

# Indigenous Peoples co-ownership models & benefit-sharing approaches in renewable energy projects in the context of the just transition

## Summary Outcome Document of Regional Consultations

August 3, 2023

### Introduction

Indigenous Peoples Rights International (IPRI) and the Business and Human Rights Resource Centre (BHRRC) are undertaking research and analysis on co-ownership models and benefit-sharing approaches in renewable energy projects in the context of the just transition. To ground this work, IPRI and BHRRC undertook two regional consultations on August 3<sup>rd</sup>, 2023, convening Indigenous leaders and experts first from Asia and the Pacific; followed by Africa, Europe, and the Americas. Forty-one Indigenous experts from twenty-four countries participated in these exchanges.

We thank all the participants in the consultations for their sharing of experiences and expertise. This document is intended to capture the key lessons, recommendations, and perspectives that emerged from these consultations, from the perspectives of the Indigenous leaders who participated.

### Context

The energy transition centres on the global shift away from fossil fuels to cleaner sources of energy. Indigenous Peoples are affected by the renewable energy value chain in numerous ways, ranging from the extraction of transition minerals to the development of renewable energy projects on their lands. It is estimated that 50% of transition minerals are on Indigenous territories.<sup>1</sup> Currently, a large percentage of renewable energy potential is also located on the land of marginalised rural communities, and specifically on that of Indigenous Peoples. Many governments are pursuing<sup>2</sup> policy reforms that do not respect Indigenous Peoples' rights, especially regarding their lands, territories, and resources, their self-determination, and their free, prior, and informed consent (FPIC). This is compounded by an increase in authoritarian governance, restrictions on civic freedoms<sup>3</sup>, and attacks on those seeking to protect people and planet from harms – human rights defenders (HRDs)<sup>4</sup>, among whom Indigenous defenders are disproportionately affected<sup>5</sup>.

To prevent repetition of the wrongs of both past and present, it is necessary that the energy transition is fast, just, and equitable. This means, *inter alia*, businesses, investors, and governments respect human rights; prioritise fair negotiations; and guarantee Indigenous Peoples' right to self-determination

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<sup>1</sup> Owen, J.R., Kemp, D., Lechner, A.M. et al. Energy transition minerals and their intersection with land-connected peoples. *Nat Sustain* 6, 203–211 (2023). <https://doi.org/10.1038/s41893-022-00994-6>

<sup>2</sup> Special Rapporteur on the Rights of Indigenous Peoples, Indigenous peoples, and coronavirus disease (COVID-19) recovery. 2021. A/HRC/48/54, para. 9 stating "There has been an alarming trend of States using the emergency and response created by the pandemic to weaken and suspend environmental enforcement, dismantle, and bypass legal safeguards, loosen regulations to attract foreign investment and push through legal reforms to undermine environmental protections and the rights of indigenous peoples... The weakening of legal protections has resulted in environmental harm, provoked violent conflicts over territory and led to viral exposure through contact with incoming workers."

<sup>3</sup> For example, see CIVICUS Monitor – Tracking Civic Space. Available at: <https://monitor.civicus.org/>

<sup>4</sup> For example, see Business & Human Rights Resource Centre, Civic Freedoms & HRD Data, available at: <https://www.business-humanrights.org/en/from-us/human-rights-defenders-database/>.

<sup>5</sup> Indigenous Peoples Rights International, Business & Human Rights Resource Centre, Protector Not Prisoner. 2022. Available at: <https://www.iprights.org/images/articles/resources/Protector%20not%20prisoner%20Indigenous%20peoples%20face%20rights%20violations%20criminalization%20in%20climate%20actions/Protector%20not%20prisoner%20-%20Indigenous%20peoples%20face%20rights%20violations%20criminalization.pdf>

and to give or withhold their consent from proposed projects in the effort to ensure that the transition can allow for shared prosperity.

Indigenous Peoples are taking proactive actions to advance the energy transition in an equitable and sustainable manner. There is a growing number of cases where Indigenous Peoples and nations are leading clean energy projects, albeit many are limited to the US, Canada, and New Zealand. There are also examples where Indigenous communities have chosen to enter into co-ownership agreements with renewable energy companies. To scale these benefits at the global level, questions arise regarding:

- What these arrangements entail?
- What are Indigenous Peoples' lessons, capacities, and legal contexts for these projects?
- What are and should be the enabling conditions for these projects?
- What is required from private non-Indigenous actors and from the government?

## Co-ownership models in renewable energy projects

Documented cases and existing literature provide a categorization for co-ownership models in renewable energy projects related to Indigenous Peoples. These models may fit in one of the following categories:<sup>6</sup>

Type of shared ownership	Description
<b>General Partnership:</b> <ul style="list-style-type: none"> <li>- Project is owned by an Indigenous Coalition</li> <li>- 100% Indigenous owned</li> </ul>	Ownership is equally split between or among Indigenous partners. This may include <b>community-based initiatives</b> which are usually supported by NGOs and/or philanthropic donations and are particularly common for project-displaced communities.
<b>General Partnership:</b> <ul style="list-style-type: none"> <li>- Project is owned by Indigenous Peoples and a commercial developer</li> <li>- 50% Indigenous owned; 50% business owned</li> </ul>	Ownership is shared equally between an Indigenous community and a renewable energy developer with shared decision-making and equally distributed earnings
<b>Limited Partnership</b> <ul style="list-style-type: none"> <li>- Project is owned by an Indigenous Peoples and a commercial developer</li> <li>- 25% to 50% Indigenous owned; 50% to 75% business owned.</li> </ul>	Ownership is split between energy developer and Indigenous Peoples. Highly flexible models that can distribute liability and risks
<b>Minority Equity Ownership</b> <ul style="list-style-type: none"> <li>- Indigenous Peoples own equity in the project;</li> <li>- 25% or less Indigenous owned; 75% or more business owned.</li> </ul>	<p>Indigenous Peoples acquire equity in a project and act as shareholders.</p> <p>Indigenous Peoples may not actively participate in the project's planning or administration.</p>

In addition to the above co-ownership framework, Indigenous Peoples have participated in other benefit-sharing arrangements for renewable energy projects and energy grids, that may or may not involve outside companies. These include the following, amongst others:

Arrangement	Description
<b>Local Enterprise-initiated system</b>	An outside company sells energy to an Indigenous community. All operation and other costs are maintained by the company.

<sup>6</sup> Adapted from: "Community Ownership of Renewable Energy: How it Works in Nine Countries (2023)", Institute for Human Rights and Business and "Project Ownership Models for Remote Renewable Energy Development in Partnership with Indigenous Communities (2021)", Arthur Bledsoe, UBC Sustainability Scholars 2021

	Benefits: The Indigenous Peoples benefit through the creation of employment opportunities.
<b>Renewable Energy-Powered - Community Solar Energy Development Centre</b>	A local solar energy centre is owned by the Indigenous community.  Instead of paying using cash, members of the Indigenous community pay by raw materials, agriculture, livestock.
<b>Community institution initiative</b>	Indigenous community water management infrastructure, which can also apply to renewable energy infrastructure. The funds generated by the project are used as revolving funds to fund other projects. In other words, these are funds that allow for continuous financing of new projects or initiatives.
<b>Community mini-grid initiative</b>	The Indigenous community operates a mini-grid and purchase power from micro hydro or solar and sells to the community.
<b>Larger scale mini grids</b>	Joint venture between an Indigenous community and investors to build mini hydro and sell power to the national grid.  Indigenous community cooperatives get dividends from the arrangement.

## Lessons learned from on-going cases:

**It is possible.** There is a broad spectrum of cases where Indigenous Peoples have engaged as owners of renewable energy projects, entered into co-ownership agreements, and benefit-sharing agreements across the globe. These experiences are both in small-scale and large-scale projects. For example, in Canada, 20% of renewable energy projects are Indigenous-owned. In New Zealand, a Māori Iwi co-owns three different geothermal power stations, generating 250MW, which is mainly sold to market. The Iwi decided to use a third of all the profits for social purposes to benefit Indigenous communities, such as through investment in health and education. In Malaysia and the Philippines, several micro solar and micro hydro projects have been developed by Indigenous Peoples.

**Protection of and respect for Indigenous Peoples' rights is the foundation for any discussion on co-ownership and benefit-sharing.** This is particularly the case for their self-determination, rights to lands, territories, and resources, and their Free, Prior and Informed Consent (FPIC). Despite positive cases mentioned above, as noted in cases discussed in the consultation, renewable energy projects are still largely driving threats against Indigenous Peoples.

In India, the case of the Azure Solar Plant in Assam was highlighted. Participants reported that instead of titling the lands in favour of the Adhivasi, the State is using its security forces to displace them from their traditional lands, which are essential for their survival. No FPIC process was undertaken. Ultimately, the State, through its actions and omissions, rendered the Adhivasi as illegal occupiers of their traditional lands. This is profoundly preoccupying considering the scale of these projects. E.g., In India, in the world's fifth largest river basin, 200 dams are proposed in 8 river tributaries, especially in very remote areas of Arunachal Pradesh.

Conversations and negotiations about co-ownership and benefit-sharing between companies and communities should therefore only proceed if Indigenous Peoples have consented through an FPIC process. This must be a good faith and legitimate process.

**Criminalization and impunity remain rampant, and constructive relationships require time and effort.** When people stand up against renewable energy projects that do not respect their rights, they risk being criminalized and attacked. It was mentioned that in their joint report, [Protector nor Prisoner](#) (2022), IPRI and BHRRC revealed that between January 2015 and August 2022, the Resource Centre

tracked 883 attacks on Indigenous human rights defenders (IHRDs). At least 134 attacks out of the 883 were related to renewable energy projects, including hydropower, wind, and solar. According to the participants, states tend not to take any cognizance of the wrongs they have done. On the contrary, state actions appear to frequently favour the interests of companies involved, including using force and legal mechanisms against the traditional holders of the land.

On the other hand, some speakers and participants mentioned that if the right business partners were found for a renewable energy project, that took enough time to develop the project in true partnership with Indigenous communities, there was a possibility of constructive, win-win relationships.

For example, one participant shared that it was through one of their unsuccessful bids that they understood the importance of finding the right partner. The entity they originally meant to partner with did not appreciate the historical disparity, oppression and marginalisation of Indigenous Peoples formed the basis for why Indigenous Peoples were eligible for grant money from the government. The partner that they found afterwards understood and supported the ambition of the community to eventually own the company 100%, and was willing to provide the expertise, connect them to partners and lead on procurement.

**Lack of responsibility by investors and international financial institutions remains the norm, though there are some examples of positive financial support.** The discussion flagged that investors and financing institutions have, in practical terms, largely ignored the demands of the victims of rights violations, related to renewable energy projects.

*One participant said: “The government department which looks after the land question of communities never settled the rights of these Indigenous communities, who are definitely kept historically backwards, and don’t have much of a say in the decision-making process of the state. So, the solar energy company targeted these Indigenous people who have been rendered voiceless by a system which has kept them oppressed for generations. And now, when these people stood up and said that: ‘No, this is our crop, this is our land. We want our land back’, then that is when the company came in with the support of police, with the support of paramilitary, and they were beaten up. There were cases registered against the people. Quite a few numbers of the activists and the local villagers were put into jail. The company hasn’t taken any cognizance of the wrongs that they have done, and this is why we are trying to access different liability mechanisms at the international and the national levels, both the legal ones and also the grievance mechanisms of funding finance institutions, but till now there has been no positive result which has come out of it.”*

On the other hand, one speaker pointed out that it was useful that there exist specific small grants by some UN agencies that allowed for the development of Indigenous-owned renewable energy projects. Other examples included seed or small loans that are used to develop infrastructure. As these are paid, the resources are used to fund other projects to accelerate Indigenous leadership in renewable energy projects.

**Misuse of national or public interest declarations.** Identified as a troubling issue, enacting legislation and/or public decrees for national or public interest, including in the name of a fast energy transition, may open the path for gross human rights violations. This was seen during the COVID-19 pandemic, when in the interest of economic recovery, States lowered or disregarded the social and environmental safeguards for projects. Some speakers cautioned against a similar approach in relation to the transition.

**Compound effects.** The discussion highlighted multiple threats from various climate change adaptation and mitigation initiatives. These are facilitated through law, policy, and financing mechanisms. On one end, the renewable energy value chain, ranging from the extraction of transition minerals to the development of renewable energy projects; on the other, conservation laws that are shrinking – and ultimately suffocating- Indigenous Peoples’ enjoyment of their lands, territories, and resources. The conversation underlined that any approach to climate change adaptation and mitigation that ignores Indigenous Peoples’ rights and does not put them and their leadership and knowledge at the centre, is likely to fail.

**Gender dimension.** One speaker underlined the impacts of renewable energy projects on women.

*The speaker highlighted: “In our area, where people are dying from hunger, companies started setting up wind parks. We documented impacts on women in particular because we are affected differently. Within communities, there has been an increase in gender-based violence. That is because with the entry of companies, traditional authorities have started disregarding the traditional, respected role of women in organizational processes. Because we oppose certain projects, they see women as a “pain in the neck”, and they say we are against development, but we are not.”*

The discussion revealed few other documented experiences that have analysed and discussed the intersectional impacts of renewable energy projects on Indigenous women. Given the frequently invisible nature of these impacts, these projects may deepen existing discrimination against women. On the other hand, one speaker spoke about successful projects in Malaysia in which Indigenous-owned small hydroelectric projects were intentionally set up in such a way that they contributed to female empowerment and leadership.

**Small scale versus medium and large-scale projects.** Participants underlined that in Asia, there are numerous experiences of successful Indigenous-owned and run small-scale renewable energy projects. These are welcomed by the communities but may not be competitive to sell excess energy in the national, and international markets. They often suffer from access to finance, and other resources, and should be more supported by governments. At the same time, there was a sense in the discussion that these are key to **providing access to clean energy**. While very important, these may not lead to Indigenous leadership in renewable energy at a scale necessary for the energy transition, and hence may not provide all the benefits that may be expected or necessary for Indigenous Peoples.

Participants also analysed the differences in drivers, actors, and outcomes between small scale and large-scale projects. For example, small-scale (e.g., micro, and mini) projects are often funded by NGOs and philanthropic actors. Medium and larger scale projects provide more **opportunity to sell clean energy to the market**. Geopolitically, large-scale renewable energy projects represent annual investments in the order of hundreds of billions globally, with states such as China pushing for these investments in neighbouring countries such as India and Nepal and large multinational energy companies developing these projects. Given the current dominance of commercial actors in the renewable energy sector, it was seen as important to understand the pros and cons and the dynamics of partnering with these actors.

Participants agreed it is important to understand what the end goal of renewable energy projects is. Whether it's selling to the market, providing clean energy access to Indigenous Peoples, or a combination of these. The discussion included the view that for Indigenous Peoples to thrive and benefit from **clean energy access**, they should consider [tier 4 and tier 5 projects](#) which are more reliable and provide affordable access to energy. These include, micro hydro mini grids, solar photovoltaic hybrid mini grids.

**Complexity of renewable energy projects.** Even in the case of small-grid projects, participants pointed out it was important to properly plan the different stages and assess the required resources, needs and others of each stage. For instance, one speaker said that in **community-based models**, especially those supported by NGOs, the following must be considered: i) Pre project planning, which includes feasibility studies, investing in baselines, and community engagement; ii) Project implementation; iii) Project monitoring, which may include establishing a Community Energy Management Committee (CEMC); iv) Post-Project management, with training, maintenance, setting up operators, etc.; and, v) Exit plan, since the supporters may not stay indefinitely. It was also noted that it is important for communities to jointly decide how to productively use the energy generated from the projects, and for the communities to continually invest in research and development, and ongoing capacity building, to ensure projects are sustainable, and lead to overall advancement of the communities. It was pointed out that several different and gradual agreements were also required with businesses in cases of co-ownership, such as a collaboration and business engagement, a more refined community benefits agreement and finally a full partnership agreement, as well as specific agreements on capacity building.



## Enabling conditions

**Laws and policies should support** community-led renewable energy projects, and for Indigenous participation and ownership in larger renewable projects, to satisfy the needs of the communities where these are located, e.g., in Canada, 20MW were set aside for IP proponents. Also, those who are willing to sell excess energy, or produce to sell in the energy market, should have the conditions to participate in the energy market.

There is no one-size-fits-all approach. It is necessary to properly identify what the laws and policies are and should be at the national/federal level, as well as at the province/state level, considering that the legal arrangements vary from country to country. Lessons should be learnt from those jurisdictions where policies already exist, and there may be opportunities to do so - for example, the discussion surfaced that existing networks were open to connecting with interested Indigenous Peoples from other countries, and that they were in the midst of translating their resources and their website into other languages.

**Financial support.** It was discussed that the support for Indigenous leadership in renewable energy projects may be understood as and represent affirmative actions for reparations. Therefore, instead of further violations of rights, the financial support for such projects may allow the communities to discuss and decide their self-determined development. For example, in Canada, the federal government has provided financial support for Indigenous Peoples to engage in these projects, to access capital more easily, etc.

*One participant said: “What is needed for us to do this? How to get direct financing for these initiatives? Of course, we must use the rights-based approach in these investments. There is a need quite clearly for policy support for ownership by Indigenous People because at the moment a lot of the national policies do not open up for completely Indigenous, community-owned systems. I think capacity building is also needed for Indigenous People to participate in the larger system, and there's definitely a need for technology transfer program.”*

**Reducing the asymmetries of power.** As noted above, the power of businesses and States combined with the scale of these projects may place Indigenous Peoples in a disadvantaged position when negotiating agreements. Some projects are imposed on Indigenous Peoples. In other cases, renewable energy companies exploit the asymmetries of power to their advantage. It was mentioned that in Colombia, for example, renewable energy companies use their advantage to “trade on peoples’ hunger”. Therefore, it is necessary that Indigenous Peoples have the legal, financial, and technical support to engage in these processes on an equal footing. Moreover, as noted below, the partners chosen for the project may help reduce these asymmetries.

Another related element pertains to the barriers of entry, such as lack of access to energy grids. In examples highlighted, remote areas often do not have grids or power. Therefore, it would be necessary to build more off-grid capacity to electrify communities, and for them to be able to benefit from renewable energy, especially that which is generated on their lands.

**Capacity Building.** Participants mentioned successful examples of community-based models where members of Indigenous communities were trained on areas related to energy projects, such as members being trained as community operators, operating the technology, and providing maintenance for it. It was repeatedly noted that there was a need for many more opportunities for capacity building, and much more support needed for Indigenous communities to assess feasibility of and prepare plans for potential projects, as noted above.

**Experience with co-ownership must be developed, and support is needed to start.** The co-ownership cases discussed had a common denominator of the challenges of the initial stages of the project, and/or the first projects that are undertaken. Among others, the following issues were highlighted as challenges: time required for the process; identifying the adequate and the “right” business partner; and the complexity of decision-making in the community, ensuring that all voices are

heard. Moreover, it was underlined that it was necessary to maintain a continuous learning approach to these projects.

**Reconciliation.** It was noted that in the Canadian context, these projects and the benefits derived were being used by Indigenous Peoples as an opportunity for reconciliation, internal discussions to teach about trauma, resilience, and address various issues that may be important for the community. While approaches to overcoming trauma vary, these lessons may be important in other contexts, too.

## Commercial partners

**Slow and progressive processes.** Non-Indigenous partners, in particular businesses, are a key part of co-ownership and benefit-sharing agreements. In the successful cases identified, Indigenous Peoples took time in finding the right partner for these projects. There are businesses that have specialized in working with Indigenous Peoples. In these cases, the process may advance at a faster pace, as they have a better understanding of Indigenous Peoples' needs and worldviews. For Indigenous Peoples new to these collaborations, participants identified some lessons learned, such as: i) consider starting with smaller projects and build experience and strong partnerships for larger projects; ii) consider starting with a collaboration and benefits agreement, which can evolve to a community agreement and ultimately to a full partnership agreement. In other words, the share of ownership can grow and evolve over time, as capacity and trust grow. For example, in one case that was shared, in the beginning the community owned 51% of the project, while the business partner owned 49%. Through the process of the community acquiring more funds, primarily through government grants, they were able to increase their share of ownership to 95%. The goal is for the community to own 100% of the project after the first five years of the project.

**Principles and values.** It is important for the community to discuss and agree on their principles and values, which will guide identifying and partnering with a non-Indigenous business. In New Zealand, a case was identified where Indigenous Peoples owned 35% of a geothermal power station and they also owned 100% of the access to the resources. They maintained a cultural veto, which translated to control over some operational decisions. In stark contrast, it was shared that in the same area, about 15 kilometres from the co-owned project, there was an older geothermal project, in which the government forced the Indigenous communities off the land, and completely disregarded the potential for Indigenous leadership and ownership of the project.

Understanding and respecting these principles and values may lead to relationships built on trust, where key issues such as possible impacts of the project; impacts on aboriginal or treaty rights; ensuring there are no impacts on the land or other resources of neighbouring communities, may be avoided. Even though these processes can result in higher costs or occur over longer periods of time, it was discussed that it is important that the non-Indigenous partners put the actual effort in, share the values and support the goals of the Indigenous partners. It was also shared that it was important for the Indigenous communities to build trust with the business partners over time, through a series of smaller developments, to get to know one another, and also the capacity of the land, before considering going to scale.

## Recommendations stemming from the discussions

**Addressing the underlying issues.** It is fundamental that Indigenous Peoples' rights to self-determination, FPIC, land, territories and resources are respected. This is a daunting challenge that affects Indigenous Peoples worldwide, and at the same time the non-negotiable and inviolable foundation that successful co-ownership and benefit-sharing approaches can potentially stem from.

**Access to resources.** As is the case for some Indigenous Peoples, the technical skills and knowledge related to renewable energy projects and their technologies may be complicated. Therefore, it is important to have access to technical resources to understand the technologies needed for the project, among others. Additionally, it was pointed out that because of colonialization, historical oppression and disparities, Indigenous Peoples did not have a chance to build intergenerational wealth, therefore it was

necessary for Indigenous Peoples to have access to financial resources to develop their feasibility studies, and if those studies showed projects were feasible, for the inception of and operation of their own renewable energy projects. There also need to be resources available to those Indigenous Peoples that are considering co-ownership in renewable energy projects, so that they have the legal, financial, and technical support to engage in negotiating processes on equal footing. Some Indigenous Peoples see such grant funding as akin to a form of reparations for the historical harms.

**Grievance Mechanisms.** Renewable energy projects and agreements must have proper grievance mechanisms established that are accessible, culturally appropriate, and effective, among other aspects. They must include zero-tolerance for retaliation against complainants.

**Transparency and information.** States must disclose all information pertaining to renewable energy projects before any licenses are given to companies, and before any operational decisions are made. On many occasions, the State identifies projects on indigenous lands, and grant licenses and affected Indigenous Peoples ignore these decisions.

**Respect for sacred and high-cultural value areas.** Businesses must ensure they do not impact on, and that they have an interest in understanding and respect for the spiritual and key livelihood elements of the Indigenous Peoples. These must be done through proper mechanisms, e.g., [Akwé: Kon Guidelines](#), given that the spiritual values and sacredness of sites vary from people to people. For instance, a people may consider a river to be sacred, or specific sites within their territory. Others may consider their entire territory as sacred.

**International solidarity.** In cases where the States are abusing their powers, it was pointed out that international solidarity can help raise awareness and pressure the State to abide by its international human rights obligations, and to ensure companies operating in or headquartered in their states respect international human rights law, as well, including in relation to renewable energy projects and extraction of transition minerals.

*One participant shared: “For the purposes of national interest, [renewable energy projects] often don’t need consent of the people living in these areas... That means they are completely denying or erasing the basic, fundamental rights of a huge amount of [the] Indigenous population. So, these are the kind of struggles that we are having to fight and articulate, and bring in when we are talking about equity, where we are talking about partnership. Our people are definitely equipped enough, have an entrepreneurial bent of mind, and the ability to advocate, but then there is a clear cut racial and caste bias towards this population in this country. To bridge that gap, there will be a need for much more international solidarity and for people to stand together, so that we can bring our rights to the fore and make all these claims that the government is making internationally into a more realistic vision, where actual people do not lose out.”*

**Self-determined decisions.** Indigenous Peoples that have engaged in these processes reported deciding to use the financial gains from these projects to invest in underfunded programs; and to invest in reconciliation initiatives to heal wounds the communities may have. It is important for all non-Indigenous actors to respect these self-determined decisions.

**Rightsholders not stakeholders.** It’s important for all actors to distinguish between the two, since peoples, and nations have collective rights. These must not be confused with other stakeholders. It was pointed out that philosophically, many Indigenous Peoples don’t see themselves as owners of the land, but rather consider themselves as stewards of the land for the next generation, and that it was integral to a lot of the teachings that they do not inherit the land from their parents and ancestors, but rather borrow it from their children and all creation yet to come. In that sense, they see it as both their right but also their duty to take care of the land.

**Gender dimension.** It is crucial that indigenous women have full and effective participation in processes that advance Indigenous leadership and ownership of renewable energy, and for gender impacts of existing and planned renewable energy projects to be fully understood and addressed.



**Adjustable approaches.** Different Indigenous communities have their own customs, traditions, forms of governance, and decision-making processes. This requires that both the States and third parties adjust to these processes and do not impose their timelines or forms of decision-making on Indigenous Peoples.

**Capacity Building.** As noted above, this is key. Therefore, Indigenous Peoples must plan accordingly, which means developing capacity to undertake feasibility studies, acquire funding, set budgets, and identify key people, among others, to ensure that both the community's overall capacity is developed, as well as capacity of those individuals which will lead and follow up on these processes.

**Governance.** The collective must be at the top of the hierarchy. Renewable energy projects must create wealth for the collective.

**Other dimensions of benefit are needed.** As identified in various cases, renewable energy projects have a track record of impacting Indigenous Peoples negatively, including absurd cases where the communities that are forcibly displaced, do not have access to electricity, even though it is generated on their lands and territories. This must cease to be the case. In cases where renewable energy projects do go ahead with the consent of Indigenous Peoples, benefits must include access to the benefits derived from the project, access to clean and affordable energy, sustainable jobs, and other measures. When community-led projects are desirable, there should be government support for them.

*One participant said: "It is very important for us to understand what the end game is with regard to energy access. When we talk about energy access, we have to really make sure we know what the impact of energy access is so it's not just like piece-meal, for example solar lanterns. This is not good. For Indigenous communities to really thrive and actually benefit from electrification, we should aim for the highest tiers, since these are the opportunity for us to start over. It must be Tier 4 or Tier 5 type electrification. For that, I'm talking about micro hydro mini grids or solar PV hybrid mini grids. These are distributed type of technology, energy for communities. Also, it must include investment of capacity building for the community because without investing or involving the community as operators, there's no way for these systems, particularly in very remote areas, to be sustainable."*

**Advocate for accessible procedures.** It's important to provide accessible mechanisms for Indigenous Peoples to be able to establish their own community-led projects. It was found that some large-scale projects may have simpler processes for companies, than those for community-led projects, for example in relation to access to finance and gaining permits.

**Scale-up efforts.** Indigenous Peoples must be supported to learn and, if they decide so, to develop their own Indigenous-led solutions. Currently, most Indigenous experiences are on micro-hydro or micro-solar. Nonetheless, there is capacity to do larger scale solar, biomass, hydro, geothermal, wind, among others.

**All international funders,** including States, as owners of development finance institutions, must respect human rights in all their actions related to Indigenous Peoples, and must place respect for human rights at the centre of efforts for a green transition, and more specifically in the context of renewable energy projects. These should support Indigenous-led initiatives, and equitable arrangements such as co-ownership and benefit sharing agreements in renewable energy projects.

## Advocacy Opportunities

Participants discussed the need for Indigenous-led solutions to be highlighted not just in the context of renewable energy, but also in the context of extractives, in relation to transition minerals mining. One important vehicle could be the [Zero Tolerance Initiative](#). It was seen as important to use the opportunity of the International Council on Mining and Metals policy review process for such advocacy, and to also present recommendations before the International Hydropower Association.

Upcoming SDG-related events in line with SDG7 were mentioned as opportunities for joint advocacy:  
(1) 2023 SDG Summit - September (this is the midterm review of the implementation of the SDGs).  
Specifically, the civil society weekend on Sept. 16-17, 2023.

(2) 2024 Summit of the Future - September; recommitment of states to the SDGs.

(3) 2025 [World Social Summit](#) call for side events for the civil society weekend.