

Indigenous Peoples' Declaration on Certification Bodies and Validation and Verification Bodies impacting Indigenous Peoples' Rights

1. We, thirty-two members of Indigenous Peoples from thirteen countries met in Jakarta, Indonesia for a *Global Convening on Certification Schemes and associated Auditing Systems impacting Indigenous Peoples' Rights* on 10-12 March 2025 to share our experiences with and build common understanding of different schemes that certify commodities for international markets - including minerals and metals, palm oil, wood, pulp and paper, carbon and biodiversity credits, renewable energy, and aquaculture products.
2. As Indigenous Peoples, we reaffirm our spiritual relationship with and inherent rights to our lands, territories and resources and to self-determination, among others, which are recognised in the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) and elaborated by other international and regional human rights instruments and mechanisms. Our stewardship of lands, territories and resources is rooted in our ancestral knowledge, and responsibilities to future generations. Our vision extends beyond certification schemes, which often impose external standards that fail to recognise our self-determined governance and holistic approaches to sustainability that are not based on commodification of Mother Earth and its resources.
3. Our peoples have endured centuries of negative impacts of colonialism as well as greed-based capitalism for the production of commodities for international markets. These impacts stem from the systematic failure to recognise our rights guaranteed in the UNDRIP and have resulted in violations of our right to self-determination, displacement from and destruction of our lands and resources, racial and gendered injustices, erosion of our institutions due to State and elite captures, and criminalisation of our people and defenders. The drive towards a "green transition"¹ to address climate and environmental crises has intensified and increased the demand for commodities - and generated new ones² - further threatening our communities and territories.
4. Over the past three decades, many of us have actively engaged with certification schemes to try to prevent adverse impacts by putting in place strong safeguards for the rights of our peoples. There have been important gains, with some of these schemes now embedding respect for our rights. However, based on the cases and experiences shared at the Convening, it is abundantly clear that in an overwhelming number of cases, this has not resulted in certification processes that guarantee respect for our rights in practice.
5. At the Convening, it was highlighted that existing certification schemes and associated auditing systems have perpetuated pre-existing and ongoing violations of Indigenous Peoples' rights by putting a stamp of sustainability on products derived from our territories without our free, prior and informed consent (FPIC), serving to legitimise irresponsible business conduct. In some cases, certification has even put our peoples more at risk, including by opening up, increasing the demand for, or commodifying resources in our territories, and leading to members of our communities being imprisoned for carrying out their traditional livelihoods or for defending their rights. These blatant violations of our rights are rarely remedied effectively.

¹ Refers to (among other things) efforts to produce renewable energy, enhance climate resilience and engage in environmental conservation.

² E.g. power held by our rivers; carbon stored in our lands and forests; and even biodiversity in our territories.

6. A key concern we identified as contributing to this failure of certification processes is the lack of expertise of auditors about Indigenous cultures, languages, histories, land tenure, and decision-making processes, leaving them ill-equipped to assess whether our rights have been respected. In addition, audit procedures frequently fail to allow sufficient time for meaningful community engagement, including with Indigenous women, elders, youth, persons with disabilities and other vulnerable groups. This is compounded by the lack of independence of auditors. They are hired and paid by the entities seeking certification, which creates a conflict of interest and disincentives flagging of violations.
7. Further, grievance mechanisms are often inaccessible, complex, costly, and ineffective, while investigations of complaints are rarely independent, as they are conducted by actors linked to certification schemes. Weak enforcement and a lack of consequences for violations of standards allow harmful practices to persist, compounded by the lack of effective inclusion of Indigenous Peoples' representatives in the governance of these schemes.
8. We are concerned that many certification schemes, including new schemes emerging in response to the call for a green transition, have evolved into market and profit-driven businesses, promoting false climate solutions that commodify our lands and resources in contradiction with our worldviews.
9. We stress that the UN Guiding Principles for Business and Human Rights (UNGPs) apply to certification schemes, certification bodies (CBs) or validation and verification bodies (VVBs),³ and the auditors they employ. This is because facilitating, carrying out and supporting the process of commodity certification, can contribute to, or potentially cause, adverse impacts on Indigenous Peoples' rights and the environment, including by adding commercial value to businesses and commodity extraction and increasing consumer demand for products. We call on all these entities, as well as the institutional investors and businesses who they audit and certify, to abide by their responsibility to respect human rights under the UNGPs.
10. True recognition of our rights as Indigenous Peoples must go beyond participation in market mechanisms that respect Indigenous sovereignty and land tenure security, and FPIC in all decisions that impact us. We seek models that center Indigenous-led frameworks, ensuring that any process affecting our lands and livelihoods is accountable to us.

In light of the above, we put forward the following recommendations:

To states involved in or supporting/hosting certification schemes:

1. Comply with international human rights standards and adopt and enforce laws and policies to respect, protect and fulfill the rights of Indigenous Peoples as enshrined in the UNDRIP
2. Enact laws and policies on mandatory human rights due diligence in accordance with international human rights standards that companies must conduct that is complementary to, but not satisfied by, participation in certification processes.
3. Require all actors who seek to conduct business activities impacting on Indigenous Peoples' rights, including audits of business impacts on those rights, to obtain FPIC from the affected communities and to respect their FPIC protocols where they exist.

³ The terminology varies between different schemes, but overall 'CBs' and 'VVBs' refer to bodies that are hired to carry out the audits for the actor that is seeking certification.

4. Guarantee effective remedies for violations of the rights of Indigenous Peoples by holding businesses accountable, including by clarifying the legal responsibilities of certification schemes for their contribution to human rights harms.
5. Ensure recognition of the rights of Indigenous Peoples in international regulation and trade and investment agreements that create the global commodity trading context in which these certification schemes emerge.
6. Recognise and support Indigenous Peoples-led initiatives particularly on impact assessments, renewable energy, and conservation as integral to achieving a just and sustainable transition.

To businesses with, or seeking, certification

1. Respect Indigenous Peoples' rights – in policy and practice – as affirmed in UNDRIP, including by only implementing projects, or sourcing from projects, if FPIC has been obtained in compliance with Indigenous Peoples' laws, customs, practices and, where they exist, FPIC protocols.
2. Conduct effective human rights due diligence of supply chains, in addition to requiring supplier companies to be certified through independent and transparent audit processes.
3. Immediately suspend business relationships with entities in their supply chains when allegations of violations are filed by affected communities and if, requested by the communities, terminate these relationships where there is a finding of human rights violations, including if this happens prior to, during or following a certification process.
4. Establish accessible, effective, and gender responsive operational level grievance mechanisms, and facilitate access to other grievance and redress mechanisms, for violations of Indigenous Peoples' rights related to business operations, including rights violations that may arise during certification processes.
5. Adopt a zero-tolerance policy to address threats against Indigenous Peoples and ensure no reprisals against, and security of, complainants, affected communities and support groups. Ensure that this policy is transparently applied during audit processes so communities can raise their concerns about the company without fear of reprisal.
6. Only engage in and promote certification schemes that require, promote and guarantee respect for Indigenous Peoples' rights as affirmed in UNDRIP.

To certification schemes:

1. Ensure the effective participation of Indigenous Peoples in the development, revision and adoption of certification standards and their harmonization with international human rights standards. All certification standards must require respect for Indigenous Peoples' rights as affirmed in UNDRIP.
2. Require remedial measures to be developed within the framework of FPIC, including when a company acquires a project associated with on-going human rights violations or where FPIC was not originally obtained, and ensure that all remedial measures are monitored and enforced within agreed and reasonable timeframes.
3. Ensure that FPIC principles are respected in the conduct of audits, including by enabling advance preparation that equips community members to understand the certification scheme and freely engage in audits if they wish, and to decide who will participate in the audit, who is consulted prior to and during site visits, when and where this happens, and how reports are validated for accuracy. If FPIC protocols exist, auditors should comply with them before and during audits.

4. Fully disclose audit reports and findings, and all relevant documents upon which the findings are based, and corrective actions to affected communities in a language and form understandable to them.
5. Ensure certification schemes' standards and related guidance address FPIC, respect for customary land rights, and Indigenous Peoples' representative structures, in a rigorous and detailed way. Compliance must be mandatory and be assessed as part of auditing processes. The standards must require respect of Indigenous Peoples' FPIC protocols, where these exist or where Indigenous Peoples wish to create them. They should also recognise Indigenous Peoples' right to conduct aspects of participatory impact assessments and to conduct community monitoring.
6. Ensure standards require respect for the rights of Indigenous Peoples in voluntary isolation and initial contact and prohibit certification of projects in or near their territories as well as in other no-go zones, such as UNESCO World Heritage sites, and in high-risk areas of poor governance, human rights abuses, and conflict zones where standards cannot be enforced.
7. Ensure Indigenous Peoples' representatives, selected through Indigenous Peoples' own processes, have an authoritative say in decision-making on matters that may affect them through their participation in certification scheme governance and oversight. Schemes should invest in building Indigenous representatives' capacity and any platforms established for their engagement should play an effective, non-tokenistic, role in governance.
8. Develop new financial models, such as certification schemes selecting and hiring the CBs (as in the case of the Responsible Mineral Initiative), so that auditors are financially decoupled from the entities they are auditing, thereby minimizing the potential for actual and perceived conflicts of interest.
9. Reform certification scheme grievance mechanisms in line with the legitimacy, accessibility, predictability, equitability, transparency, rights-compatibility and continuous improvement effectiveness criteria of the UNGPs. This includes enabling access to them without a requirement to first engage company operational level mechanisms, monitoring and reporting on their effectiveness, including through seeking feedback of Indigenous Peoples, and publicizing where companies are suspended or required to withdraw from schemes.
10. Ensure that non-respect of Indigenous Peoples' rights, including to FPIC and their lands and resources, are deemed major non-conformities and result in non-certification until they are remedied.
11. Suspend certification when complaints submitted by affected communities are being processed by grievance mechanisms and communicate this to buyers. If the certified entities seek to terminate or sell their operations, require that they seek the FPIC of affected Indigenous communities as part of a responsible exit strategy.
12. Require companies to adopt a zero-tolerance policy to address threats against Indigenous Peoples and ensure no reprisals against, and security of, complainants, affected communities and support groups.
13. Require unannounced as well as pre-planned site visits as part of auditing processes.
14. Enhance the role of accreditation and oversight bodies in identifying deficiencies in certification schemes and addressing weak and inconsistent audit practices, such as audits that fail to address international standards and only assess companies for compliance with national laws and judicial processes, or the insufficient auditor rotation, which should be at each periodic audit to ensure independence and accountability.
15. Establish mandatory training and experience requirements for social audit teams in relation to Indigenous Peoples' histories, realities and rights, including FPIC and its basis in self-determination and non-discrimination under international law and customary law.

16. Require auditors to conduct detailed research on the rights and realities of Indigenous Peoples to ensure that company information is fully cross-checked prior to on-site visits and ensure that a member of the audit team is expert on those rights and realities as well as exploring the possibility for expert witnesses to participate in audits.
17. Ensure secretariats have staff coming from Indigenous Peoples where possible, or others who have expertise in Indigenous Peoples' rights and are recommended by Indigenous Peoples, as well as adequate resources for effective functioning of the secretariat.

To certification bodies (CBs) and validation and verification bodies (VVBs):

1. Build capacities of land auditors and social auditors on Indigenous Peoples' rights and human rights in general.
2. Seek the FPIC of the concerned Indigenous communities when auditing projects affecting them, including by following their FPIC protocols where they exist, and get their agreement on how social audits will be conducted. (see recommendation 3 above to certification schemes).
3. Ensure processes and mechanisms are in place to guarantee the security of and non-reprisals for complainants, affected communities and support groups during auditing.
4. Implement peer reviews to ensure consistent auditing practices. This must include people with expertise in Indigenous Peoples' rights, and ideally involve oversight by accreditation and oversight bodies.

To NGO/CSOs:

1. Social, environmental and human rights NGO/CSOs that engage with certification schemes should ensure that the schemes respect Indigenous Peoples' rights in standard setting, governance, auditing and grievance processes, and facilitate and promote effective participation of Indigenous Peoples in the schemes.
2. NGO/CSOs that run projects that rely on obtaining certification should ensure that Indigenous Peoples' rights are respected in the certification processes and only engage in such projects if this has been the case.
3. NGO/CSOs should capitalize on the multi-stakeholder dimension of certification schemes to advocate for the respect of Indigenous Peoples' rights with investors and buyers.

To UN human rights mechanisms:

1. Engage in oversight of certification schemes and CBs/VVBs, and the projects they certify, including by providing commentary on their human rights responsibilities as affirmed in the UNGPs and recommending any improvements to their standards and implementation that are needed to guarantee respect for Indigenous Peoples' rights.
2. Create spaces for mediated dialogue between communities affected by certified projects and the certification schemes, certification bodies and companies in order to resolve grievances raised by Indigenous Peoples.

To UNFCCC and its Conference of Parties:

1. Ensure that all certification and trading of credits for carbon located in Indigenous Peoples' territories is based on respect for their rights to self-determination, lands territories and resources and FPIC.

To investors and financial institutions:

1. Identify and disclose investments in their value chain that impact on Indigenous Peoples and whether the related projects have been certified, if any grievances have been raised and if human rights due diligence conducted.
2. Require evidence that the FPIC of the potentially impacted Indigenous Peoples has been obtained for any investments they made or are considering making.
3. Undertake human rights due diligence that draws on a range of legitimate sources, including human rights and Indigenous Peoples' organisations, and validates if certification processes have respected international standards and are not being used to greenwash bad corporate practice.
4. Consult with affected communities to determine if divestment and responsible exit from investments is what they want, or some other form of intervention on behalf of the investor, where certification schemes or other bodies have found evidence of human rights violations, including the failure to obtain FPIC.

To buyers/traders in supply chain and market exchanges

1. Ensure only high-integrity commodities are traded that guarantee respect for the rights of Indigenous Peoples throughout supply chains.
2. Undertake their own human rights due diligence that includes validating if certification processes have respected international standards, and are not being used to greenwash bad corporate practices, by drawing on a range of sources, including from human rights and Indigenous Peoples' organisations.
3. Immediately suspend relationships with entities in their supply chains when credible complaints are filed by affected communities and terminate these relationships where there is a finding of human rights violations.

OUR COMMITMENTS

1. We commit to build our capacities to be able to effectively engage in certification schemes, including by increasing our communities' awareness of our rights.
2. We commit to strengthen solidarity among Indigenous Peoples facing similar concerns in the context of certification schemes.
3. We commit to continue defending our communities against the impacts of harmful projects, including those with specific impacts on women, youth and our traditional livelihoods, and to expose any certification processes that sanction those projects.
4. We commit to conduct regular assessments of our engagement with certification schemes to ensure that such engagement is not tokenistic but is meaningful and effective.
5. We commit to promote and strengthen our own Indigenous-led assessments of business activities proposed and led by outsiders, as well as initiatives on community based renewable energy and conservation.
6. We commit to engage constructively with all concerned rightsholders and stakeholders in the context of certification schemes to ensure that Indigenous Peoples' rights are respected everywhere and at all times.