustices suffered by Indigenous Peoples and to foster reconciliation.

Organized around the seven cultural regions of Indigenous Peoples, the report presents the following regional overview in alphabetical order.

In **Africa**, no country has formally demarcated and titled Indigenous Peoples' lands and territories as required by the Declaration. Most States provide Indigenous Peoples with weaker rights of use or access to resources—notably forests, wildlife and grazing lands—rather than genuine ownership rights over their ancestral lands and territories.

Most African States' legal frameworks prioritize State, business and conservation interests, while treating Indigenous Peoples' land rights as secondary and expendable. Moreover, no African country has adopted a standalone law or policy on Indigenous Peoples' free, prior and informed consent (FPIC).

In **the Arctic**, challenges persist in demarcating and titling Indigenous Peoples' lands. Sámi lands, for example, have been only partially demarcated and titled. In some countries, only certain grazing areas are protected; in several others, Sámi customary rights continue to depend on litigation before domestic courts, while the Sámi homeland remains legally classified as State land.

Across the Arctic, Indigenous Peoples' lands are affected by mining, energy projects, forestry, tourism, infrastructure, military expansion and geopolitical interests. In parts of the region, the adoption of the European Union's Critical Raw Materials Act has raised concerns that Indigenous Peoples' land rights are being increasingly subordinated to broader economic and security objectives, compounded by the absence of an FPIC standard in the regulation.

In Asia, no State has enacted specific legislation recognizing Indigenous Peoples' land rights in the nearly twenty years since the Declaration was adopted. Yet Asia is home to two

thirds of the world's Indigenous Peoples, and more than 30 Asian States voted in favour of the Declaration.

As in other regions, Indigenous Peoples' land rights throughout Asia are systematically subordinated to mining, hydropower, agribusiness, infrastructure development, and climate and conservation initiatives.

The failure to protect Indigenous Peoples' land rights has fuelled conflict and violence. In many cases across Asia, military forces have been deployed to protect economic interests on Indigenous Peoples' lands and have resorted to intimidation and violence, including aerial attacks and killings. Asia is also among the regions where Indigenous human rights defenders are frequently criminalized, arrested and killed.

Latin America has some of the most advanced legal frameworks for Indigenous Peoples' land rights. However, nearly two decades after the adoption of the Declaration, effective protection remains limited by slow demarcation, competing interests, insecurity, violence and reversals.

Even where Indigenous Peoples' land rights are legally recognized, significant limitations persist. Some countries have introduced cut-off dates for recognizing land rights. In others, recognized rights do not extend to waters, coastal seas or the renewable resources associated with the lands.

Across the region, a deeply concerning trend of stagnation—and, in some cases, regression—is evident in the protection of Indigenous Peoples' lands. In numerous countries, existing legal and policy frameworks have been amended, or are under pressure to be amended, in ways that weaken land-rights protections to facilitate extractive industries, renewable energy projects, agribusiness and large-scale infrastructure.

Latin America also remains one of the most dangerous regions for Indigenous land, human rights and environmental defenders. An independent 2026 report indicates that 85 per cent of land and environmental defenders killed worldwide were from Latin America, with Indigenous Peoples accounting for a substantial share of the victims.

In **North America**, although Indigenous Peoples are recognized to varying degrees as sovereign nations, they do not exercise full control over their lands, territories, resources or lives.

Indigenous Peoples' rights are often not safeguarded when they conflict with economic interests. The approval of resource-development projects without Indigenous Peoples' consent, and the unrestricted exploitation of minerals on their lands, continue to generate conflict.

Indigenous Peoples defending their lands and territories in North America are often subjected to police surveillance, harassment, excessive use of force, injunctions and other costly legal proceedings, criminal charges, incarceration and economic pressure.

Free, prior and informed consent, as well as consultation with Indigenous Peoples, is frequently treated as a mere procedural requirement without substantive effect. States, at the federal or other levels, continue to exercise broad authority over Indigenous Peoples' lands and may take decisions affecting their territories without obtaining their consent.

In **the Pacific**, regressive laws and policies in some countries are eroding Indigenous Peoples' land rights. Since the adoption of the Declaration, no major legislation recognising Aboriginals and Torres Straight Irelanders Indigenous Peoples has been enacted.

Māori land rights still lack constitutional recognition. Although court decisions have recognized Māori customary ownership as part of the common law, successive laws have weakened those protections by converting collective ownership into individual titles that may be sold through the Māori Land Court.

Across the region, Indigenous land and environmental defenders who oppose projects or assert rights to rivers, forests and coastal areas may face considerable pressure, including public vilification, legal proceedings and police harassment.

The report concludes with several actionable recommendations, including the following:

- Immediately halt regression in the recognition of Indigenous Peoples' land rights, and accelerate the identification, demarcation and titling of their lands, with their participation, through simplified procedures and adequate financial and technical support. Particular attention should be given to mobile Indigenous Peoples, Indigenous Peoples in voluntary isolation or initial contact, and Indigenous Peoples with marine and coastal territories;

- Protect Indigenous Peoples' land rights while demarcation and titling processes are pending; and

- Adopt legislation that guarantees free, prior and informed consent.

Allow me to conclude by reiterating a point I made before this Committee last year: States and the international community as a whole have much to gain by ensuring that Indigenous Peoples can exercise full and effective self-determination and control over their lands and territories. Indigenous Peoples are the first line of protection for many countries and regions.

Indigenous Peoples' territories are often strategically located, including along and across national borders, and contain critical resources, including biological resources. They may also be targeted by criminal networks involved in drug trafficking, migrant smuggling and other forms of trafficking, and may be exploited by terrorist or extremist groups. This vulnerability is often linked to the limited presence and deterrent capacity of the State in these areas. Indigenous Peoples' self-determined control and governance of their lands are therefore essential to security: the stronger their rights in their ancestral territories, the more effectively those territories can be protected from illegal incursions and criminal actors. Indigenous Peoples are not a threat to States, on the contrary.

I hope that this report will help forge a new partnership between States and Indigenous Peoples as we embark on the UNDRIP decade.

I thank you.