

Enabling Indigenous Trade: Actionable Guidance for Governments

WHITE PAPER
MARCH 2025



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Executive summary

Governments can support Indigenous trade through actions at the international, national and local levels, guided by Indigenous interests and priorities.

This paper explores the growing interest in the inclusion of Indigenous Peoples in international trade. Governments, international organizations, businesses and Indigenous organizations all have crucial roles to play in realizing this objective. The paper highlights the gap in actionable guidance for governments to support Indigenous business participation in the global economy and introduces a typology of measures that they can use to promote Indigenous inclusion in trade at different levels, whether it be international, national or local.

Its key points include:

- The historical context and value of Indigenous trade, illustrating its cultural significance and the challenges faced by Indigenous communities due to exclusion from trade policy development.
- The various trade barriers Indigenous communities face, including access to finance and infrastructure and the complexities of trade regulations.

- The critical need for inclusive trade policies, processes and practices that promote Indigenous economic empowerment.
- The development of measures at local, national and international levels to facilitate Indigenous inclusion in the global trade system.
- Examples of international, regional and national initiatives that governments may consider adopting to enable Indigenous inclusion in trade.

This paper recommends various government actions. These include: collaboratively developing Indigenous trade strategies building on the typology presented; organizing workshops on technical provisions to make that information accessible to non-technical audiences; exploring alternative capital-raising methods; and implementing impact assessments.

Introduction

Indigenous Peoples' inclusion in international trade is a growing area of interest for many governments, especially as trade objectives evolve and diversify.

A typology of government measures enabling Indigenous trade

Indigenous Peoples' inclusion in international trade is critical for achieving sustainability, protecting culture and language and reducing global economic disparities. While more governments recognize this, there remains a significant gap in providing actionable guidance on effectively supporting Indigenous business participation. This paper aims to address this gap by offering a comprehensive typology of measures that stakeholders can use to identify and adapt good public-sector practices for Indigenous inclusion in trade, recognizing that these must be complemented by Indigenous-led and business initiatives. Its key aims are to:

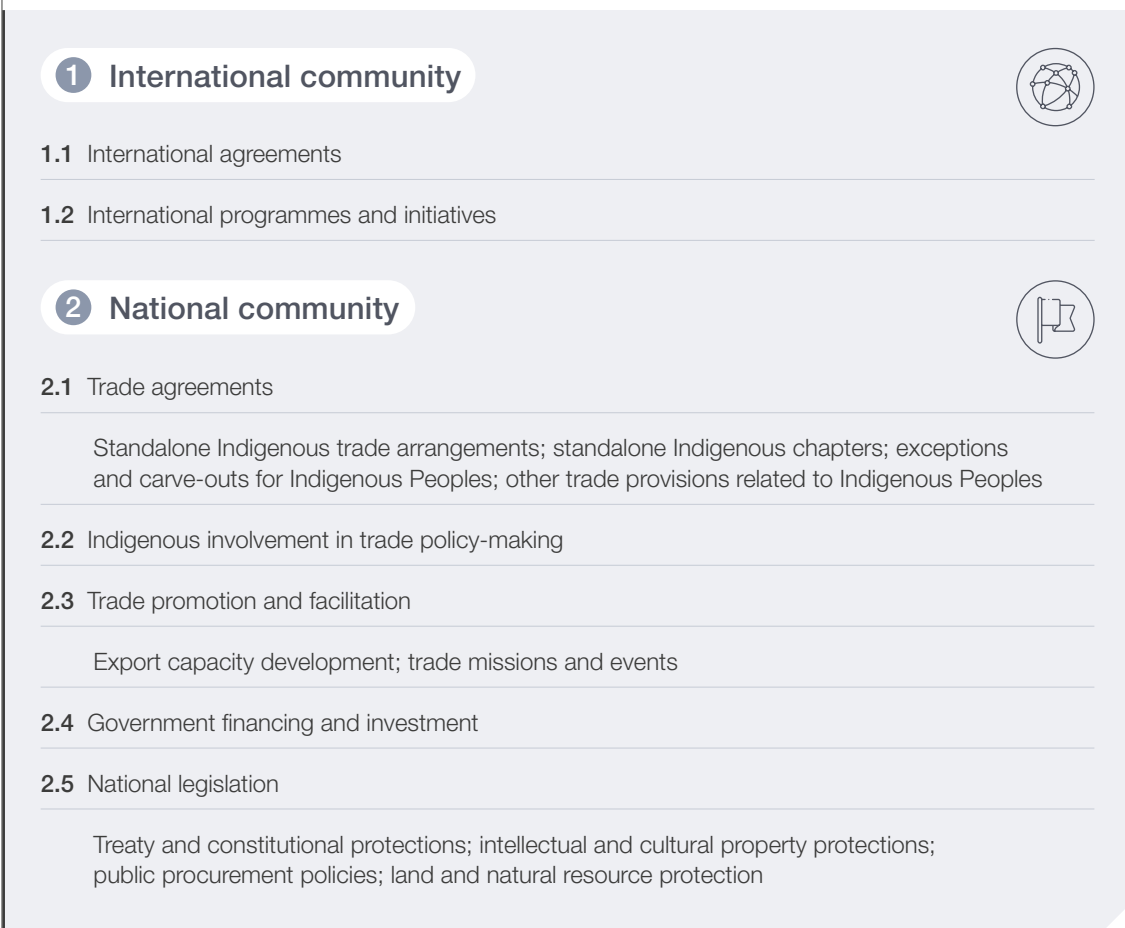
- Raise awareness of the range of public programmes, initiatives and measures globally to support Indigenous inclusion in trade.

- Guide policy-makers and advocates on where to source ideas and examples as they forge their own Indigenous inclusion pathways.

In determining the range of measures included within the typology, this paper focuses on state-led or state-influenced measures at the international and domestic levels that have an explicit connection to or focus on Indigenous Peoples, rather than trade measures or policies that apply generally. In developing this typology, it was critical to maintain a clear focus on elements that directly affect the structural, policy and procedural dimensions of trade. The typology is designed across two site levels: the international community and the national community. Within each site level, the typology explores the laws, policies, processes and practices that have enhanced outcomes for Indigenous People in trade and enterprise development.



FIGURE 1 | Typology of government measures for Indigenous inclusion in trade



“ There is global variance in economic development within Indigenous communities and potential for improving their economic wellbeing through trade.

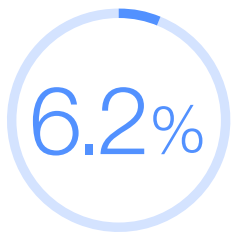
Valuing Indigenous trade

Indigenous trade has deep cultural roots, characterized by a holistic approach that values relationships, nature and spirituality. Historically, Indigenous communities developed extensive trading networks that facilitated the exchange of goods, culture and knowledge across vast geographical areas. Despite this rich heritage, many Indigenous communities today face significant challenges in participating in global trade due to their limited access to markets, finance and infrastructure, alongside complex trade regulations.

Today, Indigenous trade is often limited to local markets, with Indigenous businesses operating as smallholder farmers, producers and artisans

relying heavily on tourism and niche-market demands for unique or artisan foods and crafts to sustain their livelihoods. However, there are also examples of larger Indigenous exporting companies that have used market access and tariff reductions in free-trade agreements or have otherwise forged international partnerships to place their products on the shelves of major economies such as China, Japan and the United States. Indigenous businesses also operate in sectors like the digital economy, AI, virtual reality, renewable energy and regenerative agriculture. These scenarios highlight the global variance in economic development within Indigenous communities, as well as the immense potential for improving their economic well-being through trade and enterprise development.





of the total global population is comprised of Indigenous People.

Current landscape

Indigenous People comprise 6.2% (around 476.6 million) of the total global population. Most (approximately 70%) live in the Asia-Pacific region, but their economic circumstances vary widely.¹ They are predominantly engaged in agriculture (55%), with market services (including trade, transport, accommodation, food and administrative services) being the next most significant sector (17%).² Nearly three-quarters of all Indigenous People live in rural and remote areas – which is a key trade barrier (for example, remote Indigenous small and medium-sized enterprises [SMEs] in Canada were 65% less likely to export³) – but regional differences are significant, from 31% living rurally in North America to 82% in Africa.⁴ Indigenous People face disproportionate poverty, with nearly 19% of all people living on less than \$1.90 a day being from Indigenous communities.⁵ Indigenous women face further disparities, contending not only with economic challenges but also with gender-based violence and discrimination, exacerbating their already marginalized position within society as Indigenous.

Indigenous communities are engaged in a protracted process of reclaiming their histories, knowledge and economic destinies, driven by a deep desire to exercise self-determination in line with their minimum basic rights as set out in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). They fulfil a crucial role in protecting biodiversity and maintaining the ecological balance of their ancestral lands, a factor increasingly relevant in sustainable-trade contexts.

Despite Indigenous Peoples' significant environmental contributions, the promotion of major infrastructure projects as development initiatives continues to threaten the ecosystems and biodiversity they have spent thousands of years nurturing and defending. Further, they are often displaced, their lands contaminated and their livelihoods and cultures destroyed due to this form of trade and investment-related activity. Given the critical role of Indigenous Peoples in climate action and biodiversity preservation, there is an urgent need to actively involve them in global trade discussions. This involvement is essential to rectify the long-standing economic inequities and environmental damage caused by harmful trade practices, ensuring that international trade agreements are people- and planet-friendly and responsive to the challenges posed by the global climate crisis.

Harnessing opportunities

Indigenous entrepreneurialism is experiencing growth through the implementation of a diverse range of trade and economic measures at the local, national and international levels. These measures encompass: government policies and programmes; initiatives led by Indigenous communities, civil society and international organizations; and joint ventures, partnerships and collaborations between

business and Indigenous entities. While some Indigenous People recognize the potential benefits of participating in international trade, others remain sceptical as to whether current frameworks genuinely serve their interests. As a result, there is a general preference for re-establishing inter-Indigenous trade relationships alongside modern trade pathways.

The types of measures adopted to support Indigenous trade aspirations vary widely. These include improved processes – such as regular consultation and the creation of Indigenous advisory groups – as well as relevant provisions in trade agreements, such as carve-outs, general exceptions and standalone chapters. Additionally, efforts have been made in areas such as business and export capacity-building, business financing, trade missions and digital capability partnerships.

Inclusive trade policies, processes and practices present a significant opportunity for economic advances within Indigenous economies, which, in turn, can contribute to a country's national economy. Achieving this requires addressing both substantive and procedural issues. In pursuit of this goal, various Indigenous representatives have suggested the following areas for achieving impact:

- Implementing effective and inclusive consultation processes where the design and delivery is co-decided with the Indigenous People affected by the proposed measures. This can be achieved through multistakeholder approaches or by guaranteeing Indigenous representation within decision-making trade committees.
- Transforming mindsets among policy-makers and trade negotiators to recognize and respect the distinct languages, cultures, customs, laws, political structures and economic asset bases of Indigenous Peoples, which underpin their unique status as equal partners in trade processes and their right to self-determination. While the discussion of rights remains central to many Indigenous communities, it is equally important to highlight the value of creating economic opportunities that not only honour these rights but also generate benefits for all.
- Valuing Indigenous knowledge means recognizing that Indigenous perspectives on sustainability and inclusivity offer holistic approaches and practices, developed and refined over thousands of generations. These insights can significantly enrich mainstream conceptions and are particularly valuable in addressing pressing global challenges such as environmental degradation, gender inequality and the equitable distribution of scarce resources.
- Establishing mechanisms that support, enable and encourage Indigenous economic empowerment across borders can facilitate the exchange of knowledge and successful capacity-building models while also identifying and learning from programmes that have been less effective.

1

International community

Governments can work collectively through international agreements and programmes to promote Indigenous rights and economic well-being.

1.1 International agreements

The development of international Indigenous rights

Reflecting on the past to guide future actions is a valuable practice for many Indigenous communities, and policy-makers, business leaders and civil society can learn from this approach. Indigenous rights, including economic rights, have developed significantly since the Second World War, laying a foundation for greater inclusion and sustainability in global trade. This evolution began with earlier treaties, such as Te Tiriti o Waitangi (1840) between Māori and the British Crown, and the Treaty of Friendship, Commerce, and Navigation (1849) between the Kingdom of Hawai'i and the United States. The later creation of international bodies such as the United Nations (UN) and declarations like the Universal Declaration of Human Rights (1948) further emphasized self-determination and non-discrimination. However, trade frameworks such as the General Agreement on Tariffs and Trade (GATT) and bodies like the World Trade Organization (WTO) failed to consider or recognize Indigenous rights. A growing acknowledgement of these rights in inclusive trade dialogue is attributable to the

persistent advocacy of Indigenous representatives and their efforts to build equal partnerships with settler governments, leading to greater international awareness of how trade policies continue to affect Indigenous Peoples.

In the context of the intellectual property (IP) system, Indigenous People and developing countries have been advocating for decades for the protection of genetic resources, traditional knowledge (TK) and traditional cultural expressions (TCE) from abuse and misappropriation. In May 2024, the World Intellectual Property Organization (WIPO) Treaty on Intellectual Property, Genetic Resources and Associated Traditional Knowledge was adopted. Its objective is to prevent the erroneous granting of patents where the invention is not novel with respect to genetic resources and associated traditional knowledge (Article 1). Countries must require patent applications to disclose the country of origin or source of genetic resources and the Indigenous People that provided the traditional knowledge (Article 3). However, where the applicant does not have this information, it can make a declaration to that effect and patent offices are not obligated to verify this.



**Kia whakatōmuri te haere whakamua /
Walking backwards into the future, eyes fixed on the past**

Māori proverb



1950s

- The International Labour Organization (ILO) introduced Convention 107 in 1957, the first international treaty expounding the rights of Indigenous and Tribal Peoples. However, it was criticized as assimilationist due to its negative impact on Indigenous land rights and self-determination and was replaced in 1989.

1960–1970s

- The UN General Assembly's Declaration on the Granting of Independence to Colonial Countries and Peoples (Resolution 1514) affirmed the right to self-determination and called for the rapid end of colonization.
- Supporting measures included the establishment of the Special Committee on Decolonization (C-24) and the UN Trust Fund for Decolonization to assist non- self-governing territories.
- The 1964 UN Conference on Trade and Development reinforced commitments to eliminate colonization. Notably, many decolonized nations are now classified as developing or least developed countries.

1980s

- The 1987 Study on Discrimination against Indigenous Populations by UN Special Rapporteur José R. Martínez Cobo developed a foundational working definition of Indigenous Peoples, emphasizing common ancestry, historical continuity, distinct languages, cultures, social structures and self-identification.
- The study led to the creation of the UN Working Group on Indigenous Populations (WGIP), the first UN body dedicated to Indigenous rights, which played a key role in drafting the UN Declaration on the Rights of Indigenous Peoples (UNDRIP).
- In 1989, the ILO introduced Convention 169 to address the shortcomings of Convention 107, aligning with the Martínez Cobo study's focus on self-determination and cultural preservation.

1990s

- The Convention on Biological Diversity (CBD) 1992, a multilateral environmental agreement, included provisions affirming the rights of Indigenous Peoples to their traditional knowledge, which would subsequently influence the development of intellectual property rights (IPR) in trade agreements, particularly concerning the intersection of biodiversity, traditional knowledge and the use of genetic resources.
- A year later, a draft of the Declaration on the Rights of Indigenous Peoples was released for consultation among UN members.

2000s

- In 2007, the UNDRIP was adopted by the United Nations General Assembly (UNGA). It affirmed the rights of

Indigenous Peoples in various domains, including land, culture, knowledge and economic self-determination. However, Australia, Canada, New Zealand and the United States initially refused to endorse the declaration.

- The establishment of bodies such as the UN Permanent Forum on Indigenous Issues (2000) and the Expert Mechanism on the Rights of Indigenous Peoples (2007) provided new platforms for ongoing dialogue and advocacy.

2010s

- The Nagoya Protocol, a supplement to the CBD, recognized Indigenous and local communities' rights concerning genetic resources and the fair sharing of benefits. Some trade agreements call for its implementation or require parties to respect free, prior and informed consent (FPIC), protect traditional knowledge in domestic legislation or encourage benefit-sharing.⁶
- Australia, Canada, New Zealand and the United States endorsed the UNDRIP.
- The American Declaration on the Rights of Indigenous Peoples, adopted by the Organization of American States (OAS), provided a comprehensive framework for Indigenous rights in the Americas.
- The 2016 UN Conference on Trade and Development in Nairobi emphasized creating an inclusive global economic environment, ensuring all people, including Indigenous Peoples, have access to resources and opportunities.

2020s

- In 2021, the UN Human Rights Council adopted a resolution urging states to respect Indigenous Peoples' rights, including their participation in decision-making processes, particularly regarding the protection of their lands and resources from exploitation and environmental degradation. This resolution indicates that trade agreements should strengthen protections for Indigenous lands and resources, especially in sectors such as mining, forestry and agriculture.
- At the 2022 COP15, members adopted the Kunming–Montreal Global Biodiversity Framework, which commits members to recognizing and protecting Indigenous rights and acknowledges their role in biodiversity conservation. This framework encourages the integration of Indigenous knowledge into international trade policies, particularly in sectors such as natural resources, agriculture and bioprospecting.
- In May 2024, WIPO members adopted the historic Treaty on Intellectual Property, Genetic Resources and Associated Traditional Knowledge. It is the first WIPO treaty to address the interface between these areas and to include specific provisions for Indigenous Peoples and local communities.

Despite these developments, challenges remain in fully recognizing Indigenous rights in the international trade system because those rights continue to be construed within strictly human rights contexts. This overlooks the economic language in these important documents.

WTO agreements

Recognition of Indigenous rights within the WTO has been largely absent, underscoring the need for ongoing efforts to ensure that multilateral and plurilateral trade agreements respect and promote these rights.⁷ One area in which there is growing acknowledgement of the impact of WTO member trade policies on Indigenous Peoples is through the Trade Policy Review Mechanism (TPRM). The TPRM aims to enhance transparency by periodically reviewing members' trade policies.

There is potential for the TPRM to provide valuable insights and identify disparities concerning Indigenous participation and inclusion in trade and trade-related policy.⁸ This could position the TPRM as a significant and actionable component of the WTO's sustainable and inclusive trade agenda. Some WTO members – such as Canada, Chinese Taipei and New Zealand – have already taken steps to recognize the impact and role of their trade policies on Indigenous Peoples. Other references to commitments in TPR reports have been noted by Chile, Malaysia and Mexico.

Australia, Canada and New Zealand have exclusions for Indigenous Peoples in their respective Annex 7 (General Notes) to the WTO's Agreement

on Government Procurement, allowing them to create set-asides for Indigenous businesses in public procurement.⁹ The US has a similar exclusion for minority-owned businesses.

Further developments have occurred in the context of the WTO Joint Statement Initiatives (JSIs). In 2022, New Zealand reviewed the JSI on e-commerce – a plurilateral agreement co-convened by Australia, Singapore and Japan – and identified opportunities for a more inclusive approach. New Zealand proposed the inclusion of a cross-cutting Indigenous Peoples provision, emphasizing the need to protect specific rights and interests concerning Indigenous Peoples and their data.¹⁰ The proposed text would have allowed any WTO member to take necessary actions to protect or support Indigenous rights and interests, even if those actions conflicted with the JSI, and would have prevented such actions from being challenged under the agreement's dispute-settlement provisions.

Although the final JSI text adopted a more restricted version, closely resembling New Zealand's existing treaty exception – which has been contested by Māori as inadequate – the inclusion of an Indigenous rights exception in the JSI represents an important incremental step towards the integration of Indigenous rights at the multilateral level.¹¹



1.2 International programmes and initiatives

“ International and regional organizations have promoted Indigenous inclusion in trade.

Outside the WTO, international and regional organizations have promoted various initiatives to elevate the importance of Indigenous inclusion in trade. Examples of some prominent initiatives are set out below.

International Trade Centre (ITC)

- The ITC is a multilateral agency with a joint mandate from the WTO and UN Trade and Development. It provides tailored support and opportunities for micro, small and medium-sized enterprises (MSMEs), business-support organizations and policy-makers in developing and least developed countries.
- The ITC recently developed an Indigenous Peoples and Trade Strategy through consultation with Indigenous leaders and small-business owners in Latin America and the Caribbean, Asia and Africa. Projects to support Indigenous cocoa and textile cooperatives in Ecuador and Guatemala are currently being implemented.
- At the 2024 WTO Public Forum, the ITC, the WTO and WIPO hosted an immersive exhibition space on Indigenous Peoples’ unique contributions to trade, through traditional cultural expressions and fashion.

Organisation for Economic Co-operation and Development (OECD)

- The OECD is an intergovernmental organization with 38 member countries that work together to provide advice on international standard-setting.
- The OECD is undertaking work on several areas of Indigenous trade, including Indigenous representation in trade policy-making, inter-Indigenous trade and investment, an Indigenous trade data review and Indigenous trade challenges and policy responses. As part of

this work, it is also categorizing and reviewing Indigenous-specific provisions in regional trade agreements.

- In March 2024, the OECD hosted online meetings with Indigenous and non-Indigenous leaders from the Americas and the Pacific to help members better understand Indigenous interests in trade.

Asia-Pacific Economic Cooperation (APEC)

- APEC is a voluntary, consensus-based decision-making forum comprising member economies from the Asia-Pacific region. Its meetings are hosted by a different member each year, and although its decisions carry political weight, they are ultimately non-binding.
- Some APEC economies – such as Australia, Canada, Chile, Chinese Taipei, New Zealand and Peru – have supported the participation of Indigenous People in the region’s trade and economic agenda and undertaken projects to support Indigenous business.
- It was in the margins of APEC that the Indigenous Peoples Economic and Trade Cooperation Arrangement (IPETCA) was developed in 2021.
- In 2023, the United States, Australia, Canada and New Zealand hosted the first ministerial Dialogue with Indigenous Peoples during APEC Economic Leaders’ Week in San Francisco.
- In recent years, Australia (in collaboration with the World Economic Forum) and Canada have partnered with co-sponsoring economies to host workshops on Indigenous trade and economic inclusion, laying the foundation for an Indigenous workshop to become a regular fixture on the APEC calendar.

2

National community

National trade strategies, trade promotion, funding programmes and well-designed intellectual property, procurement and resource-protection policies can support Indigenous trade.

National trade strategies emphasizing sustainability and inclusivity are increasingly influencing the direction of trade negotiations. This shift places renewed focus on the development commitments set out in the Preamble of the Agreement Establishing the World Trade Organization. In response to those commitments, some WTO members have started to infuse various provisions recognizing the rights or interests of Indigenous Peoples in their trade agreements and building

programmes across the public sector to support trade and enterprise development for Indigenous People. These approaches seek to support the growth and development of Indigenous enterprises, industries and economies by implementing mechanisms that facilitate cooperation between economies, introducing policies that aim to eliminate economic disparities and designing safeguards to protect Indigenous Peoples' rights, interests, duties and responsibilities.

2.1 Trade agreements

“ Indigenous provisions in trade agreements can support access to new markets, protect relevant geographical indications abroad, safeguard traditional knowledge and promote economic development.

Relevance and forms of Indigenous provisions

Trade agreements are critical for setting the rules and standards that govern international commerce. Including provisions specifically supporting Indigenous Peoples ensures that their unique economic rights and interests are recognized and protected within these frameworks. Provisions for their inclusion in trade agreements can support Indigenous businesses to access new markets, protect relevant geographical indications abroad, safeguard their traditional knowledge and cultural heritage and promote economic development within their communities. Such measures may help rectify long-standing historical inequities and create more equitable trading systems that recognize their distinct international economic law status.

The inclusion of carve-outs, exceptions, set-asides and standalone chapters that promote recognition of the rights of Indigenous Peoples and the infusion of Indigenous concepts in trade agreements can create new opportunities for enhancing Indigenous economic empowerment. These measures are critical for an inclusive trade environment that accommodates the cultural, political, economic and social frameworks of Indigenous Peoples.

Why these measures matter:

- Carve-outs provide policy flexibility to ensure that trade and related matters

concerning Indigenous Peoples that are yet to be determined at a domestic level are not hamstrung by restrictive provisions in trade agreements. This provides a broader level of protection against the potential negative impacts of overarching trade rules for Indigenous Peoples, many of whom are still engaged in reconciliation processes to redress historical and contemporary injustices.

- Exceptions support the preservation and promotion of Indigenous rights and economies. They provide a mechanism that enables governments to fulfil their legal or treaty obligations to Indigenous communities without being disadvantaged by broader trade policies that might not account for their unique needs and contributions.
- Standalone chapters or agreements dedicated to Indigenous issues and economic cooperation support capability- and capacity-building. They can also include a range of multipurpose policy objectives concerning broad areas such as language, culture, knowledge and the environment that are increasingly affected by and considered in trade contexts due to recognition of their unique economic value. As such, these chapters or agreements can expand cooperation areas, thereby enhancing bilateral or plurilateral relations between the parties to the agreements and Indigenous Peoples.

The infusion of Indigenous concepts and recognition of Indigenous rights in trade agreements not only respects and upholds the dignity of Indigenous Peoples but also enriches the agreements with diverse perspectives that contribute to more inclusive and sustainable trade practices.

Examples of Indigenous trade provisions and chapters

Since 2005, more than 31 trade agreements have included provisions concerning cultural intellectual property, traditional knowledge, folklore, traditional cultural expressions and genetic resources. Recent examples include the Comprehensive and Progressive Trans-Pacific Partnership Agreement (CPTPP), which covers 12 countries comprising more than 7% of the global population and around 15% of global gross domestic product (GDP). Indigenous-specific provisions appear in the preamble, the IP, Exceptions, Environment and Government Procurement chapters as well as various annexes. Similar provisions are also included in the Regional Comprehensive Economic Partnership (RCEP), which covers 30% of the world's population and 30% of global GDP. Adopting a holistic approach in which a variety of these measures are included in trade agreements paves the way for a more inclusive and equitable trade environment for Indigenous Peoples.

In terms of exceptions, New Zealand includes the Treaty of Waitangi exception in its free-trade agreements (FTAs) allowing it to adopt measures to accord “more favourable treatment” to Māori, including to fulfil its obligations under the Treaty

of Waitangi. This is provided that the measures are not an arbitrary or unjustified discrimination or a disguised restriction on trade – similar to the “chapeau” or introductory clause to the general exceptions to the GATT.¹²

Canada advocated for an Indigenous-rights exception in the United States–Mexico–Canada Agreement (USMCA), requiring the parties to balance their trade obligations with their legal duties towards Indigenous Peoples. This exception, unlike New Zealand's Treaty of Waitangi exception, does not include the “more favourable treatment” (MFT) limitation and applies to any measure fulfilling legal obligations to Indigenous Peoples, while retaining the chapeau against unjustifiable discrimination or arbitrary trade restrictions. The provision references Aboriginal rights in the Constitution Act and self-government agreements. In contrast, Canada's 2023 FTA with Ukraine removed both the MFT and the chapeau, offering more flexibility.

The USMCA is innovative in incorporating provisions that recognize Indigenous Peoples' rights and interests. The preamble highlights Indigenous engagement in trade; Chapter 24 acknowledges the environmental role in Indigenous well-being and biodiversity conservation; and Chapter 6 grants duty-free treatment to Indigenous handicrafts. The agreement also preserves preferential treatment for Indigenous-owned businesses by state-owned enterprises and promotes Indigenous SMEs in Chapter 25. Chapter 14 encourages businesses to adopt corporate social responsibility principles addressing Indigenous rights. These provisions were informed by advances made in other agreements but also paved the way for more inclusive trade practices in future agreements.

BOX 2 Indigenous infusions and inclusions in trade agreements

2013: The Agreement Between New Zealand and the Separate Customs Territory of Taiwan, Penghu, Kinmen, and Matsu on Economic Cooperation (ANZTEC) was the first trade agreement to include a standalone Indigenous cooperation chapter, although the focus was targeted more at cultural cooperation.

2016: The Canada–European Union Free Trade Agreement (CETA) contains Indigenous-specific provisions/references in its Trade and Environment, Government Procurement and Domestic Regulation chapters, as well as reservations in its annexes.

2021: The Australia–United Kingdom Free Trade Agreement (AUKTA) includes provisions that benefit Indigenous Peoples in its IP, Cross-Border Trade in Services and Government Procurement chapters.

2022 and 2023: New Zealand's FTAs with the UK and the EU were the first agreements to include standalone Indigenous trade and economic-specific chapters.

2023: The updated Canada–Ukraine Free Trade Agreement (CUFTA) contains a dedicated chapter on Trade and Indigenous Peoples, as well as relevant provisions in the chapters on Government Procurement, Environment, Investment, Exceptions and Dispute Settlement.

2024: The Australia–United Arab Emirates (UAE) Comprehensive Economic Partnership Agreement (CEPA) has an Indigenous chapter that affirms the parties' commitment to UNDRIP, sets out areas of cooperation, encourages responsible business conduct and creates contact points.¹³

“ IPETCA sets a powerful example for the inclusion of Indigenous Peoples in international trade, creating a framework within which economic leaders and Indigenous communities can partner.

Indigenous Peoples Economic and Trade Cooperation Arrangement (IPETCA)

The IPETCA is a pioneering cooperation arrangement involving New Zealand, Australia, Canada and Chinese Taipei, which entered into effect in 2021. The United States joined as an observer in 2024. It sets a powerful example for the inclusion of Indigenous Peoples in international trade, creating a framework in which economic leaders and Indigenous communities can partner to enhance trade and economic cooperation opportunities.

A key feature of IPETCA is its comprehensive definition of Indigenous trade and investment, which emphasizes the relational dynamics of Indigenous trade, reflecting Indigenous oral traditions, respect for Indigenous laws and values, the importance of an intergenerational framework and the need to safeguard Indigenous lands, resources and the spiritual interrelationship between the human and natural world. Additionally, it recognizes the right of Indigenous Peoples to develop their economic and social systems through trade and investment with non-Indigenous people and new technologies.

The more significant innovations in this arrangement include the non-derogation principles in Article 5 and the establishment of the IPETCA Partnership Council in Article 9. In Article 5, the participating economies acknowledge that a) they should ensure that their trade and investment laws and policies support and protect rather than harm the rights and interests of Indigenous Peoples, and b) that it is wrong for them to reduce protections for Indigenous Peoples in their laws and policies to encourage international trade and investment. Article 9 provides a framework for the creation of a Partnership Council that comprises Indigenous representatives from each economy who sit alongside state actors to jointly determine the implementation of the arrangement and the priorities under which it operates. This is the first time such an arrangement has existed at a plurilateral level in the trade context. Terms of reference were established to guide the operation of the council, and its first in-person meeting took place at San Francisco in November 2023 on the margins of APEC meetings where Ambassador Katherine Tai, the trade representative for the President of the United States, hosted the first APEC Ministerial Meeting – Dialogue with Indigenous Peoples.

2.2 Indigenous involvement in trade policy-making

As indicated in the IPETCA, Indigenous Peoples' approach to trade and economic activity is relational, reciprocal and redistributive. Engagement with Indigenous People by agencies responsible for building and maintaining trade relationships is essential for implementing good practices and for meeting the minimum standard of FPIC set out in the UNDRIP.

To fulfil such obligations, some economies have enacted a range of measures aimed at improving

consultation and engagement, promoting active participation in decision-making, facilitating reciprocal knowledge exchange, creating advisory boards and working groups and ensuring input into national trade and investment agreements. However, Indigenous Peoples do not speak with one voice. Prioritizing perspectives that support one agenda to the exclusion of other voices impedes progress and can stall and even extinguish genuine efforts to achieve mutually agreeable outcomes.



Australia: The country appointed its first ambassador for First Nations People, Justin Mohamed, in 2023. The ambassador leads the Office for First Nations International Engagement within the Department of Foreign Affairs and Trade (DFAT) and collaborates closely with the National Indigenous Australians Agency (NIAA) and across the Australian government. The ambassador's role is to incorporate the perspectives and interests of First Nations Australians into Australia's foreign policy, including on trade and development. The ambassador and office work in partnership with Aboriginal and Torres Strait Islander people to identify new areas of cooperation between First Nations communities and international partners, including in IP, trade, climate change, tourism and development. This is an important step in ensuring that Australia has dedicated First Nations representation in its international engagement and that First Nations communities share in the benefits of this work.

Canada: The Indigenous Advisory Group was established as part of Canada's progressive trade agenda. This group has worked with Canadian trade negotiators and influenced the outcomes of various trade negotiations, including the USMCA, CETA and the CUFTA, and was instrumental in the development of the IPETCA.

New Zealand: After disruptions during the CPTPP negotiations, the New Zealand Ministry of Foreign Affairs

and Trade (MFAT) sought to improve its engagement with Māori. This led to the establishment of Te Taumata to support MFAT's Māori engagement efforts and Ngā Toki Whakarururanga through a formal mediation agreement to ensure New Zealand's compliance with Te Tiriti o Waitangi in its trade agreements. MFAT also maintains long-standing relationships with the National Iwi Chairs Forum and the Federation of Māori Authorities. Collectively, these groups represent Māori tribal, community, business and economic interests to balance commercial, cultural and political imperatives in trade discussions.

Pacific: In November 2011, representatives of eight Polynesian island groups comprising prime ministers and leaders of the Cook Islands, Samoa and Tonga, the governor of American Samoa, the Ulu-o-Tokelau and special envoys from the governments of Niue, Tuvalu and Mā'ohi Nui-French Polynesia ratified a memorandum of understanding establishing the Polynesian Leaders Group (PLG). New Zealand, Rapa Nui and Hawai'i representatives were recently admitted to the group. It is the first Polynesian subregional organization whose membership is open to any Polynesian society to join – it is not limited to nation-states. Its overarching aim is to foster cooperation among Polynesian countries concerning their common interests, which could include trade.

2.3 Trade promotion and facilitation

“ Indigenous inclusion in trade promotion can build an inclusive economy that uses all available resources and talent, positioning a country as a progressive trading partner.

Trade-facilitation measures aim to streamline and simplify international trade processes. By incorporating Indigenous perspectives and needs into these measures, governments can ensure that Indigenous businesses are not disadvantaged by bureaucratic hurdles or technical barriers. Effective trade facilitation can lead to reduced costs and increased efficiency for Indigenous exporters and importers. This enhances their competitiveness in the global market, enables greater participation in international trade and fosters economic growth within Indigenous communities. It can also promote the development of infrastructure that benefits both Indigenous and non-Indigenous businesses.

Trade promotion plays an essential role in the growth, diversification and resilience of national economies. By supporting businesses in expanding their reach into new markets, trade promotion can stimulate economic growth, enhance a country's competitiveness and increase its overall prosperity and well-being. Effective trade-promotion strategies can facilitate more seamless access to new markets, provide market insights into consumer trends and nurture partnerships and collaborations that enable innovation and improved business

practices. Trade promotion can also enhance cultural exchange and political relationships, which are critical for advancing Indigenous Peoples' inclusion in the global economy.

Incorporating Indigenous businesses into national trade strategies promotes equity and inclusivity and can contribute to more substantial economic benefits. Indigenous businesses provide unique product and service offerings that are culturally informed. Their inclusion can enhance a country's global reputation by demonstrating an open commitment to cultural diversity and sustainability, values that are increasingly important to consumers globally.

Empowering Indigenous businesses to benefit from international trade will support the economic resilience of Indigenous communities and contribute to the stability and growth of national economies. Strategic inclusion through trade promotion can help build a more inclusive economy that sustainably uses all available resources and recognizes the diversity of talent, positioning a country as a progressive and diverse trading partner on the international stage.



Indigenous trade missions

Trade missions connect businesses to new partners, markets, distributors and consumers. Over the past 20 years, Indigenous businesses have shown increased interest in leading or participating in these missions to revive inter-Indigenous trade relationships and form new partnerships reflecting their modern economic development. Some governments have included Indigenous business

leaders in trade missions and trade-promotion activities such as World Expos. However, Indigenous businesses face challenges in participating in missions due to structural disadvantages – including limited financing, discriminatory perceptions, smaller company size and timing constraints – especially in high-profile missions such as those led by heads of state. These challenges highlight the need for inclusive planning and support to ensure equitable access to international trade opportunities for Indigenous businesses.

BOX 4 Examples of Indigenous trade missions

Between 2009 and 2017, New Zealand's minister for Māori development led a series of Māori trade missions focused on reciprocity and relationships. This Māori trade strategy aimed to provide Māori businesses with global flexibility, emphasizing a culture-leading-commerce approach. Unlike mainstream missions, these focused on cultural connections, commercial viability and market characteristics. The principal objectives were building cultural connections, adding value to Māori businesses, increasing trade opportunities and developing long-term relationships. Targeting markets with similar collective and traditionally nature-centred world-views – such as China, Japan, Malaysia and the UAE – these missions helped Māori businesses access high-level connections, enhance their brand presence and expand their networks, leading to better market understanding and increased trade and investment connections.

In 2018, the Canadian Chapter of the World Indigenous Business Network partnered with the Canadian minister of international trade diversification, Jim Carr, to lead an Indigenous trade mission to the World Indigenous Business Forum (WIBF) in Rotorua, New Zealand. This mission resulted

in the creation of the Rotorua Group, a plurilateral alliance involving Australia, Canada, Chile and New Zealand, where ministers committed to regularly sharing information on Indigenous development issues, recognizing their similar experiences and aspirations in trade.

In 2023, the Victoria State Government, Australia and the Aboriginal Economic Development (AED) group led an Aboriginal trade mission to New Zealand to explore opportunities in the New Zealand economy, especially in the NZ\$30 billion (\$17 billion) Māori economy and NZ\$119 billion (\$67.5 billion) Māori asset base,¹⁴ and followed up in 2024 with an Aboriginal food and beverage trade mission to New Zealand.

In 2024, the US Department of Agriculture conducted its first ever Indigenous agribusiness trade mission to Canada led by USDA undersecretary for trade and foreign agricultural affairs, Alexis M. Taylor. This Indigenous mission focused on knowledge-sharing, collaboration opportunities and promoting Native American and Native Hawaiian businesses and products.

“ Building export capability and capacity among Indigenous businesses is a critical step towards addressing the disparity of distribution of wealth from trade.

Export capacity and capability development

Cross-border trade remains critical to the sustainability of Indigenous economies. Building export capability and capacity among Indigenous businesses is a critical step towards addressing the disparity of distribution of wealth from trade. Some of the main barriers that Indigenous businesses face concerning their capacity or capability to export include:

- Lack of awareness of public services that are available to assist
- Inability to access funding or capital, leading to scalability and capacity impediments
- Lack of familiarity with export processes, meaning exporting is perceived as too complex or technical
- Mistrust of the global trade architecture and concerns that their business activity could negatively affect Indigenous communities in the markets they seek to export to or where part of the production factor for their product has adverse human or environmental impacts

However, there are many benefits that could encourage Indigenous businesses to develop pathways to export such as:

- Profiling Indigenous products and services in foreign markets to build understanding and enhance efforts towards protection of Indigenous knowledge
- Working with partners and distributors to support the commercialization of their goods and services on mutually agreed and benefit-sharing terms
- Improved investment flows to Indigenous-owned businesses, increasing their ability to employ more Indigenous People in their businesses

Indigenous businesses have great potential to address important trade issues if meaningful support measures are in place. By integrating more Indigenous businesses into global supply chains, companies can diversify their supply sources, reducing the risks from geopolitical tensions, natural disasters or localized issues. Enhancing Indigenous export capabilities strengthens global value chains in regional economies, leading to improved economic stability, resilience and a more balanced global economic landscape.

BOX 5 Indigenous business support in the Pacific Alliance

The Pacific Alliance – formed in 2011 by Chile, Mexico, Peru and Colombia – aims to improve well-being, address socioeconomic disparities and promote social and cultural inclusion, including for Indigenous Peoples.

- **ProChile**, part of Chile’s Ministry of Foreign Affairs, has a programme supporting Indigenous-owned businesses from recognized groups, including Aymara, Quechua, Mapuche, Rapa Nui, Diaguita and Kawésqar. The programme is open to companies in which at least 50% of members belong to one of these Indigenous Peoples.

- **PROMPERÚ** held a 2023 workshop for Indigenous women in Ucayali, training 25 artisans from the Shipibo-Conibo, Kakatibo and Yanasha peoples on global supply chains, business growth and sustainability.

The Pacific Alliance has also approved initiatives to empower rural and Indigenous women in international markets, with the Gender Technical Group developing the programme.



2.4 Government financing and investment

Access to finance and international payments systems is essential for business growth, economic development and competitiveness in international trade. Indigenous People identify the lack of access to finance and payments infrastructure as a major barrier to expanding their businesses for export. Government funding initiatives – such as grants, low-interest loans

and financial-inclusion programmes – are crucial in supporting Indigenous entrepreneurs. These measures promote inclusive economic growth, help Indigenous businesses thrive globally and foster capacity-building, skill development and economic resilience in Indigenous communities. Empowering Indigenous participation in the economy contributes to national prosperity.

BOX 6 Examples of public funding programmes for Indigenous businesses

Australia: In 2023, the federal government committed A\$13.6 million (\$8.6 million) over four years to measures that include expanding efforts to boost First Nations trade and investment, as well as collaboration with partners across the Indo-Pacific. The funding supports Indigenous collaboration across the Indo-Pacific through the Office for First Nations International Engagement, led by Ambassador Justin Mohamed. It will contribute to piloting a First Nations trade and investment advisory group, the First Nations Visitor Economy Partnership and to enabling the IP system to protect Indigenous knowledge.

Canada: Canada's Foreign Investment Promotion and Protection Agreements (FIPA) model aims to better reflect Indigenous Peoples' rights and participation through clarifications, exceptions and new provisions. The FIPA model reflects Canada's policy of ensuring that the benefits of trade and investment are more widely shared in Canada and abroad.

Chinese Taipei: The Indigenous Comprehensive Development Fund,¹⁵ managed by the Council of Indigenous Peoples, grants preferential personal and business loans

for tribal members. The government also implements credit guarantee schemes for Indigenous businesses, gives sector-specific support – for instance, through a subsidy programme for the Indigenous music industry – and in response to the global COVID-19 pandemic provided financial relief and stimulus packages for Indigenous microenterprises.

Colombia: The country supported the hosting of the 2022 World Indigenous Business Forum, and, through the Bank for Indigenous Communities and Peoples, invested in 912 projects that benefited more than 1,595 Indigenous People in Colombia.

The Central Bank Network for Indigenous Inclusion (Australia, Canada and New Zealand): Founded by the reserve banks of Australia, Canada and New Zealand in January 2021, the network aims to foster ongoing dialogue, raise awareness of Indigenous economic and financial issues, share knowledge and best practices and promote engagement and education on Indigenous economics and history in partnership with Indigenous Peoples. The network also holds the biannual Central Bank Symposium on Indigenous Economics.

2.5 National legislation

🗣️ **Inclusive national legislation can help recognize Indigenous land rights, protect IP related to traditional knowledge and boost economic participation.**

National legislation forms the legal foundation for protecting the rights and interests of Indigenous Peoples and enforcing national and international obligations. Implementing inclusive national legislation can lead to the recognition of Indigenous land rights, the protection of IP related to traditional knowledge and the creation of opportunities for Indigenous participation in the economy. This can result in greater economic empowerment, the preservation of cultural heritage and improved socioeconomic conditions for Indigenous communities. Although many advances towards Indigenous inclusion have occurred, much of the work required is dependent on domestic measures, such as national legislation and policy directives.

Intellectual property

Domestic IP measures are critical for Indigenous Peoples as they protect traditional knowledge, cultural expressions, geographical indications and unique products from misuse and exploitation. These protections help Indigenous communities maintain control over their IP, enabling them to benefit economically from their cultural heritage. Effective IP measures prevent unauthorized use and copying, safeguard the authenticity of Indigenous goods in global markets and promote fair-trade practices. This ensures proper recognition, compensation, sustainable economic development and cultural preservation for Indigenous communities.

New Zealand: IP legislation includes Māori committees to evaluate IP applications in the context of Māori culture. The Trade Marks Māori Advisory Committee and the Patents Māori Advisory Committee assess whether applications align with Māori values, concepts and knowledge, and whether they might be offensive to Māori. They review the use of Māori cultural elements in trademarks and inventions derived from Māori knowledge or species. A forthcoming Māori committee under the Plant Variety Rights Act 2022 will similarly oversee plant variety rights. These assessments are conducted without additional costs or delays, ensuring Māori cultural integrity is respected in the IP process.

Peru: Peru's Law 27811, enacted in 2002, protects the collective knowledge of Indigenous Peoples related to biological resources. It ensures fair and equitable benefit-sharing from the commercial use of traditional knowledge, mandates the creation of a national register of collective knowledge, and requires prior informed consent for its use. The law emphasizes Indigenous involvement in

decision-making, includes penalties for unauthorized use and combats biopiracy. This framework empowers Indigenous communities, promotes sustainable biodiversity use and creates economic opportunities through the commercialization of traditional knowledge.

Philippines: The 1997 Indigenous Peoples' Rights Act (IPRA) introduced community intellectual property rights (IPR) and granted Indigenous Peoples the right to practise their cultural traditions. In 2017, a joint administrative order (JAO) was issued between the Intellectual Property Office (IPOPHL) and the National Commission on Indigenous Peoples (NCIP) to address challenges in implementing the IPRA due to conflicting laws and external pressures. The JAO established harmonized rules for IPR applications involving Indigenous knowledge systems and practices (IKSP), defined the important terms and mandated the NCIP to create a registry of IKSP to be used in IPR examinations in coordination with other cultural and government agencies.



of GDP on average is spent by governments on goods and services in OECD countries.

Government procurement

Governments spend billions on goods and services annually, around 13% of GDP in OECD countries.¹⁶ The promotion of supplier diversity and progressive procurement are recent interventions that ensure equitable benefits across the business sector, including Indigenous businesses. These policies have accelerated Indigenous inclusion in government supply chains and enhanced their role in decision-making processes affecting trade participation. Set-asides in trade agreements

reserve a portion of government contracts for specific groups, including Indigenous Peoples, to promote economic opportunities and business growth. These measures aim to increase competition, grow local expertise and create jobs while contributing to broader policy objectives, such as Indigenous business development. They (and private-sector Indigenous procurement targets) are supplemented by supplier databases and matching programmes, which may be led by non-governmental organizations, such as Supply Nation in Australia (see Box 9).



Australia: The Indigenous Procurement Policy mandates annual targets for the volume and value of contracts awarded to Indigenous businesses by the commonwealth and each portfolio. The Mandatory Set Aside (MSA) requires Indigenous businesses to be given the first opportunity to demonstrate value for money in procurements, particularly for those in remote parts of Australia and for contracts valued between A\$80,000 and A\$200,000 (\$50,000–\$125,000). Additionally, Indigenous employment and business participation targets, known as Mandatory Minimum Indigenous Participation Requirements (MMR), apply to contracts valued at A\$7.5 million (\$4.75 million) or more in 19 specified industries.

Brazil: Brazil's Act No. 11.947 (2009) mandates that at least 30% of the federal funds allocated to the National School Feeding Programme (PNAE), which provides meals to 49 million children across 5,568 municipalities, must be used to purchase food from family-based farms, including Indigenous communities, *quilombos* and beneficiaries of land redistribution programmes.

Canada: Federal departments and agencies must ensure that Indigenous businesses hold at least 5% of the total value of procurement contracts. Under the USMCA, Canada has committed to maintaining its Procurement Strategy for Indigenous Business (PSIB), allowing for set-asides for Indigenous businesses within its public procurement framework.

Chile: Chile's 2003 public procurement law and Directive 17 of 2014 allow procurement processes to favour persons with disabilities, unemployed youth and Indigenous People.

Chinese Taipei: The Indigenous Peoples Employment Rights Protection Act requires government contractors with more than 100 employees to ensure at least 1% of their workforce is Indigenous during the contract period. The act also mandates government-funded job training for Indigenous employees, with specifics set by the central labour authority. Companies that fail to meet the hiring requirement face penalties and must pay a fee to an Indigenous development fund.

Colombia: Colombia Compra Eficiente's Guide on Socially Responsible Public Procurement highlights the need to balance economic, environmental and social sustainability in procurement. It promotes practices that protect human rights, support local employment and ensure equal opportunities for vulnerable groups, including Indigenous People.

New Zealand: The Government Procurement Rules require agencies to create opportunities for New Zealand businesses, including Māori- and Pasifika-owned businesses. Mandated agencies must award at least 8% of their annual procurement contracts to Māori businesses. The policy aims to increase supplier diversity and use government spending to achieve broader economic and social outcomes.

Supply Nation, a non-profit organization, collaborates with Indigenous Australian businesses and procurement teams to develop the Indigenous business sector. It uses a five-step verification process to ensure that businesses listed on the database of Indigenous businesses, Indigenous Business Direct, are Indigenous-owned and regularly audited. Beyond

procurement support, Supply Nation aids Indigenous businesses in exporting through its Export Nation platform, offering resources, opportunities and an export-readiness quiz. Export Nation is exclusively available to Supply Nation-verified Indigenous businesses, helping them succeed in the global market.

Land and natural resource protection

Domestic laws, judicial decisions and policies play a vital role in supporting environmental objectives and upholding the rights of Indigenous Peoples as stewards of the environment, especially in trade-related contexts. This is critical in areas where mining, industrialization, agriculture and major infrastructure developments occur on or near natural resources

and ecosystems that are essential to Indigenous communities and their cultural and spiritual identities.

Despite often violent suppression, Indigenous efforts have led to significant domestic measures and court decisions granting legal rights to nature, including recognizing natural entities as legal persons. Their actions have garnered international support, demonstrating the profound influence that Indigenous world-views can have on global environmental and trade practices.

2008: Ecuador became the first country to enshrine the legal rights of nature in its constitution.

2010: Bolivia passed the Law of the Rights of Mother Earth, later expanding it into a comprehensive framework law for development.

2014: New Zealand recognized Te Urewera, a national park, as a legal person, acknowledging its intrinsic and cultural significance, and went on to do the same for the Whanganui River (2017) and Mount Taranaki (2025).

2017: Australia and India also took steps to recognize rivers as living entities, influenced by Indigenous perspectives, while Colombia granted legal rights to the Atrato River.

2018: Colombia's supreme court recognized the legal rights of the Amazon's ecosystems, setting a precedent for other ecosystems.

2019: Bangladesh's supreme court recognized all rivers in the country as living entities with legal rights.

2021: Canada recognized the Mutuhekau Shipu (Magpie River) as a legal person with specific rights.

2022: Panama passed a law recognizing the rights of nature, integrating these rights into all regulations and policies.



Conclusion

Governments can draw from the typology of measures described in this paper and work with Indigenous People to adapt them to their particular needs.

Indigenous Peoples' inclusion in international trade is essential for achieving equity and leveraging their unique contributions to the global economy. While progress has been made in recognizing Indigenous participation, significant gaps remain in implementing effective policies that address their specific challenges. Bridging these gaps requires a comprehensive and inclusive approach involving international organizations, governments and Indigenous communities. Tailored trade measures – such as advisory groups, culturally sensitive agreements and inclusive trade missions – can provide more equitable opportunities for Indigenous businesses. Key steps include enhancing access to finance, improving infrastructure, protecting intellectual property and simplifying trade regulations. Recognizing Indigenous knowledge and practices as vital to sustainable trade frameworks can also help address broader issues such as environmental sustainability and social equity.

Ultimately, the path to meaningful Indigenous inclusion in international trade lies in collaborative, innovative and culturally aligned strategies that respect and amplify Indigenous voices, uphold their rights and support their economic aspirations. Advancing these objectives moves the world closer to a future in which global trade is truly inclusive and reflective of the diverse contributions of all peoples.

Recommendations

Entities or organizations wanting to support Indigenous inclusion in international trade should:

- Collaborate with Indigenous Peoples to develop an Indigenous typology of measures that frames trade policy holistically, enabling Indigenous communities to understand and address the interconnected impacts of trade rather than viewing policies in isolation. This could build on the typology presented here. By recognizing and respecting these perspectives, policy-makers can create more inclusive, culturally sensitive trade policies that benefit all parties involved.
- Lead workshops that demystify trade provisions, using practical examples and exemplar texts to illustrate the positive and adverse impacts for Indigenous People. Bring in diverse expert perspectives and create space for open dialogue, ensuring that Indigenous communities can engage meaningfully and voice their concerns without fear of reprisal or repudiation.
- Explore and develop alternative capital-raising methods that align with Indigenous world-views and value systems and implement international payments systems that enable Indigenous businesses to grow and thrive without being constrained by frameworks or systems that conflict with their cultural principles.
- Look at ways to ensure that more WTO members are assessing the impact of their trade policies on Indigenous Peoples in their economies such as through TPRM reporting and social impact assessments.

Contributors

This report includes insights from speakers and participants at workshops sponsored by Australia and co-organized by the World Economic Forum alongside APEC Third Senior Officials' Meetings (SOM3) at Seattle in 2023 and Lima in 2024.¹⁷

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Acknowledgements

Production

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Endnotes

1. International Labour Organization (ILO). (2019). *Implementing the ILO Indigenous and Tribal Peoples Convention No. 169: Towards an inclusive, sustainable and just future*, p. 53. https://www.ilo.org/sites/default/files/wcmsp5/groups/public/%40dgreports/%40dcomm/%40publ/documents/publication/wcms_735607.pdf
2. *Ibid.*, p. 91.
3. Canadian Council for Aboriginal Business and Global Affairs Canada. (2023). *Adàwe: Export experiences of Indigenous entrepreneurs*. www.international.gc.ca/trade-commerce/assets/pdfs/inclusive_trade-commerce_inclusif/indigenous-autochtone/report-adawe-rapport-eng.pdf
4. International Labour Organization (ILO). (2019). *Implementing the ILO Indigenous and Tribal Peoples Convention No. 169: Towards an inclusive, sustainable and just future*, pp. 56–58. https://www.ilo.org/sites/default/files/wcmsp5/groups/public/%40dgreports/%40dcomm/%40publ/documents/publication/wcms_735607.pdf
5. Canadian Council for Aboriginal Business and Global Affairs Canada. (2023). *Adàwe: Export experiences of Indigenous entrepreneurs*, p. 20. www.international.gc.ca/trade-commerce/assets/pdfs/inclusive_trade-commerce_inclusif/indigenous-autochtone/report-adawe-rapport-eng.pdf
6. Morin, J., & Gauquelin, M. (2016). *Trade agreements as vectors for the Nagoya Protocol's implementation*. Centre for International Governance Innovation. <https://www.cigionline.org/static/documents/documents/Paper%20no.115.pdf>
7. For a discussion of additional steps WTO members could consider, see Schwartz, R., & Whiteduck, J. (2020, April 27). *A proposal for a joint declaration on trade and Indigenous Peoples*. Centre for International Governance Innovation. <https://www.cigionline.org/articles/proposal-joint-declaration-trade-and-indigenous-peoples/>
8. Stoddart-Smith, C. (2023, September 24). *Actioning inclusivity: The WTO's TPRM and Indigenous Rights*. OpinioNative. <https://opinio-native.com/opinions/actioning-inclusivity-the-wtos-tprm-and-indigenous-rights>
9. See, for instance, World Trade Organization. (n.d.). *Australia – General Notes – Annex 7*. WTO eGPA Gateway. Retrieved February 20, 2025, from <https://e-gpa.wto.org/en/GPACoverage/Annex7/141>
10. New Zealand Ministry of Foreign Affairs and Trade. (2022, November 25). *Joint statement initiative on e-commerce: Discussion paper on digital inclusion language for consideration by JSI participants*. Communication from New Zealand. INF/ECOM/70, para 2.3. <https://www.mfat.govt.nz/assets/Trade-agreements/WTO-e-commerce-negotiations/Joint-Statement-Initiative-on-E-commerce-discussion-paper-on-Digital-Inclusion.pdf>
11. World Trade Organization. (2024). *Joint statement initiative on electronic commerce*. INF/ECOM/87, Article 26. <https://docs.wto.org/dol2fe/Pages/SS/directdoc.aspx?filename=q:/INF/ECOM/87.pdf&Open=True>
12. See, for instance, New Zealand Ministry of Foreign Affairs and Trade. (n.d.). *Comprehensive and progressive agreement for trans-Pacific partnership*. Article 29.6, Treaty of Waitangi. Retrieved February 20, 2025, from <https://www.mfat.govt.nz/assets/Trade-agreements/TPP/Text-ENGLISH/29.-Exceptions-and-General-Provisions.pdf>
13. Australian Government Ministry of Foreign Affairs and Trade. (n.d.). *Australia–United Arab Emirates comprehensive economic partnership agreement*. Chapter 17: Indigenous Peoples trade and investment economic cooperation. Retrieved February 20, 2025, from <https://www.dfat.gov.au/trade/agreements/not-yet-in-force/australia-uae-comprehensive-economic-partnership-agreement-cepaa/australia-uae-cepaa-official-text>
14. Business and Economic Research Limited. (2024, December 12). *Snapshot: Te ōhanga Māori 2023 (The Māori economy 2023)*. <https://berl.co.nz/sites/default/files/2024-12/Te%20C5%8Changa%20M%4%81ori%202023%20-%20High-level%20Snapshot.pdf>
15. Council of Indigenous Peoples. (n.d.). *Indigenous Peoples Comprehensive Development Fund Loan Zone*. Retrieved February 20, 2025, from <https://www.cip.gov.tw/zh-tw/news/data-list/23DD6FC526F7465A/index.html?cumid=23DD6FC526F7465A>
16. Organisation for Economic Co-operation and Development. (2023, August 8). *Public procurement performance*. https://www.oecd.org/en/publications/public-procurement-performance_0dde73f4-en.html
17. Asia-Pacific Economic Cooperation (APEC). (n.d.). *Increasing access to the benefits of trade for Indigenous businesses and entrepreneurs*. Retrieved February 20, 2025, from <https://aimp2.apec.org/sites/PDB/Lists/Proposals/DispForm.aspx?ID=3310>; APEC. (n.d.). *Increasing access to the benefits of trade for Indigenous businesses and entrepreneurs II*. Retrieved February 20, 2025, from <https://aimp2.apec.org/sites/PDB/Lists/Proposals/DispForm.aspx?ID=3546>



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