



Asia Indigenous Peoples Pact (AIPP) Position Paper: The Conflation of Indigenous Peoples and Local Communities

I. Background

In Asia, self-identification as "Indigenous Peoples" extends beyond simple claims of original settlement; it reflects a shared reality of distinct cultures, customary laws, and deep-rooted connections to ancestral lands, forests, or seas. Whether as long-standing native inhabitants, communities displaced by conflict, or numerically small groups, these populations often face systemic marginalization by dominant ethnic majorities. Traditional dictionary definitions and local government labels—such as "hill tribes" or "ethnic minorities"—frequently carry derogatory connotations of cultural inferiority. Consequently, adoption of the global term "Indigenous Peoples" serves as a self-determined assertion of identity, reclaiming dignity over imposed and often discriminatory classifications.

Under international law, particularly through instruments like the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and ILO Convention 169, the term holds specific legal significance by recognizing *collective* rights. Because discrimination and dispossession target these communities as distinct groups rather than isolated individuals, existing national protections are often insufficient. By aligning under the globally recognized umbrella of "Indigenous Peoples," Asian communities unify with global movements to demand institutional recognition, protect their resource-dependent livelihoods, and secure legal safeguards for their distinct heritage and sovereignty.

The conflation of Indigenous Peoples and local communities under the umbrella term "IPLCs" (Indigenous Peoples and Local Communities) has become a pervasive practice in global environmental, climate, and biodiversity policies. While the term is often used in international negotiations to promote inclusive participation, this conflation undermines the distinct legal status, collective rights, and self-determination of Indigenous Peoples. This position paper consolidates country reports, regional advocacy declarations, and UN mechanisms to establish that Indigenous Peoples must be recognized as distinct rights-holders rather than being subsumed under broader and ambiguous categories.

During 23-27 March 2026, Asia Indigenous Peoples Pact organized the **25th Asia Preparatory Meeting on UN Human Rights Mechanisms and Procedures Relating to Indigenous Peoples, 2026** brought together 101 Indigenous leaders, human rights defenders, youth, women, persons with disabilities, United Nations (UN) representatives, and partner organizations from across Asia.





Indigenous delegates at the 25th Asia Preparatory meeting reached a common position that the term 'Indigenous Peoples' must be clearly distinguished from undefined groups, including 'Local Communities.' While both terms must remain separate to reflect their distinct identities, 'Local Communities' should be retained in the text rather than deleted, in accordance with the core principles and worldviews of Indigeneity established by UNDRIP and ILO Convention 169.

II. Core Principles

- **Recognition as Distinct Rights-Holders:** Indigenous Peoples exist as political, social, and legal entities within nation-states, possessing inherent collective rights protected by a unique legal framework. Grouping Indigenous Peoples with local communities diminishes our distinct legal status.
- **Mandate and Accountability to UNDRIP and the FPIC:** The conflation of Indigenous Peoples with other local groups erodes the specific protections guaranteed by the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and ILO Convention 169. Free, Prior, and Informed Consent (FPIC) is a non-negotiable legal obligation, not a procedural formality. It must be applied exclusively to Indigenous Peoples to protect their territories from external interference.
- **Distinction of Knowledge Systems:** Indigenous knowledge systems are unique and reflective of distinct worldviews, values, and principles. They must be explicitly distinguished and not grouped with the traditional knowledge of local communities.
- **Prevention of Identity Dilution:** The use of broad, ambiguous terminology allows state and corporate actors to bypass obligations regarding collective land rights and resources. In many regions, the term "local communities" can include settlers or dominant groups, which threatens the customary tenure of Indigenous Peoples.

V. Recommendation

- **Maintain Distinct Terminology:** Persistently demand that all international, regional, and domestic policies clearly distinguish "Indigenous Peoples" from "local communities". (For example, Indigenous Peoples, Women, farmer, youth, Local communities)
 - **Uphold Rights-Based Approaches:** Ensure that all climate, carbon, and biodiversity projects require the application of FPIC and protect collective land rights rather than relying on ambiguous community-based frameworks.
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- **Elevate Indigenous Knowledge:** Ensure that Indigenous knowledge systems are recognized distinctly from other forms of traditional knowledge systems in global databases and negotiations.
 - **Promote Self-Determination:** Center Indigenous-led conservation and representation in policy development, including Nationally Determined Contributions (NDCs) and National Biodiversity Strategies and Action Plans (NBSAPs).

References:

- International and United Nations Consensus
United Nations mechanisms and international Indigenous platforms have consistently warned against the conflation of Indigenous Peoples and local communities across global forums:
Note by the Secretary-General (2022): The report explicitly states that the use of the phrase "indigenous peoples and local communities" should be avoided to the greatest extent possible, as it threatens the unique legal status and rights of Indigenous Peoples.
 - Joint Statements by UN Mechanisms (2023–2024): The UN Permanent Forum on Indigenous Issues (UNPFII), the Special Rapporteur on the Rights of Indigenous Peoples (UNSRIP), and the Expert Mechanism on the Rights of Indigenous Peoples (EMRIP) formally requested that all UN Member States cease using "local communities" alongside "Indigenous Peoples".
 - E-Sak Ka Ou Declaration (2023): The Asia Indigenous Peoples Pact (AIPP) firmly rejected any generalizations and other terminologies that distort Indigenous identity and legal rights.
 - IPMG at the UN Environment Assembly (UNEA): The Indigenous Peoples Major Group (IPMG) emphasized that conflation leads to a loss of accountability and causes confusion in policy and programming. Furthermore, negotiations at the Minamata Convention (COP6) successfully separated the terms to read "Indigenous Peoples, as well as local communities."
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