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## UPDATE 65-66

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## 1. EDITORIAL

Extending the mandate of the Working Group on the Draft Declaration (WGCD) was a central concern for participants with respect to Item 15 of the 61<sup>st</sup> Session of the Commission on Human Rights. Two proposals were put forth by the indigenous peoples; both were supported with numerous signatures. The first advocated a period of reflection before extending the WGCD, the other advocated its immediate extension. In the end the recommendation by the WGCD chair, supported by the Nordic countries, Germany and Canada, to hold another three-week session was adopted.<sup>1</sup> The ILO signaled that the Declaration should include higher standards than the ones that already exist, but without modifying the latter. Several interventions suggested that the Declaration should also take the jurisprudence that is being elaborated by the treaty bodies into account.

At the Commission, just as at the 4<sup>th</sup> Session of the Permanent Forum on Indigenous Issues (PF), the fundamental importance that human rights have for indigenous peoples was thoroughly emphasized. At the Commission, the reports on Education and on the Permanent Sovereignty of Indigenous Peoples over Natural Resources, presented by Special Rapporteurs Stavenhagen and Daes, respectively, were very well received, and it was proposed that Daes' past reports on territory and ancestral lands be published. WHO noted that improving health goes hand in hand with the protection and promotion of human rights.

During the course of the PF the connections between reducing extreme poverty, which is the number one Millenium Development Goal (MDG), and human rights, were brought up again and again. For the High Commissioner on Human Rights, «the best form of assistance is the one that empowers the poor to assert and claim their rights»; for UNESCO, poverty is a violation of human rights from a philosophical, legal, economic and socio-political standpoint; UNDP and IFAD, although they are dedicated to development and to agriculture, are promoting projects that relate to human rights, such as the right to land, to fight against poverty, etc.

The Indigenous Peoples' Caucus emphasized that development is a question of maintaining harmony and balance among communities, and between communities and nature; they asked the PF to declare a state of emergency because of the constant violations of their rights, and to establish, recognize and declare IPs' right to ancestral lands, territories and natural resources.

If human rights take on such importance for the lives of the world's indigenous peoples, it is important that indigenous peoples closely follow the process of reforming the Commission. What sort of place will they be allotted within an eventual permanent Human Rights Permanent Council – keeping in mind that, in spite of their weaknesses, the existing fora have played a major role in achieving the recognition of peoples whom so many States would prefer to ignore? It is also important that DESA, the coordinator of the 2<sup>nd</sup> International Decade, collaborate closely with the Office of the High Commissioner for Human Rights, as several indigenous organizations have urged.

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<sup>1</sup> 5-16 December 2005 and 30 January-3 February 2006.

## 2. COMMISSION ON HUMAN RIGHTS

### 61<sup>st</sup> session, Geneva, 14 March – 22 April 2005

During its debates on “Indigenous Issues”, the Commission on Human Rights (CHR) was presented with the reports of the Special Rapporteurs Rodolfo Stavenhagen and Erica-Irene Daes, respectively on Education and on the Permanent Sovereignty of IPs over Natural Resources, as well as the report of the Working Group on the Draft Declaration (WGCD). Resolutions and Decisions passed by the CHR on these reports and other issues concerning IPs were published in Update 63-64.

#### Report on Item 15: Indigenous Issues <sup>2</sup>

The **UN Voluntary Fund for Indigenous Populations** recommended in February 2005 that out of 500 requests 26 indigenous representatives be sponsored to attend the Permanent Forum (PF), 25 for the Working Group on Indigenous Populations (WGIP) and 9 for the WGCD. Considering the number of requests, the Fund needs to collect 560'000 USD by early 2006. The evaluation of the Fund concludes that it has enabled IPs to have a voice within the UN system.

The **World Health Organisation** (WHO) recognises that health improvement goes hand-in-hand with promotion and protection of the human rights of indigenous peoples (IPs), considering that discrimination is often the source of poor health status. WHO notes though, that without scientifically accurate data on indigenous health, it is difficult to respond with effective work plans. The general trend indicates that poverty and marginalisation are the common denominators of IPs' disproportionately ill health. Responding to the PF's second session recommendations, WHO is strengthening systematic data collection by ethnicity and developing culturally sensitive work plans in consultation with IPs.

The **United Nations Educational Scientific and Cultural Organisation** (UNESCO) enumerates the activities it has carried out regarding IPs in the domain of: education, culture, racism, environment, and communication and information sector. Examples of reports or publications are: *The Challenge of Indigenous Education: Practice and Perspectives, 2004*; *International Initiative for Community Multimedia Centres*; *Convention for Safeguarding of Intangible Cultural Heritage* and CD-Rom *Cultural Diversity and Indigenous Peoples*.

**IOIRD** urge the CHR to support a World Congress on Sports and Physical Education to be co-hosted by the World Indigenous Nations Sport, Inc. to celebrate the International Year of Sports and Physical Education (2005).

**ICC, GCC, AFN and NACDL** express their deep appreciation for the excellent ongoing work of Special Rapporteurs Stavenhagen and Daes (also **ICSA, IED, AITPN**). They bring urgent attention to the racial discrimination practiced against IPs within the UN system by its Member States (also **WPC, ICSA, IED, AITPN**). One flagrant example is the regular reference within UN resolutions to IPs as “people” with the intention of excluding or segregating IPs' collective rights from the international human rights system and in clear violation of the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) and the Purposes and Principles of the UN Charter, amongst other instruments. Some states continue to refuse the notion of the “*progressive development of international law and its codifications*” (UN Charter, Article 13, para.1). **ICC, GCC, AFN and NACDL** declare that: “those States that insist on undermining the legal status or human rights of IPs within the UN are unfit to serve as members of the CHR and are undermining the human rights system as a whole” (also **ICSA, IED, AITPN**). The prejudicial and hypocritical actions of the USA, UK, France and Netherlands amongst others are vigorously opposed (also **AITPN**).

**IWA** are concerned by the reorganisation of the UN and its impact on IPs, as well as their participation in the UN system. More necessary is a shift in the States' attitudes, as it would result in an improved effectiveness of the UN and its reputation.

#### Special Rapporteur on the situation of human rights and fundamental freedoms of IPs

The Special Rapporteur (SR) **Rodolfo Stavenhagen** presented his report to the CHR regarding the hindrances and inequalities that IPs face in relation to the access to and the quality of education systems, with special attention to girls. It contains examples of good practices and initiatives aimed at providing durable solutions to the education challenges IPs find in different countries.<sup>3</sup>

**AWC** highlight three important aspects for the advancement of education of IPs, particularly in South America: direct and active participation of IPs in the elaboration of education programmes; the preservation, practice and promotion of indigenous languages in education; support and recognition for the development of indigenous universities.

<sup>2</sup> This report is based on written statements orally presented during the discussions on item 15.

<sup>3</sup> Document E/CN.4/2005/88.

**ICSA, IED and AITPN** request that SR Stavenhagen be invited to present the case of Leonard Peltier in his next report and for the relevant SRs to visit the USA Penitentiary in Leavenworth where he is currently incarcerated. Despite factual information that proves the unfair trial of Leonard Peltier, he has been denied parole and the right to freely practice his religion.

**FAIRA** request that the SR meet with IPs previous to discussions on item 15 so as to facilitate resolutions on matters arising in his report.

**IOIRD** encourage SR Stavenhagen's proposal to dedicate his next report on the constitutional reforms, legislation and implementation of laws regarding the protection of IPs' rights and the effectiveness of their application.

**NORWAY, DENMARK, FINLAND, ICELAND, SWEDEN and ESTONIA** believe that IPs "need to have a real say in the way their traditional lands are administered". They reiterate their invitation to the SR to visit their countries and welcome his report on education.

### **Special Rapporteur on IPs' permanent sovereignty over natural resources**

**IWA, WILPF, RDPF, NKIKLH and IPNC** endorse the final report by SR Daes on IPs' permanent sovereignty over natural resources<sup>4</sup>.

**FAIRA** ask for the publication of SR Daes' report and of the reports on "IPs' Relationship with Land" and "Protection of the Cultural Heritage of IPs".

**ILRC** strongly support the proposal of SR Erica-Irene Daes to hold an expert seminar to further examine the concepts and terms of IPs' permanent sovereignty over natural resources (also **IOIRD, ICC, GCC, AFN, NACDL and IWA**).

### **Working Group on the Draft Declaration**

The **International Labour Organisation (ILO)** notes that some proposals for amendments to the Draft Declaration (DD) fall below existing legally binding international standards for the protection of IPs' rights, including ILO Convention 169. "As an aspirational standard, and as a matter of international law, the DD would express higher goals than existing binding standards, without modifying the existing standards."

A joint statement presented by **SC** in the name of **182 indigenous and 26 supporting organisations** vigorously appeals to the CHR to extend the mandate of the WGCD so that a strong UN Declaration will be adopted as soon as possible by the General Assembly.

**NCIV** report on the creation of a new global action platform for IPs' issues, the *Speaking4Earth* campaign. Launched in December 2004, its first action is a petition directed to the members of the CHR calling for an extension of the WGCD (see [www.speaking4earth.com](http://www.speaking4earth.com)).

**AI, CFSC and RD** declare that many of the states' objections to the DD could be resolved if they re-examined their responsibility to uphold and promote the rights of IPs as interpreted by the UN treaty bodies.

**CPNAB** invite indigenous organisations to carry out regional and national activities to disseminate and discuss the DD. CPNAB also solicit the Secretary General and High Commissioner on Human Rights (HCHR) to give high priority to all matters related to the DD in terms of assigning human and technical resources, and that the HCHR elaborate a technical document on the juridical and philosophical grounding for the demands of IPs in the DD.

**WPC** see no point in continuing with the DD negotiations if states continue to prioritise their own strategic interests and geopolitical domination over the essential rights of IPs to self-determination, territories and natural resources (also **IWA**). With or without a Declaration, IPs will continue to fight for their dignity, rights and territories. The **USA, Australia, New Zealand, Canada and the UK** are directly responsible for the failure of the WGCD. WPC recommend that the Economic and Social Council (ECOSOC) adopt a decision to renew the WGCD with a clear and precise mandate to be accomplished in a reasonable time span (3 years) (**CPNAB** propose six weeks of sessions in two years) and invite the HCHR to provide further financial assistance to increase indigenous participation (also **CPNAB**).

**HD, CPN and ILRC** request the CHR to adopt a resolution to extend the mandate of the WGCD (also **ICC, GCC, AFN, NACDL, IWA**). "Correcting the wrongs of the past and securing justice for IPs can be achieved if a strong declaration is approved soon", and the progress achieved in the 10<sup>th</sup> session proves that consensus is in sight.

**IOIRD** regret the lack of substantial progress in adopting the DD and while they support the extension of the WGCD they are very concerned about the process to date. IOIRD welcome the proposal of Mexico to host and co-sponsor a workshop on the DD (also **GRULAC, VENEZUELA**).

**IITC** thank the Chairperson of the CHR, Mr. Makarim Wibisono (Indonesia) for holding a meeting with a delegation of IPs before its 61<sup>st</sup> session as a follow up to the productive discussions with Ambassador Markotic

<sup>4</sup> Documents E/CN.4/Sub.2/2004/30 and Add.1.

during the WGCD last December 2004 in response to the hunger strike. IITC also recognize the considerable depth and understanding reflected in Ambassador Markotic's report to the Regional Coordinators of the Commission regarding the concerns of IPs. IITC reiterate their support for the adoption of the text of the Sub-Commission and appeal to the CHR to consider its immediate adoption (also **TOTSNTC**, **ICSA**, **CPNAB**). IITC propose a period of reflection before renewing the WGCD so as to give time "for the process to be evaluated, reassessed and restructured to guarantee a more equitable process, with full participation of IPs" (also **IOIRD**, **ICSA**, **IED**, **AITPN**). This position is supported by more than 130 indigenous organisations, nations, tribes, networks and councils from 23 countries.

**IWA**, **WILPF**, **RDFP**, **NKIKH** and **IPNC** formally withdraw their names from the petition by IITC asking for a suspension.

**AITPN** agree that the indigenous position of accepting no amendments also blocks the DD process. The lack of progress in the WGCD is affecting the capacity of the WGIP to complete its mandate.

**FAIRA** recommend that the CHR establish a methodology and reporting framework to ensure that the "Commission remains fully aware of the willingness of all parties to conclude the task". **FAIRA** note that the HCHR also calls for a programme of work with targets and a time frame for the adoption of articles, and for the adoption of new and dynamic methods of work (E/CN.4/2005/87).

**TF** consider it inappropriate to say there is a serious lack of progress regarding the DD adoption. **TF** strongly supports the Chairman's article language in the last report, particularly regarding Article 3 and Articles 24-30, since they capture the essence of IPs demands on the issues of a self-determination, and territories and resources.

**CUBA** submits its grave concerns regarding the WGCD. The Chairmanship seems to have exhausted its potential for generating harmonised formulas and its last report is nothing but frustrating (also **AITPN**), hence the need to step back and reflect on the process (also **WPC**). In Cuba's words, "despite other attempts to sweeten such a poor balance [of the DD], the facts are stubborn things, and it seems that the current stagnation could not be overcome in a foreseeable future; particularly, if we continue to work with the methods used so far" (also **WPC**, **AAJ**). The lack of political will of a handful of governmental delegations impedes the approval of acceptable formulas, particularly regarding the right to self-determination of IPs in pluralist societies and to resolving conflicts related to the possession of ancestral lands (also **WPC**).

**GRULAC** recognizes the efforts and dedication of Luis Chávez, President of the WGCD, and supports the continuation of his chairmanship. **GRULAC** continues to support the adoption of the Declaration including collective rights of IPs (also **VENEZUELA**).

**CANADA** believes that important progress has been achieved in key areas of the DD, especially over the past two years, and supports the recommendation of the WGCD Chairman to hold another meeting, of three weeks if possible (also **NORWAY**, **DENMARK**, **FINLAND**, **ICELAND**, **SWEDEN**, **ESTONIA** and **GERMANY**). Canada remains committed to achieving a strong and effective DD, transparent in terms of rights and obligations, implementable on a universal basis and supportive of building harmonious relationships between IPs and the States in which they live.

**NEW ZEALAND** is frustrated with the stagnation of the WGCD and feels that blaming them or other states is unconstructive, "... a sense of realism has to prevail on all sides". For New Zealand, no amendments will effectively mean no Declaration.

## International Decade of the World's Indigenous People

**AAJ** reckon that the poor balance of the first Decade is due to conceptual and structural discord in the comprehension of self-determination, poverty, democracy, citizenship, power, governance, development and security. One of the most serious threats to IPs is the expanding neo-liberal economic and political policy with the subsequent empowerment of transnational corporations (also **FEDEFAM**).

**CUBA** shows deep concern for the shift of certain UN bodies dealing with indigenous issues from Geneva to New York (for example the PF and managing of the new Decade). For a real success of a new Decade, the New York resources will be insufficient without the humanistic philosophical approach and expertise of the UN OHCHR in Geneva (also **FAIRA**, **GRULAC**).

**GRULAC** presents what it believes to be important activities to be continued and carried out throughout the Second Decade. The technical assistance provided by the OHCHR to States in areas such as administration of justice and training in human rights, is positive and should be continued, as should the presentation of the SR's report before the General Assembly. The PF needs to amplify its functions so as to contribute to the respect, promotion and defense of IPs' rights.

**ECUADOR** reiterates its support for and active participation in the multiple UN bodies aimed to promote the rights of IPs and welcomes the declaration of a Second Decade (also **VENEZUELA**, **CHINA**, **GERMANY**).

**GERMANY** pledges a financial contribution to the new Voluntary Fund established in support of the Second Decade and hope that other donors will follow.

## Country situations

### Africa

**ARIS** inform that despite the current civil government's commitment to implementing human rights standards, the **Ogoni** people and other groups in the Niger Delta of Nigeria continue to face discriminatory practices. Ten years have passed since the execution of Ken Saro-Wiwa and eight fellow Ogoni activists, and despite General Assembly and African Commission rulings and recommendations, no redress has been implemented, and the Ogoni continue to suffer from oil extraction activities.

### South and Central America

**IFRACM** highlight the conclusions of the UN Development Programme (UNDP) study on integration and development, namely that ignoring minorities' or IPs' demands can escalate to conflicts that hinder development. IFRACM reject the Free Trade Area of the Americas (FTAA) due to its negative influence on IPs' traditional knowledge and economies, and are encouraged by the protests of rural communities and IPs that are blocking it.

**CONAVIGUA** report that since Guatemala's ratification of ILO Convention 169 in 1996, the government has neither consulted, nor requested the consent of IPs for the exploration or exploitation of non-renewable resources, and has furthermore violently repressed IPs' attempt to peacefully defend their environment. The presence of the SR is requested to study this situation.

**ICJ** and **CAJ** recommend that Chile ratify ILO Convention 169 considering that Bolivia, Colombia, Peru, and Venezuela have taken this step, though the Andean states need to expand policies that guarantee IPs' right to free, prior and informed consent (also **IFPRERLM**). Chile should also uphold its commitment regarding the Ralco Hydroelectrical Central and the **Mapuche Pehuenche** people. Despite existing ratifications and legislative measures aimed at protecting IPs, many indigenous rural communities continue to fall short on basic rights such as political participation, access to justice, housing, education and health. ICJ and CAJ also recommend the securing of IPs' participation and representation in the Constitutional Assembly.

**CCJ** draw attention to the important conclusion of the SR's report E/CN.4/2005/88/Add.2, para. 5: "Colombia's indigenous people find themselves in a serious, critical and profoundly worrying human rights situation. A great many communities suffer from the unrelieved violence of an armed conflict that has a significant impact on their daily lives. The actual physical and cultural survival of some of the more vulnerable indigenous communities is threatened". The SR recommends (para.115) "as a matter of particular urgency, international cooperation should be mobilized to prepare an emergency programme of aid to the indigenous communities in danger of extinction, particularly in the Amazon region" and asks concretely for "advice (...) from the new United Nations focal point on the prevention of genocide." **OIA** further report that not only the Colombian government has totally failed to undertake any of the recommendations of the SR, but also the situation has deteriorated under the current administration of President Uribe Vélez. In the first two and a half years of his administration 589 indigenous leaders and authorities have been assassinated, equivalent to 31% of all political murders committed over the past 30 years (also **CECOIN**). The current "democratic security" policy is having devastating consequences on Colombia's IPs.

**ICSA** list the IPs that are particularly vulnerable, namely the: **Embera-Katio**, **Wiwa**, and **Paez** peoples amongst others (Colombia) as well as the **Mataco** and **Diaguita** peoples (Brazil, Argentina, Paraguay, Bolivia) (also **FEDEFAM**).

**AAJ** condemn the political persecution; kidnapping and aggressions; unrestrained repression and brutality of police forces; and criminalisation of activists suffered by the **Mapuche**. Urgent action and further visits to Mapuche communities by UN experts is vital (also **FL**, **IFPRERLM**, **AICT**, **OMWM**).

**AICT** and **OMWM** call for the creation of an International Judicial Organism on Human Rights, with a regional office in South or Central America.

**CHILE** declares that they will push for the ratification of ILO Convention 169 during this legislative period, until now it has been the right-wing parties that have blocked the ratification. Chile has invested over three thousand million pesos to assist over 11'000 indigenous families and 230'000 hectares of land have been transferred to indigenous communities between 2000 and 2004. Chile insists that the arrests of IPs have in no case been a form of "criminalization" of the indigenous movement.

**PERU** has evolved over the years and become conscious that its pluricultural and multiethnic society enriches the country and is one of the founding principles for the construction of a more democratic and prosperous society.

**ECUADOR** recognises the multicultural and multiethnic nature of its populations, and is proud to declare that the indigenous movement in Ecuador has consolidated its political presence and the recognition of a good part of its demands and political rights.

**VENEZUELA** strives to promote tolerance and solidarity in its multiethnic society through the recognition of the existence and the rights of specific collectives of IPs. Concretely, Venezuela has passed laws on the demarcation

and guarantee of habitat and territories of IPs, created the National Council for indigenous education, culture and language, translated the Constitution and published texts in the **Wayuu** language.

### North America

**TOTSNTC** declare that for the Great Sioux Nation, the **Tetuwan Oyate**, the DD might not guarantee their future but at least it will offer them hope to improve their living conditions. They are victims of forced assimilation tactics by the USA, they are forced to live in prisoner of war camps called “American Indian Reservations”, suffer from serious health problems, unemployment levels of 50 or even 85% and the destruction of their sacred sites. Despite these violations of the USA Constitution and laws, **TOTSNTC** declare they have no recourse to justice.

**ICN** thank SR Stavenhagen for his report on the situation of Aboriginals in Canada (also **IOIRD**) and highlight two important issues mentioned in the report: 1) the link between persistent poverty of Aboriginal communities and the incapacity of the Canadian authorities to protect their rights to territories and resources; and 2) the need for reformation of Canadian laws, politics and programs affecting Aboriginals so as to ensure their conformity with national and international law. As a priority the federal government should: reinforce Canada’s role in the process leading to the adoption of the DD; take immediate measures to provide adequate housing and access to territories to aboriginal communities; consult with them regarding the ratification of ILO Convention 169 (also **IOIRD**); ensure the equitable and timely resolution of conflicts regarding territories and treaties whilst publicly engaging to not demand the approval of “non-affirmation” or “extinction” of Aboriginal inherent rights as a condition for entering into a treaty relation; and create a global plan of action to end the violence against indigenous women and children.

**CFSC** are strongly opposed to Canada’s approach to the issue of Aboriginal peoples’ health problems through the creation of an “Aboriginal Health Blueprint”, and do not accept the agenda of the Canadian government as set out by its 2004 Roundtable with Aboriginal leaders. These initiatives are yet another way of evading the obligations spelled out in Treaty No. 6 signed in 1876. Treaty No. 6 is a living International Treaty and its non-application by the government of Canada has resulted in the grave health care situation of the Aboriginal populations, a direct consequence that was unfortunately not reflected in the SR’s report. **CFSC** invite the SR and WHO officials to visit in person the Aboriginal Treaty Nations, rather than base their reports exclusively on the biased tours organised by the government.

**NWAC** urge the CHR to take concerted effort to improve the human rights of indigenous women by mainstreaming gender perspectives throughout the work of the UN and ensuring their full and effective participation. Indigenous women throughout the world suffer from gendered racism, which translates into acts of extreme violence including rape and trafficking of women and girls. They also suffer from high poverty rates, related ill health, lack of education, unemployment, homelessness, exposure to HIV/AIDS and other sexually transmitted diseases.

**ICSA**, **IED** and **AITPN** declare that the Alaska Native Claims Settlement Act of 1971 is a unilateral act of the USA Congress and continues to be implemented by the USA government as a political tactic for obtaining manufactured consent in Alaska. The same kind of “puppet state” machinery is being applied in Hawaii, silencing the voices of opposition and denying the right to self-determination (also **IPNC**). The **Crow Nations** are experiencing the same kind of treatment, and **ICSA**, **IED** and **AITPN** ask the appropriate SR to review their case.

**IPNC** declare that Alaska’s annexation to the USA was done in violation of international law and due process. **IPNC** call for a revision of the principles and procedure that was denied to the IPs of Alaska as well as those from Hawaii. **IPNC** propose that SR Doudou Diène carry out a study on the implications of the political platforms of racism on IPs, taking into consideration the full scope of the ICERD. The war in Iraq is a current day manifestation of the militaristic nature of the USA, the same methods of erasing and dominating other peoples and nations was used to colonize the Native American territories. **IPNC** is concerned by the USA’s lobbying to eliminate the CHR by moving it to the General Assembly.

**CANADA** thanks SR Stavenhagen for his visit to Canada, a positive contribution to Canada’s efforts to improve the lives of all Aboriginals in its territory. Such efforts include a Canada-Aboriginal Peoples Roundtable held in April 2004 and its follow-up activities as well as another meeting planned for fall 2005.

### Asia and Pacific

**TRP** ask that under no circumstances should the **Montagnard** refugees be returned to Vietnam unless international monitors are granted permanent presence in the region to guarantee their protection, something which is lacking in the Memorandum of Understanding signed by Cambodia, Vietnam and the UNHCR in January 2005. Ultimately the religious persecution and loss of ancestral lands in Vietnam is what needs to be addressed to ensure the Montagnard’s safety and livelihood.

**CRG**, **NACDL** and **UCEJP** denounce continued prohibition of **Chagossians** to return to their homeland, the Chagos Archipelago, despite the 2000 High Court of London ruling, which amended the 1971 Immigration Ordinance, originally used to expropriate Chagossians. The UK government is now trying to by pass the ruling

under the pretext of rising sea levels. Governments must respect the Rule of Law as it compels them to do the right thing even when it is not in their self-interest.

**APFWLD** draw attention to the astoundingly high maternal mortality amongst **Karen, Karenni** and **Mon**, the statistics indicate a rate of 1000 maternal deaths per 100,000 live births, compared to 180 and 36 in Burma and Thailand respectively. The regime troops impede the access of indigenous women to health services, and health workers from reaching them. Burma spends 1% of its GDP on health where as 40% goes to the army. APFWLD appeal to Asian nations not to overlook the human rights violations in Burma, ask the CHR to fully implement the Myanmar resolution (1992) and to pressure Burma into withdrawing its troops from indigenous territories.

**AUSTRALIA** justifies the restructuring of the management and delivery of programs for Australian IPs by the fact that the policies over the past 30 years, though well meaning, have not produced the desirable rate of improvement in the welfare and status of IPs, and created undesirable side-effects such as “passive welfare dependency” of IPs. The new framework will be advised by the newly established council of indigenous experts and aims to increase collaboration and participation at national, regional and local levels, share responsibility of outcomes, reduce bureaucracy and improve accountability of service providers and the government.

**CHINA** declares that although it has no indigenous populations on its land, it actively supports the international community in the protection of the rights of IPs. Mrs. Qin Xiaomei, member of the PF, has made positive contributions to the Forum and China co-sponsored with Australia in 2004 a Workshop on Economic Development and the Rights of Ethnic Minorities and IPs.

### **Middle East**

**JC** draw attention to the plight of the **Mandaeen** people in Iraq, a religious minority that is the target of insurgent fundamentalist groups encouraged by radical clerics. They are victims of murders, rapes, kidnappings, financial coercion and forced conversion to Islam, forcing thousands to flee the country. JC implore the CHR to urge the new Iraqi government to provide protection to the Mandaean people and for the refugees to be recognised as a collective people.



### 3. PERMANENT FORUM ON INDIGENOUS ISSUES

#### 4<sup>th</sup> session, New York, 16<sup>th</sup> to 27<sup>th</sup> May 2005

During this 4<sup>th</sup> session of the PF, the number of interventions and reports presented by UN bodies and intergovernmental agencies increased significantly, as did the dialogue established between these bodies and agencies and the PF members. The main theme of this session was the Millennium Development Goals one and two, which are “Eradicate Extreme Poverty and Hunger” and “Achieve Universal Primary Education”. The suggested theme for the 5<sup>th</sup> session is “MDGs three to eight and IPs”. The Draft Agenda for the 2006 session also comprises the item “Ongoing priorities and themes” including among others: human rights; indigenous children and youth; data collection; free, prior and informed consent; a half-day discussion on Africa; and the Second Decade.

#### Report on the PF’s session<sup>5</sup>

##### Opening session

The session opened with Andean dances and music followed by a prayer by a **Hopi** ceremonial leader.

**Victoria Tauli-Corpuz** was nominated Chair of the session and addressed the session by first enumerating the successes of the PF. The latter includes: increasing the visibility and awareness of indigenous issues at the international level; establishing itself as the co-ordinating pillar between the international, regional and national levels; becoming a platform and catalyst for challenging and emerging issues, as well as innovative methods of work; and being a space for promoting solidarity, connectivity and networking. However, much remains to be accomplished and the ultimate measure of success is the quantifiable positive change brought to the lives of IPs in terms of rights and self-determined development.

**Louise Fréchette, Deputy Secretary-General of the United Nations**, declares that the strength and persistence of indigenous women is particularly noteworthy, they are being heard more widely than ever before.

**Nana Effah-Apenteng, Acting President of the UN General Assembly (GA)**, declares that a close co-operation should exist between the Millennium Development Goals (MDGs) and the Second Decade so that both processes may result in a substantive improvement in the living standards of IPs (also **CTT, ARGENTINA, RIO GROUP**). The GA will continue to listen to the wise advice of the PF.

**Johan C. Verbeke, Vice-President of ECOSOC**, states that IPs should be made visible in the MDGs Reports, in reports of intergovernmental bodies, as well as other relevant reports.

**Rachel Mayanja, Assistant Secretary-General, Special Advisor on Gender Issues and Advancement of Women**, informs that out of the 31 pre-session documents to this Forum, 18 are from the UN system and intergovernmental organisations, demonstrating an increasing commitment towards IPs. Further proof of this commitment is the expansion of the Inter-Agency Support Group on Indigenous Issues (IASG). Also, the Commission on the Status of Women adopted in its 49<sup>th</sup> session the first ever resolution on indigenous women with the aim of increasing their participation and input.

#### Item 3 a: Millennium Development Goal 1, “Eradicate Extreme Poverty and Hunger”

**Victoria Tauli-Corpuz**, Chairperson, congratulates the PF for its vision in selecting the MDGs as the crosscutting theme for the next couple of years. The PF has to ensure that IPs are taken into account within the MDGs and that the structural causes of their impoverishment and marginalisation are addressed (also **Asia Caucus**). Hence the urgency for disaggregated data based on ethnicity, something the PF has been recommending from the beginning. Reducing poverty by 50% by the year 2015 will only be achievable if the central issue of the right and control over territories and resources is properly tackled.

**Louise Arbour, High Commissioner for Human Rights (HCHR)**, declares that poverty is a denial of human rights that is inherited and passed on to future generations. IPs are one of the groups most severely affected by poverty. Human rights are obligations that States must implement. Poverty reduction strategies should not be enforced at the expense of IPs, for example, by denying them their means of subsistence or traditional life style. IPs will reduce their own poverty if provided with the enabling environment to do so. The best form of assistance is the one that empowers the poor to assert and claim their rights. States who disagree with the rights-based approach have to be told that they are betraying their commitment against poverty.<sup>6</sup>

<sup>5</sup> This report is based on oral and written statements presented orally during the debates, as well as on the UNDPI press releases.

<sup>6</sup> See page 28 for the full text of Mrs. Arbour’s statement.

The **United Nations Development Programme** (UNDP), informs that due to the success of the Human Rights Strengthening Programme (HURIST), a joint programme with the OHCHR, the government of Catalonia in Spain has committed funding for three more similar pilot programmes in Latin America. Other UNDP programmes of special interest to IPs include: the Regional Initiative on Strengthening Policy Dialogue on Indigenous, Highland and Tribal Peoples' Rights and Development (RIPP) in Southeast Asia (\$2 million budget) and the Global Environment Facility Small Grants Programme.

The **UN Millennium Project** states that the MDGs are rights, and the means to achieve them is through local empowerment. Data collection is crucial to better understand and assist indigenous communities (also **ECLAC**). The Millennium Village programme aims at mobilising resources that can help communities achieve their basic needs.

The **Interagency Support Group on Indigenous Issues** (IASG), made up of 20 intergovernmental entities, including the Inter American Development Bank, discussed the MDGs process during its 2004 meeting. There is a concern that the MDGs could in some cases have a negative impact on IPs, while national indicators may improve. Recommendations of the IASG appear in document E/C.19/2005/2, these include the need to actively involve IPs in the MDGs 2005 review and States should guarantee the inclusion of indigenous issues and participants in their efforts to achieve the MDGs.

The **ILO** declares that the research carried out in Cambodia, Cameroon and Nepal regarding Poverty Reduction Strategies Papers (PRSP) indicates that IPs' rights and aspirations have not been systematically taken into account; whereas countries that have adopted ILO Convention 169 cover more coherently the structural causes of IPs' marginalisation in the PRSPs. The research also indicates that loss of land and armed conflicts are key factors for the existing poverty amongst IPs. Implementation barriers include: reluctance of governments and donors to address indigenous issues, as well as failure to capture IPs' own notion of poverty.

The **UNESCO** highlights the inadequacy of the definition of poverty – as economic poverty – in MDG 1. A publication produced by experts is underway with the objective of defining poverty as a violation of human rights from philosophical, legal, economic and socio-political perspectives. The MDG 1 indicators also fail to acknowledge indigenous subsistence economies that are crucial to the fulfilment of IPs' basic and cultural needs, and their worldview (also **ECLAC**). "Pressures on IPs to abandon customary land tenure in favour of private ownership, as the only pathway to 'development', are equally misguided." Thus, the UNESCO calls for a re-alignment of the MDGs to take into account indigenous visions of well-being, poverty, and culturally sensitive sustainable development (also **ECLAC**, **UNDP**, **IFAD**, **Asian Caucus**, **Indigenous Caucus**, **Pacific Caucus**, **Indigenous Women's Caucus**, **AJIA**).

**UNICEF** describes the problems that arise when using income-based poverty measures for children. For example: a household's financial income may not guarantee access to healthcare and education for children, even if the income is above the poverty line; boys and girls do not share equally in household fortunes or misfortunes; working children are deprived, yet they would not be considered as poor with the traditional income approach. Indigenous children are among those who are most deprived of many minimum basic material conditions and services.

The results from **UNHABITAT**'s research on "Indigenous peoples' right to adequate housing"<sup>7</sup> demonstrate that, though each IPs has distinct cultural expressions, poorer housing conditions than the rest of the population is a common denominator for IPs worldwide. The research offers recommendations, mainly to the governments, covering an array of issues: identity and self-determination, participation, connecting land and housing, securing land tenure, discrimination, poverty, housing policy, prevention of violence against women and children, legislation and institutional framework.

The **UNITAR**'s Training Programme to Enhance the Conflict Prevention and Peacebuilding Capacities of Indigenous Peoples Representatives aims to: strengthen participants' capacities to analyse conflict; identify needs, fears, concerns and aspirations of all parties; and formulate mutually beneficial options. To date regional training has taken place in Mexico, Thailand and Tanzania, the next one is to be held in French in the Great Lakes region, Africa.

The **World Bank** (WB) fully supports the eight MDGs and recognises the "real possibility that, while countries and regions may be able to achieve MDG 1, this may not be reached for the majority of IPs in these countries or regions". The WB believes that IPs must be afforded a greater role in formulating and implementing strategies to attain the MDGs. Regarding the new policy on IPs (Operational Policy 4.10, endorsed on May 10<sup>th</sup> 2005), the WB declares it "is a key instrument to ensure that the voices of IPs are heard in the WB-financed projects, and that these projects address their interests". This policy ensures that "for all proposed projects that affect IPs, the World Bank will provide project financing only where free, prior and informed consultation" has been obtained.

The **Inter-American Development Bank** (IADB) concurs that there is a high correlation between being indigenous and being poor. The IADB is in the process of developing a Development Strategy and Operative Policy for IPs. The IADB, together with the Millennium Project and the Data Bank of Indigenous Legislation,

<sup>7</sup> Available at <http://hq.unhabitat.org/register/item.asp?ID=1799> or at doCip.

has produced a comparative analysis of the laws and jurisprudence regarding IPs in Latin America, which is available to all<sup>8</sup>.

The **International Fund for Agricultural Development (IFAD)** informs that the central focus of most IFAD funded projects is the securing of land rights for IPs. It allocated \$155.8 million in loans and \$2.7 million in grants for projects in support of IPs. One project is an in-depth case study of IFAD-financed projects to identify best practices that can help IPs reach the MDGs and prepare a draft framework for advocacy together with the IASG and other stakeholders. One of the grants was given to the International Centre for Integrated Mountain Development and the Tebtebba Foundation for the assessment of the achievements of the First Decade in South and South-East Asia.

The **Food and Agriculture Organization (FAO)** declares that the International Treaty on Plant Genetic Resources for Food and Agriculture entered into force in June 2004. It aims to achieve the conservation and sustainable use of plant genetic resources for food and agriculture, and the fair and equitable sharing of benefits derived from their use. For food security and sustainable agriculture, this includes the protection of traditional knowledge. The first meeting of the Treaty Governing Body will be in 2006.

The **UNDP** issued a policy guidance note on its engagement with IPs in 2001. It addresses the debilitating incidence of human poverty in most indigenous communities as a visible evidence of discrimination. In addition, a PF member is part of the UNDP Civil Society Organisation Advisory Committee composed of 15 civil society leaders who provide strategic advice to the administrator and senior management on key policy issues.

The **World Intellectual Property Organisation (WIPO)** announces that the mandate of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC) was renewed in 2003 to accelerate its work and to focus on the international aspects of intellectual property protection of traditional knowledge and traditional cultural expressions. The new mandate is not limited in the range of its outcomes, which could include international instrument(s). The IGC is open to civil society and NGOs, in particular indigenous representatives, and WIPO has taken several practical measures to ensure this participation.

The **UN Forum on Forests (UNFF)** declares that the needs and priorities of IPs are surely to be on the agenda in the UNFF members' discussions on the necessity to create a legally binding instrument on forests or to find ways of strengthening the current arrangement so as to enhance its implementation.

The **Millennium Ecosystem Assessment (MA)** presented its synthesis report and results.<sup>9</sup> Of the 24 ecosystem services assessed, 60% are being degraded, and the degradation could grow significantly worse over the next 50 years. A vicious cycle was observed whereby environmental degradation contributes to poverty, which in turn contributes to more environmental degradation. The MA also concludes that it is possible to break this cycle if the still absent but crucial investments and changes are made. The MA proves to be a powerful framework linking environmental and development considerations.

**Nina Pacari Vega** emphasizes that in order to deal with the issues of self-determination, free, prior and informed consent (FPIC) and control over natural resources, there have to be real changes at the structural level.

**Parshuram Tamang** reminds the WB that the expert seminar on FPIC made it clear how important this principle is to IPs, and would like to know how the WB can justify replacing "consent" with "consultation", the latter being by far, a much weaker term and not ensuring the full right of FPIC.

**Pavel Sulyandziga** declares that governments also need to take IPs' priorities into consideration, having indigenous representatives in government delegations would be one step in this direction.

The **Indigenous Caucus** define their vision of development whereby wealth is not measured in dollars but in harmony and balance within communities and with nature, whereby children are not an expense but a blessing, and elders are not a burden but a source of wisdom and knowledge. The PF is recommended to: declare IPs in state of emergency arising from the constant violations of their rights; provide an evaluation of compliance with the recommendations of the first three sessions of the PF; establish, recognize and declare the right to ancestral lands, territories and natural resources of IPs.

The **Indigenous Caucus Committee on Indigenous Health** declares that the ongoing dispossession of traditional resources, or damage to their quality by pollution, have seriously compromised IPs' ability to feed and shelter themselves. This is true in both the wealthiest and poorest of countries. The disaggregated data that is urgently needed, should take into account gender, age and rural-urban specificities (also **Indigenous Women's Caucus**). The WHO should re-launch its initiative on social determinants of health in order to give IPs more time to produce their inputs, and it should commit specific resources to support actions in favour of indigenous children.

The **Indigenous Women's Caucus** emphasize that in no way should the MDGs reduce existing rights and standards applicable to IPs.

<sup>8</sup> Available at [http://www.iadb.org/sds/IND/site\\_3152\\_e.htm](http://www.iadb.org/sds/IND/site_3152_e.htm) in English and [http://www.iadb.org/sds/IND/site\\_3152\\_s.htm](http://www.iadb.org/sds/IND/site_3152_s.htm) in Spanish.

<sup>9</sup> A copy of the Synthesis Report is available at doCip or at: [www.MAweb.org](http://www.MAweb.org)

**IWWF** present the outcomes of the conference “Bringing Indigenous Perspectives to the International Arena: An Indigenous Women’s Conference” held in New York in preparation for the Beijing+10 process. More than 110 women from 22 countries representing all regions of the world participated in the conference to further develop their leadership skills, enhance their participation in the decision-making process, and ensure that indigenous women are entered into the agenda.

### Central and South America

In a collective statement<sup>10</sup> **CPNAB** recommend that the PF urge the UN development and intergovernmental agencies to provide sufficient financial resources to combat poverty while taking into account proposals of communities for self-development.

**AJIA** declare that mechanisms need to be implemented within the framework of the MDGs to recognize and protect the traditional knowledge of IPs related to foods and the preservation of agricultural diversity. They are particularly concerned by the introduction of genetically modified foods into their territories, affecting not only the environment but also their agricultural economies. **AJIA** are also concerned by the impact of protected areas on IPs traditional life style and subsistence, especially considering that many protected areas are created without consulting the affected indigenous communities.

**CAIPCD** recommend that the PF urge FAO to protect the livelihoods of small-scale traditional agriculture.

**CAPAJ** urge the PF to recommend the UNESCO, UNDP, FAO and other bodies involved in the fight against poverty to establish new terms of reference to measure poverty and to adapt their strategies accordingly so that IPs’ specific situations may be better addressed.

**INDESIC** recommend the promotion of higher education of IPs in the social sciences, the integration of specialized institutions such as **INDESIC** in the commission and permanent forums, and to take advantage of the network and know-how of local institutions in the projects of the UN agencies.

**MV** recommend that FPIC be reaffirmed as an inalienable right during the implementation of the MDGs (also **Indigenous Women’s Caucus**) and that a study be carried out on the violation of FPIC in Mesoamerica.

**SERVINDI** assert that the strategies of free trade imposed on IPs are also one of the causes of poverty. IPs have been forced into poverty by the new economic system, privatisation and deprivation from their land and resources.

**BRAZIL** is fully committed to the MDGs, and this commitment is translated into real action, both at the national and international level, an example being President Lula’s convocation to the Meeting of World Leaders Against Hunger and Poverty.

**VENEZUELA** declares poverty reduction requires not only economic growth but also equitable distribution of wealth and social welfare through the establishment of social justice. Venezuela believes that without the unconditional recognition of IPs’ rights, globalization represents a form of neo-colonialism that intensifies the differences between the rich minority and the dispossessed majority.

### North America

**NWAC** state that development, or lack of, affects indigenous women in a disproportionately negative manner. Gendered racial discrimination, the impact of the globalized economy on traditional economies and the loss or depletion of ecosystems, need to be addressed with concrete measures.

**AILA** and **SGF** report on the onslaught of governmental and commercial exploitation, privatization and commodification of water, denying IPs’ rights to clean water, to health, to self-subsistence and to their sacred relationship to water. They recommend the appointment of a SR for the Protection of Water to gather information, that the PF advocate for full participation in the upcoming World Water Forum in Mexico City (2006) and that the Commission on Sustainable Development take steps to protect water from privatization.

**YNAM** would like to know what the PF can do to ensure that treaties and arrangements are respected by governments. IPs, as original inhabitants of their lands, are entitled to a compensation for the use of their land by settlers over the past 500 years, mechanisms should be set up to repay this debt to IPs.

**IITC** present the outcomes of the “Declaration of Atitlán” resulting from the first IPs’ Global Consultation on the Right to Food and Food Security. The preamble underscores that the “denial of the Right to Food for IPs not only denies us our physical survival, but also denies us our social organization, our cultures, traditions, languages, spirituality, sovereignty and total identity, it is a denial of our collective indigenous existence.”

A leader of the **hul’qumi’nem people** from six Coast Salish Nations (member of **AFN**) declares that as non-treaty Indians negotiating a modern day treaty with Canada, they have never sold nor ceded control over their lands. Canada’s Comprehensive Claims Policy has not been amended despite the Supreme Court of Canada’s judgement in favour of the IPs’ claim.

<sup>10</sup> The supporting organizations are: **LL, CIMCIB, SPOO, CAPAJ, FPCI, CPINM, CASPIM, IITC, FI.**

CANADA is pleased to see that its policy regarding IPs is in line with the strategies to achieve the MDGs. Canada's policy includes strengthening indigenous participation, ensuring education and training for IPs, as well as providing necessary tools for improved quality of life and cultural preservation.

### Asia and Pacific

The **Asia Caucus** recommend the mainstreaming of indigenous issues by governments and the UN system, including the country offices. The PF should urge UN agencies and governments to fully involve IPs in post-natural disaster reconstruction and rehabilitation processes.

The **Pacific Caucus** ask the PF to consider how their annual regional workshop might be enhanced to advance the work of the PF. Regarding MDG1, they recommend that the PF: oppose projects that impose unwarranted constraints on IPs or that require the privatization of resources; that the MDG reports include sections on IPs; that states ensure IPs' rights to medical health care; and that the ECOSOC be reminded that reducing military expenditure is a way to alleviate poverty.

A collective statement<sup>11</sup> presented by **NKIKLH** proposes the following recommendations: 1) urge the PF to adopt the report by the expert on human rights and extreme poverty Arjen Sengapta (E/CN.4/2005/49), in which extreme poverty is redefined as a composite of income, human development and social exclusion; 2) recommend the International Monetary Fund (IMF) and WB to amend their Articles of Agreement by adding "while respecting human rights, particularly, economic and social rights"; and 3) active participation of IPs should be ensured at the Pacific Island Forum. They also voice their concern regarding the negative impacts that the Pacific Plan will have on IPs.

**SAIWF** declare that the MDGs should mean: redefining poverty, redefining and redesigning development, re-delegating responsibilities, reallocation and redistribution of resources and ensuring IPs' rights to lands, resources, language, culture, identity and self-determination. SAIWF also recall that armed conflict is a major source of poverty and destruction.

**AITPN** agree with the HCHR's comment on States' obligations regarding human rights. AITPN question whether the MDGs can really be said to have a rights-based approach and is concerned that IPs' situation has not been improved thanks to the MDGs, in fact most State mid-term reports do not include IPs. The IPs have not been invited to participate in the Common Country Assessment (CCA) and the UN Development Assistance Framework (UNDAF).

**RLP** describe the irreparable damage caused to IPs by development projects, such as the Tipaimukh High Dam Project in the **Naga** territory (Manipur, India), which will result in permanent loss of land, displacement of IPs, and numerous economic and health problems.

**KKF** declare that the **Khmer Krom** in Southern Vietnam seek nothing more than their rights to social and economic justice in their ancestral homelands, of which they have been deprived and which were neglected by Vietnam.

**ZORO** assert that if the **Zo** people are to reap the benefits of the MDGs, the following steps need to be taken: primary education needs to be offered in local dialects (also **Indigenous Women's Caucus**), health care should be performed through visiting doctors and available at local centres, infrastructure facilities should not alienate IPs from their resources, and IPs should be able to develop themselves in their own ways.

**IAITPTF** affirm that the main barriers of the MDGs are: the denial of democracy, lack of access to participation in administration, development and decision-making processes of state building, and lack of recognition of IPs as distinct peoples (also **Pacific Caucus, Indigenous Caucus**).

**AUSTRALIA** recommends that states adopt policies to promote overall economic growth of the nation, while ensuring that IPs have the necessary skills to participate in this growth. Indigenous communities themselves need to find innovative ways of reconciling individual economic aspirations with collective traditions of land ownership.

**LAOS** lists the economic measures taken by the government to meet the MDGs based on the National Growth and Poverty Eradication Strategy.

**INDONESIA** assures that its National Strategy to Eradicate Poverty emphasize a rights-based approach, it is essentially people-centred and pro-poor. Statistical evidence confirms Indonesia's success in eradicating extreme poverty. Constructive collaboration between civil society, national, and international actors is an indispensable element in the combat against poverty.

**VIETNAM** reports that since 1990 it has reduced the number of people living in poverty by half and is committed to reducing it by another 40% by the year 2010. Vietnam considers that the comment in document E/C.19/2005/4/Add.13 stating that: "Vietnam is on track to achieving the MDGs (...) at the expense of the IPs", is inaccurate and ill-intentioned.

<sup>11</sup> The supporting organisations for this statement are: **RPCC, THR, BAG, PCRC, IWA, KF, WCC, NIA, TTK** and others.

### Central and Eastern Europe, the Circumpolar and Russia

The **Arctic Caucus** assert that measuring whether MDG1 has been reached or not, is a matter of evaluating to what extent IPs' rights to land and resources are respected. Global climate change is affecting the capacity of IPs of the Arctic – and in other parts of the world – to maintain in a sustainable manner their traditional subsistence way of life, this is a key issue when talking about poverty reduction.

**NORWAY** welcomes the leading role taken by the PF regarding the interpretation and implementation of MDGs, both within the framework of human rights and in relation to specific indigenous rights to land and natural resources, bilingual education, culturally appropriate health services, etc.

**GREECE** declares that IPs' control of their cultural and scientific heritage will be absolutely central to their ability to benefit from access to the world market.

**FINLAND** emphasizes the critical importance of the long-term enhancement of IPs' participation – on equal terms – in the general conduct of all public affairs, giving special attention to women and youth.

In its efforts to support IPs **DENMARK** has studied and developed a set of “best practices” on how to include indigenous issues in the sector programme support, the draft of these “best practices” was presented at the PF. Denmark has also developed a “Technical Note on Monitoring and Indicators on IPs”.<sup>12</sup>

### Item 3b: Millennium Development Goal 2, “Achieve Universal Primary Education”

The **UNESCO** reports that it has refocused its education programme so as to place priorities on outcomes of the World Education Forum held in Dakar (2000). UNESCO emphasises the need for culturally and linguistically pertinent curricula in which IPs' histories, values, languages, oral traditions, knowledge, know-how and spirituality are recognised, respected and promoted (also **OHCHR**, **Andean Parliament**, **AFN**, **SFN**, **Pacific Caucus**). UNESCO and the OHCHR co-organised the expert seminar on “Indigenous Education in the 21<sup>st</sup> Century” (2004) bringing together sixty participants from ministries of education, IPs' organisations and experts. The conclusions from the seminar stipulate that<sup>13</sup>: although the right to education is universally recognised, IPs still do not exercise it fully (also **UNICEF**, **ILO**); the demographic dispersion of IPs, their nomadic or semi-nomadic lifestyle and the lack of adequate transport often makes it hard for children to attend the few schools available; various types of discrimination against indigenous education persist in the administration systems, including assimilationist policies (also **ILO**, **NEFIN**); intercultural bilingual education faces difficulties such as the small number of teachers, who are inadequately trained, and the lack of involvement of IPs in designing and running their own education centres. The seminar also concludes that indigenous education adapted to IPs' cultures and values is the best way to guarantee the right to education without necessarily excluding them from the outside world and global economy (conclusions endorsed by the **Pacific Caucus**).

The **UNICEF** declares that education embodies the continuity of society, including its cultural diversity. The Convention on the Rights of the Child stipulates that indigenous children have a right to enjoy their own culture, to profess and practice their own religion, and to use their own language. To ensure this right indigenous communities, including the children, must participate in all decisions regarding their education, not only in determining the content but also its management (also **ILO**). UNICEF supports bilingual education programmes and has set up Education Councils that advise governments on indigenous education. UNICEF believes that intercultural education should also be available to non-indigenous children (also **ILO**). In Mexico UNICEF has supported “Child-Friendly Schools” because it believes schools should be used to promote children's rights to education, water and sanitation, nutrition and identity. In response to the PF experts' questions, UNICEF agrees that more pressure should be exerted on states that have monolingual policies.

The **OHCHR** states that as long as indigenous children and youth do not obtain education they are likely to continue belonging to the most deprived groups in society, thus MDG1 and MDG2 should be considered jointly. The **WB** informs that it is currently financing 237 projects involving IPs, with some 97 under preparation. It recently updated its study on “Indigenous Peoples, Poverty and Human Development in Latin America: 1994-2004”. The WB proposes to host a workshop on “IPs and Poverty” in 2006, and to facilitate a meeting of selected PF members with the Multilateral Financial Institutions – Working Group on Environment, in fall 2005. The **ILO** is especially concerned that the low education level of indigenous children makes them more vulnerable to becoming victims of child labour, forced labour and other serious violations of human rights (also **KKF**).

The **Indigenous Education Caucus** asserts that the MDG2 does not accurately or adequately address the comprehensive continuum that is – or at least was – the Indigenous Education System developed throughout IPs' history. The restoration and restitution of IPs' land will undoubtedly restore the Indigenous Education System and IPs' general education levels.

<sup>12</sup> Copies of this report are available at [www.um.dk](http://www.um.dk) in English. Spanish and French translations are underway.

<sup>13</sup> For the full report of the Expert Seminar (E/EN.4/2005/88/Add.5), contact doCip.



**CI** inform that through their Indigenous and Traditional Peoples Initiative, they are establishing alliances with IPs residing in hotspots (areas of high biological diversity) and wilderness areas to allow for better understanding of IPs' perspective related to biodiversity conservation and sustainable development.

### Central and South America

The **Ecuadorian Caucus** (consisting of 13 organisations) inform that even though they succeeded in introducing an official recognition in the Ecuadorian Constitution of Intercultural Education in 1998, the government has not respected this recognition.

The **Brazilian Caucus**, **CONAMI**, **INBRAPI** and **ITC** declare that despite the fact that Brazil is one of the promoters of the Convention on Biological Diversity (CBD), it has still not created a legislation that protects and recognizes IPs' collective rights.

The **Indigenous Women of South America** recommend that the governments promote indigenous education systems, include indigenous knowledge in the national curricula, and that bilingual and multicultural education become a government policy (also **IPCGC**, **CAIPCD**, **JOHAR**, **ICITP**, **ANIS**, **MOSOP**). They also recommend the promotion of sex and reproduction education to avoid teenage pregnancies (also **NWAC**, **Pacific Caucus**).

**WIIB**, **CONAMI** and **EP** declare that IPs' education systems are intimately related to their traditional knowledge, spirituality, recognition of their self-determination, lands, territories and natural resources (also **AFN**, **IPCGC**). The majority of the Latin American countries promote bilingual programmes without consulting IPs, resulting in identity crisis of indigenous children. They recommend that UNICEF, UNESCO, ILO and the WB, jointly with States and IPs, draft norms that can guide states and ensure the respect of IPs' rights.

**FI** recommend that mechanisms are set up to co-ordinate the work of the Second Decade with the MDGs.

**SERVINDI** recommend that the UNESCO carry out a study on the negative influence of mass communication, which presents stereotypical and discriminatory images of indigenous peoples and women. There should be an automatic compilation and distribution of best practices of bilingual education.

**PUMC** result from the efforts of the *Universidad Nacional Autónoma de México* to train intellectual indigenous specialists to be the motor for a more fair society. One of its projects is the electronic review "Learning and Teaching Indigenous Languages". Financial aid is also made available to indigenous university students to ensure that they can finish their degree.

**CNB** declare that in theory bilingual education programmes in Panama are being developed, but in practice they are inadequate since many of the teachers involved in this programmes ignore the indigenous languages and way of life. The objective for CNB is a **Ngo** person that understands that the reality in which we live has changed and that IPs need to educate themselves in order to access the resources and benefits of the current world.

**GUATEMALA** counts currently 18'000 indigenous teachers out of a total of 88'000 teachers. However, still half of the indigenous population is illiterate against 30% within the general population. Indigenous women in rural areas are particularly affected by illiteracy, 7 out of every 10. The government has taken measures to ameliorate these figures such as by incrementing the budget of the Education Ministry and through the regeneration of the Bilingual and Intercultural Education policy.

**GUYANA** declares that the substantial foreign debt acts as a real barrier to the implementation of the MDGs. In order to alleviate the shortage of qualified teachers in Amerindian communities, distance-learning teacher-training programmes have been piloted.

**MEXICO** passed a General Law on Linguistic Rights that recognises indigenous languages as national ones and which led to the creation of the National Institute for Indigenous Languages.

### North America

The **North American Caucus** draw attention to the crucial importance of language for the successful achievements of the MDGs. They propose that the UN call an "International Year of Indigenous Language" for 2007 (also **WCC**), that indigenous languages constitute a major theme of the new Decade, and call for funding for language revitalization projects (also **IPCGC**).

**IITC**, **IEN** and **FND** draw attention to the severe reduction in the educational capacity of children due to mercury contamination of indigenous lands, air and water, from past, current and proposed coal, mercury and gold mining. To resolve this issue the UNEP's Chemicals Mercury Programme should ensure the inclusion of IPs in all its actions.

**AILA**, **SGF** and **Tonatierra** declare that: "regaining our pure spirit must include a process of decolonization of our minds to heal the historical grief and trauma that we lived with for generations. In many communities it is this trauma that has hindered us more than poverty or any lack of education." The adoption of the Draft Declaration (DD) is critical to the preservation of IPs' life-ways and future. They point out that because IPs in "developed countries" are colonised by a wealthy country instead of by a "developing" nation, they do not have access to technical assistance or support from UN agencies. The PF should see to the eradication of this type of discrimination.

**SFN** state that in Canada, Aboriginal organisations have been advocating for the control of First Nations Education systems since the 70s, as well as advocating the point that Education is a treaty right. The MDG2 should take into account the process of cultural genocide inflicted upon IPs for generations, and incorporate the previous recommendations of the PF regarding education.

**BRDN** point out that traditional knowledge needs to be taught in traditional ways. They do not want their children to be educated as consumers and patriots but as **Dene Sulené**. IPs must be allowed to preserve their identity, culture and traditions in order to keep their place in the human family.

**NWAC** affirm that while achieving universal primary education is an important first step, this is not enough to ensure that indigenous children, particularly girls, have the adequate levels of education to be self-sufficient adults and live free from poverty.

The **AFN** Chiefs Committee on Languages mandated to protect First Nations language rights throughout Canada, have produced two reports: "National First Nations Languages Strategy: A Time to Listen and the Time to Act" and "Draft - First Nations Languages and Foundation Act". Aboriginal children in Canada have a right to speak and be educated in the language of their ancestors. This right was denied to many of their parents and grandparents, it is now the responsibility of the Canadian government to implement policies that will protect and ensure the future of the First Nations Languages.

**CANADA** reports on the Canadian International Development Agency's (CIDA) activities regarding IPs. CIDA will tailor its contribution in five areas: governance, private sector development, health, basic education and environmental sustainability; gender being a crosscutting theme in all areas. In March 2005 CIDA re-launched the "Indigenous Peoples Partnership Programme (IPPP)", a \$10 million pilot project in Latin American Caribbean region. IPPP promotes the exchange of knowledge, experience and expertise between Canadian Aboriginal organisations and Indigenous organisations in Latin American Caribbean. Five projects in the Russian North involve IPs; the most important known as "Institution-building for Northern Russia's IPs" has three main components: indigenous-to-indigenous (RAIPON and ICC), government-to-government (Russian and Canadian), and indigenous-to-government (RAIPON to Russia).

## Asia and Pacific

The **Pacific Caucus** inform that the right to education is recognised in the Universal Declaration of Human Rights, the two international covenants on human rights, the CERD Convention, the Convention against Discrimination in Education and ILO Convention 169. Other relevant declarations include the Universal Declaration of Linguistic Rights and Articles 15 and 16 of the DD. The Pacific Caucus recommend that the PF, UNESCO and WGIP inform themselves regarding the Pacific prototype models in education, based on families being the first teachers.

**WCC** informs on the outcomes of two reports: the Program for International Student Assessment (PISA) (2004), which assessed students' achievements in literacy; and the Report of the Review of Aboriginal Education (2004), which maps the current status of Aboriginal students within the state of New South Wales, Australia. Conclusions from the reports stipulate that Aboriginal children achieve similar standards to the children in developing countries, whereas non-indigenous achievement is clearly linked to socio-economic income. Aboriginal students by Year 3 are 18 months behind in terms of learning, and by Year 5, 20 months behind, and so on. Regarding IPs' languages, WCC is concerned by the UNESCO figures indicating that on average one language is lost every two weeks.

**NKIKLH, IWA, KF, WHCC and KCHS** declare that data gathered from all regions indicate that indigenous children educated in their mother tongue have better success rates, grades and comprehension than those who are not. The PF should consult with the UNESCO to draft a policy regarding IPs and educators for UNESCO projects.

**TTK** present the Republic of Vanuatu as an example of good practices by IPs since its economy is based on collective ownership, collective use of land, and shared natural resources and economic benefits to sustain peaceful co-existence. The Melanesian Institute of Philosophy and Technology is the co-ordinating centre for seven levels within the Indigenous Education System and teaches 50 areas regarding the indigenous philosophy of life.

**KLH** recommend that the UNESCO conduct a formal program review of the No Child Left Behind Act and that all governments (including the WB) set aside one dollar per year to establish a fund for primary education. The Hawaiian language needs desperate support otherwise it will soon be extinct.

**PTC** assert that Papua IPs continue to be denied their basic right to formal and informal education. The assistance of relevant UN bodies and the WB is necessary to ensure the education of Papua people, with special emphasis on literacy, but also to make them aware of the benefits of educational institutions.

**AHF** declare that it is crucial that the PF recognise the role of missionaries in the destruction of indigenous knowledge systems and the domination of all forms of replacement education. The MDG2 needs to widen its scope to include other definitions of education, not only the standard Western model of state-controlled



education. Furthermore, the issue of education cannot be adequately discussed without considering the trafficking of women and children for sexual exploitation.

**BIPE, PCJSS, JPIC, JPNI and Taungya** caution that the setting of the school may well be a shady place within the forest and not necessarily a classroom in the mainstream sense. Also, despite IPs efforts of advocacy, they cannot expect their rights to be respected while the discrimination by policy-makers persists.

**KKF** declare that the **Khmer Krom** peoples need the assistance of the PF and UN system to enable them to enjoy education in their own language, to have their language officially recognised by the Vietnamese government and to build more schools closer to their settlements.

**AITPN** did not hear the WB mention anything about its efforts in achieving MDG2. Will the WB and IMF allocate separate resources to create a plan of action to achieve MDG2 using a rights-based approach that encompasses education in IPs' mother tongue? Furthermore, the WB has played an important role in the privatisation of education in Africa, with disastrous effects.

**WHPC** state that the **Hmong** people in Laos have suffered discrimination and forced relocation into the jungle since 1975, without any access to education, food or healthcare. WHPC ask that the UN and international community take action to stop this genocide. **HCICTP** declare that the Hmong are being persecuted for learning, writing and speaking their own language. HCICTP appeal to the Lao government to stop all acts of violence against the Hmong people.

**SAIWF** inform that in South Asia, the school buildings are often used for military purposes. Another related alarming situation is the mass kidnapping of children from schools as soldiers.

**KSU** recommend the creation of a specific body within the PF to provide concrete solutions regarding armed conflicts between government authorities and indigenous armed forces.

**NEFIN** announce that because of the discriminatory education policies and practices, education has not been accessible to indigenous citizens in Nepal.

**NNO** declare that despite the King's promise to universalise schools in Nepal, many students still have to pay for their tuition. Furthermore, IPs in Nepal have been marginalised and discriminated since the creation of the modern political history of the state. The promises made by Nepal to the international community are very different to the reality experienced by its people.

**INDONESIA** has implemented community-based education management as a method of decentralising education and ensuring that it is distributed equally to all groups. Furthermore, community identities are being respected and preserved within this decentralised system.

## Africa

The **African Caucus** declare that only 15% of the indigenous youth in Africa follow a secondary education. Poverty is still one of the major barriers to education in Africa. An extensive reform of the educational system in Africa is necessary to provide IPs with adequate and appropriate education. The government, UN agencies and civil society have to collaborate in this regard.

**EMIROAF** declare that according to the research they carried out, the majority of children in West Africa are forced out of school because their parents cannot afford the soaring schools fees imposed on them and indigenous children are discriminated against since they are not taught in their mother tongue. The UN should work on mechanisms to assist countries that do not have the financial means to achieve the MDGs, and to fight against embezzlement of education funds by declaring it a crime against humanity.

**MOSOP** declare that the current educational models are based on legacies of colonisation, imperialism and slavery.

## Central and Eastern Europe, the Circumpolar and Russia

**RF** recommend on behalf of the **Gaelic** people that the Irish government amend the Constitution so as to include and uphold indigenous human rights, promote the defence of collective social and property rights, and register their mother tongue (Gaeilge) as a national language.

**SC** and **ICC** affirm that educational programmes for IPs are still very limited and western curricula still dominate in the schools.

**NORWAY** declares that today bilingualism and bicultural knowledge – on an operative level – are recognised in Norway as being crucial for the equal participation of the **Saami** in society. Saami children and youth can receive education in their mother tongue at the primary, lower secondary and University level. The Education Act requires that the national syllabus include teaching on the language, culture, and way of life of the Saami people as determined by the SC.

## Item 4a: Human Rights

### Interactive dialogue with the Special Rapporteur

The SR **Rodolfo Stavenhagen** informs that his main report to the OHCHR is on IPs' right to education. As regard to poverty, it affects IPs more severely than others, but poverty is not just a question of a lack of money. For IPs it is also lack of social services and access to resources. It forms a multifaceted web of poverty that can only be solved with comprehensive public policies. He encourages the PF to support effective implementation of the OHCHR poverty reduction guidelines when they are finalized. In the Second Decade, he encourages the PF to formulate specific actions to protect human rights. His next report will be devoted to implementation of norms, legislation and programmes relevant to IPs' human rights, and he asks the PF collectively and individually for input.

The **Asia Caucus** recommend the PF to consider indigenous women, children and youth as a separate sub-item of its agenda (also **PCJSS/BAF/Kapaceng/LL**); as well as to study ongoing militarization in IPs' communities and work to abolish laws that enable this (also **ANIS/ICSA**). IPs' representatives should be included in country's human rights commissions.

The **Pacific Caucus** recommend establishing a Pacific Region office of the OHCHR in Fiji (also **KLH**). The PF should monitor effects on IPs of disappearing nations (also **KLH**). They advise the UN Decolonization Committee to inscribe Rapa Nui, Maluku, and West Papua, and re-inscribe Ka laui Hawai'i, Guam and Te Ao Maohi (French Polynesia) on the UN List of Non-Self-Governing Territories (also **KLH**, and **KKF** for Kampuchea-Krom). The SR should investigate human rights violations in seven Pacific countries (also **IITC**). The PF should call for immediate adoption of the DD (also **African Caucus, AILA, KLH, WIIB, AAH**).

The **African Caucus** recommend that African states ratify instruments protecting IPs' rights. These should be explicitly recognized where possible, otherwise corrective action should be taken. Indigenous children are subject to forced recruitment by armed groups in the Democratic Republic of Congo (DRC) and Central African Republic, while in Cameroon, Uganda and Burundi IPs are subject to torture and violence.

**IYC** call for the UN to allocate resources for human rights training including navigating the UN system. The SR should deal directly with IPs and not with state officials who minimize the severity of the situation.

**Fiji** acknowledges the work of the SR and affirms the Pacific Caucus Statement. It wants to see national and international equal recognition of individual and collective rights.

**Miguel Alfonso Martinez, Chair of the WGIP**, reports that though the WGIP's usefulness has been questioned in light of the PF's existence, the complementary mandates of all three mechanisms (including the SR) have now been clearly defined and these are working with the international community on IPs' issues. The main cause of economic and cultural poverty is loss of land and lack of access to resources. He reaffirms the WGIP's contribution to IPs issues, which cannot be solved by any single body (also **Willie Littlechild**).

The PF, says **Victoria Tauli-Corpuz**, is looking into how to improve this collaboration between WGIP, SR, the PF's friends, the agencies and the Indigenous Caucus.

The **Ecuador Caucus (FEINE, CONMIE and others)** note violations of IPs' human rights in Ecuador associated with migration. They recommend states to sign and ratify the International Convention on the Rights of Migratory Workers and their Families. The CERD should evaluate the application of the Durban Action Plan and report at the 2006 PF.

**ECMI** report on violence against women and drug trafficking in Colombia, where the state fails to protect IPs. Special attention should be directed to children and youth affected by political violence, most of whom are indigenous.

**AFN** emphasise that the right to self-determination is fundamental to all other aspects of IPs' lives. Canada should eliminate economic penalties for First Nations and treat them as sovereign governments, and should also ratify ILO Convention 169 (also **Willie Littlechild**). First Nations have the right to be educated in their language and culture, just as other Canadians are (also **ICN/NWAC/CAPC**).

**ICN/NWAC/CAPC** observe that the SR's conclusions on poverty also apply to the relationship between poverty and rights and resources. Noting its reputation as a defender of human rights at the UN, they urge Canada to take a stronger leadership role in protecting IPs' rights.

In a joint statement, **GCC, ICC** and others find the claim that "collective rights are not human rights" is both illegal and an obstacle to progress of the WGCD (also **RAIPON**). For 24 years the UN has tried to pass the DD, but the WGCD chair has never applied human rights criteria from international law. The PF should recommend that ECOSOC urge the WGCD to carry out its mandate in a way that upholds the UN Charter and international law; to adopt new and dynamic methods of work to include more IPs' participation; and to invite the SR to contribute his knowledge and findings to the WGCD.

**AILA** also express frustration with the working methods of the WGCD chair and ask the PF to recommend that the WGCD add an indigenous co-chair. Changing the 1994 language should only be done to clarify and

strengthen the original document (also **IITC**), while the provisions receiving overwhelming support from participants should be promptly, albeit provisionally, adopted.

**IITC** explain that the WGCD does not include a viable mechanism for real input by IPs who cannot attend sessions. They call upon the PF to intervene, and recommend that ECOSOC reaffirm the Sub-Commission text as the basis of the WGCD discussion. No DD will be adopted without IPs' FPIC. This should also be addressed in the upcoming workshop in Mexico.

**OWAW** ask the PF to investigate human rights abuse by the US immigration service along the US-Mexico border. They call for the SR to visit and meet indigenous leaders, as they were not informed of his last visit.

**KKF** report human rights violations in Vietnam and the Lao People's Democratic Republic. The **Khmer-Krom** and **Hmong** peoples' identity must be acknowledged, and a report on human rights violations should be disseminated.

**PCJSS/BAF/Kapaeeng/LL** report that human rights violations continue in Bangladesh even after signing of the Chittagong Hill tracts (CHT) peace accords, including arson, rape, and desecration of temples. They inform that some of these have been carried out by Bangladeshis who served as UN Peacekeepers elsewhere.

**WAC/JOHAR/ICITP** explain that the human rights situation of IPs in Asia and Africa has continued to deteriorate. Also they say that peace between religions and cultures, and protection of resources are necessary to many IPs' survival.

**GREPNET** are concerned that the state-sponsored repression against IPs in Nigeria has not changed in the decade since Ken Saro Wiwa was hanged, except that the leaders' clothing has changed from military to civilian. Militarization of the oil producing communities has killed many IPs, while poaching and pollution affects their heritage. They urge demilitarization of oil-producing Niger-Delta indigenous communities and inclusion of IPs in decision making.

**RAIPON** ask why the Russian Federation, among other states, has signed but not ratified ILO Convention 169 and other treaties dealing with IPs' rights, and requests the SR to investigate changes in national legislation that affect IPs.

**RAFUP** say that IPs' rights are guaranteed by the Russian Federation's Constitution but applied unequally in the regions. Those not possessing strong leaders or oil depend on the federal government. The law to protect numerically small IPs has been changed to the detriment of IPs.

**Hassan Id Belkassm** asks for a partnership to be created between the three UN mechanisms concerned with IPs in order to get IPs' rights to resources and self-determination recognized at national level.

**Victoria Tauli-Corpuz** expresses the need for technical cooperation to increase the capacity of existing human rights machinery to be more independent of national governments and thus able to address the situation of IPs.

**Willie Littlechild** states, in relation to the SR's suggestion to have focal points in country teams, that such teams do not exist in all countries.

**Parshuram Tamang** asks the SR if national human rights institutions are effective in addressing human rights violations against IPs. Many IPs live in isolation, but this is not addressed in the SR's report. He asks the SR about plans to visit Asia.

**Otilia Lux de Coti** notes the importance of open dialogue and asserts that IPs have their own ways of listening [with regard to passing the DD]; still, there needs to be open debate on FPIC, on lands and resources and on self-determination.

**Nina Pacari Vega** affirms the SR's analysis that problems will not be solved without addressing the colonial structural roots of the problems, that is, without political change. She asks the SR how to get more governments to supply useful information about the situation of IPs.

**Aqqaluk Lynge** is concerned about the way media portray IPs more as cartoon figures than as real beings.

The **SR** is encouraged by the three different UN entities relative to IPs and says these must encourage the UN to focus on IPs' issues. He agrees with M.A. Martinez that there is no rivalry between the PF, the WGIP and the SR. He is optimistic about progress on the DD.

**Miguel Alfonso Martinez** acknowledges that the work of the three groups dealing with IPs' issues could be intensified but must be based on national and international recognition of IPs' rights. Otherwise poverty will not be reduced. Adopting the DD is central to getting recognition of IPs' rights nationally and internationally. The three mandates could also help in the DD negotiations, but there needs to be a formal request for this. Every mechanism available, including treaty bodies, should be used.

The **OHCHR** will try to implement the SR's recommendations in the form of projects in countries. It is working on standard setting, such as FPIC, with the private sector. In terms of capacity building, it invites the PF to act as a source of substantive input in cooperation with its activities.

### Central and South America

**ANIS/ICSA** say that free media are necessary for publicizing human rights violations. Apathy regarding IPs' rights is caused by lack of information. The role of trans-national corporations should be investigated.

**CAPAJ** ask the PF to recommend all UN agencies to take a pro-active role in assisting governments to incorporate the recommendations in the report of the Expert Seminar on IPs and Administration of Justice<sup>14</sup>. Also the PF should invite the WGIP to include “Indigenous Peoples and the Administration of Justice” as a permanent item on its agenda.

**DEPIEA** recommend that since the UN is not acting, IPs must take action within the UN on self-determination.

**ONIC/ACINC** report on the Cauca area in Colombia, where IPs have formed an Indigenous Guard as a unifying community structure based on civil society. This is at odds with State development policies and should be recognized as an international peace organization.

**CTT** inform that although the SR visited Chile in 2003 there has been no dialogue on his recommendations. The PF should follow up SR’s recommendations, and to bring about dialogue on them, should send a mission to Chile.

**JJCCJ** inform on their seminar on IPs’ human rights in Chile regarding the **Mapuche**. They ask Chile to recognize the genocide and the PF to recommend ECOSOC to formulate a mechanism for mediation in the land dispute with Chile.

**IPCGC** assert the need to promptly adopt the DD. They recommend that CARICOM and the Association of Caribbean States establish a desk for IPs’ issues, and that the SR pay particular attention to the Revision of the Amerindian Act of Guyana. They recommend that Greater Caribbean States facilitate border crossings in view of common ancestral heritage.

**AP** report that while their peoples live in misery, developing countries have paid to their creditors 50 times the amount the US paid Europe after World War II.

**TC** call attention to individual and collective aspects of human rights. In Bolivia IPs’ human rights have been violated in a feudal system that views them as foreigners in their own territory (also **ICSA**). They recommend the UN to impartially address the violations of IPs’ collective rights.

**WIIB** express disappointment that IPs’ rights have still not been recognized internationally. Though progress has been made in the First Decade, States continue to violate rights they have already recognized.

**UCTP** lament the lack of progress in decolonisation issues with regard to **Taino** peoples in Puerto Rico. They urge the PF to recommend that the Taino peoples and Puerto Rico be included in the SR’s decolonisation study and the Secretary General’s mid-decade review.

**MIP** say Peru is enacting laws against IPs. Free trade agreements are being negotiated without IPs’ approval.

**CHILE** supports the adoption of a DD that sets down guidelines and permits states to adapt them to their own social realities without prejudice to fundamental rights. It is making efforts to increase young indigenous families’ access to land, and encourage eco-tourism with indigenous entrepreneurs.

### North America

**CAPC/ICN/NWAC** call attention to the situation of “non-status” Aboriginal people who live off reservation, a designation that the SR has said applied to most Aboriginal people who live in Canada, with more than half of them in urban areas. With ever fewer people eligible for status as “Aboriginal Peoples,” they lose their right to exist as such. They urge Canada to implement the OHCHR recommendations on this matter.

**SCA** report on the sovereignty of the **Anishinabe** people. They are neither Canadian nor US citizens, and ask for the UN recognition of their sovereignty and treaty rights.

**ICYC** request the UN to analyse the environmental, socio-economic and cultural impact of military activities in the Arctic (also **MOSOP/NYCOP** for the **Ogoni** in Nigeria; **SAIWF** for South Asia; **PCJSS/BAFK/LL/PCG** for Bangladesh and CHT; **OVAW** for US-Mexico borderlands; **KLH** for Hawai’i; **IYYC/Latin American Caucus** for IPs in general). ICYC recommend that the UN facilitate development of suicide prevention strategies among IPs, as suicide rates among Inuit are 10 to 20 times higher than in “southern” Canada.

**UNNTN** say the Native peoples of North America face destruction of their cultural existence. The Bureau of Indian Affairs has interfered in the affairs of the United Native nations, and the millions of dollars in gambling revenue has not benefited the people.

**PIPE** say more than 50 million people suffer from post-traumatic slave syndrome and lament the lack of treatment. They are not able to express themselves culturally as Africans, but must assimilate into their captors’ language and culture.

### Asia and Pacific

**PCG** say religious extremists have gained power in Bangladesh and the country suffers from suppression of media and of human rights activists and others. IPs and religious minorities are discriminated against. UN peacekeepers should be sent to Bangladesh, and economic sanctions imposed.

**KKF** recommend that missions be sent to investigate health conditions of **Khmer Krom** people in Vietnam, and to investigate human rights abuses in Kampuchea-Krom. A SR for Vietnam should be created.

<sup>14</sup> E/CN.4/Sub.2/AC.4/2004/6

**AIPP/TPP** report on the Formosan Aborigines, the original inhabitants of their territories before colonizers arrived. They negotiated agreements with these, but the current government does not recognise them as IPs. They ask the PF to recommend the state recognise them as IPs and restore their rights as such.

**IINN** draw attention to the **Yakaghir** of Yakutz in North Asia who are living in poverty and danger of extinction.

**AAH** say many **Ainu** occupy the lowest level of Japanese society because of exploitation. Lands and property have been taken, and collective rights to land and resources go unrecognised. MDGs may not solve all of IPs' problems. UN agencies should also work toward mainstreaming IPs' human rights.

### Africa

Despite the UN mission to Nigeria 10 years ago, **MOSOP/NYCOP** explain that nothing has changed with respect to human rights violations of the **Ogoni** by oil companies. The PF should request the Nigerian government to clear the names of the nine executed **Ogoni** activists, and the SR inform Nigeria on the human rights situation.

### Middle East

**ArS** report that **Armenians** are being killed by snipers and mines in the continuing conflict with Azerbaijan. They say Armenia has been misclassified as European, but it is an ancient Near East culture. They request the PF to include Armenia in indigenous matters. They ask how indigenous Armenians can be compensated for seized homes and lands.

### Item 4b: Disaggregated Data

The **Department of Economic and Social Affairs (DESA) Statistics Division** reports that it has been working with IPs on how they are included in national censuses and DESA databases. Data has been somewhat disaggregated, with most countries reporting by gender, many by ethnicity or religion, and some by residence (rural-urban). The data will be available electronically for the first time, and religion and language will be added soon.

In response to **Ida Nicolaisen's** question, **DESA** says that they collect data regularly, and encourage adding questions on ethnic identification.

**Aqqaluk Lyngge** says that censuses ask about birthplace, not identification, so agencies would have to pursue this information with states and regions. **DESA** replies that it is not working on ethnic identification at the national level, but only on the aggregate level.

**Nina Pacari Vega** points out DESA's national orientation and says IPs' extra-national territories need to be reconstructed for data disaggregation, in order to accurately represent them. Governments must take this into account.

**Victoria Tauli-Corpuz** adds that other IPs are nomadic and semi-nomadic, so the UN would have a role to play.

**Otilia Lux de Coti** says DESA should re-design its methods, otherwise nothing will change; IPs will remain as invisible as they always have. DESA needs to coordinate with ECLAC to produce data that IPs can use.

The **United Nations Population Fund (UNFPA)** explains that achieving the MDGs depends on local communities and on an enabling environment that includes economic, social and political factors, especially of youth and women, and approaches to racism and discrimination. IPs have the least access to education and health care, which keeps them in poverty. UNFPA is attempting to disaggregate IPs' statistics from other groups in Central America, and to get ethnic and gender-disaggregated data. They are also analysing migration and ageing trends, which will affect IPs.

The **CBD** recognizes the linkage between biological diversity and traditional knowledge. At its 2<sup>nd</sup> session the PF asked the CBD to organize a workshop to increase understanding of this linkage, and the workshop will take place in Japan on the following week. They are developing an ethical conduct code for IPs and local communities occupying the same land, and are negotiating an international regime on access to genetic resources. The PF is encouraged to take an interest, as it is an aspect of protecting traditional knowledge.

In response to **Parshuram Tamang's** query on the status of national legislation on access and benefit-sharing (ABS), especially with regard to IPs participation in elaborating this, **Victoria Tauli-Corpuz** says that IPs have participated in the working group on ABS, but governments did not heed their concerns – so the PF should emphasise these. The **CBD** respond that it is doing ABS workshops with regional groups, and just did one on traditional knowledge with the African Caucus, which came up with several recommendations for the WGCD.

### Central and South America

**ICSA** report that many IPs withhold their ethnicity in statistical studies, fearing to lose their land or their jobs. In a racist climate IPs change their names and identities, and statistics could be used adversely. IPs are not just rural, but also urban now.

**CAIPCD** call on the PF to request the OHCHR hold human rights trainings for Caribbean Antilles indigenous leaders in 2006. They ask the PF to recommend the UN organize a data disaggregation workshop for Caribbean Antilles people. The area should be a priority for study of indigenous urban youth, and a youth conference should be held there.

#### **Asia and Pacific**

The **Pacific Caucus** recommend the PF to ensure accessibility of IPs' data to IPs and request states to report on IPs data that has been collected or disaggregated in the Pacific Region.

**BIPF** report that disaggregated data on IPs is not available in Bangladesh.

**PCJSS/BAF/Kapaeeng/LL** emphasise that disaggregated data is necessary to address cross-cutting issues. A lead UN agency should take this on. The UNDP's RIPP in Asia should be extended to other Asian countries and other regions.

**NEPAL** reports that IPs constitute over 37% of the population but it still lacks disaggregated data on IPs. Macro economic models have overlooked the traditional knowledge of IPs. IPs' full participation in MDGs needs to be ensured. Nepal also recommends using disaggregated data in adopting policies.

**AUSTRALIA** observes the necessity for standardized data on IPs, but an international standard is unrealistic because of differing indigenous approaches to identity. Its Overcoming Indigenous Disadvantage Report presents indicators that can measure both disadvantage and government response, thus holding governments accountable.

#### **Central and Eastern Europe, the Circumpolar, and Russia**

**RAFUP** call for data to be made available, and including disaggregated data. IPs often live in sparsely populated areas, and many countries, such as the Russian Federation, are home to several IPs. Data on all groups is necessary, regardless of their size. IPs should be included in all stages of research. The UN publishes statistics every year, but not for IPs.

In summing up, **VictoriaTauli-Corpuz** says that the aspect stressed over and over is to find points of coordination to better use the existing mechanisms and make the difference be felt at the national level.

#### **Item 4c: Follow-up to previous special themes - Indigenous children and youth (2003) and Indigenous women (2004), and FPIC**

**Willie Littlechild** introduced the report on the International Workshop on Methodology Regarding FPIC of IPs (document E/C.19/2005/3). FPIC is necessary for achievement of the MDGs. The PF should participate in the WGIP with regard to FPIC, which should be considered in all development projects. A handbook should be developed on IPs' issues for country teams, and case studies undertaken on FPIC practices.

**ICCIC/CORE** report on their initiative on indigenous children. They request the PF to ask the IASG to support IPs and indigenous children's participation in a workshop on health and education and a seminar on the impact of violence.

#### **Central and South America**

The **Latin American Caucus** ask the PF to recommend that ECOSOC institute an international seminar on the cultural and socio-economic impact of bi- and multi-lateral accords (also **CIDPI**). They request resources for the establishment of a Latin American secretariat to follow up on human rights matters, and to create a SR for Latin America. All Second Decade activities including promotion and monitoring, should include the full participation of indigenous women.

**ECMI** call for states to implement quality education including indigenous cultures, sexual and reproductive health (also **CONAMI**). They call attention to young people affected by violence and sexual exploitation, especially IPs.

**CONAMI** say States must comply with ILO Convention 169, including the provisions on FPIC, and must make resources available for the participation of indigenous women.

**MIP** report on indigenous children who often have to work in the mines from the age of 5 and have no access to education, or walk 15 to 30 km to school. Indigenous women are treated inhumanly. They ask the PF to recommend to Peru to provide free education to indigenous women and girls.

**CIDPI** are dismayed at the continual human rights violations experienced by migrant IPs, especially women, who have left their own lands because of political violence. They have not been welcomed in the US and other countries, and have been denied education, work and freedom of movement. CIDPI ask the UN to establish migration regulations including reuniting families, protecting human rights and right to work.

**COLOMBIA** informs that it has pioneered in protecting IPs, who have unfortunately been attacked by armed groups, not by the government. The U'wa community exercised their right to prior consultation as established by law through a treaty signed with ECOPETROL. Implementation of security measures resulted in 45% fewer indigenous homicide victims in 2004 and Colombia is paying increased attention to displaced IPs.

## North America

**NWAC/ECMI/RD** recommend that in the Second Decade DESA and ECOSOC make indigenous women a central priority and dedicate 2006 to indigenous women and girls. They ask the PF to hold a workshop on this issue; and to monitor the implementation of the Second Decade goals with full participation of indigenous women.

**CPINM** report that an international committee was set up last year to promote indigenous women's culture. The goal is to promote and exchange cultural information, and they will organize the first indigenous women's artisan fair.

**AFNWC** say human rights mechanisms must better reflect intersection of gender with IPs' issues. Women's roles as historians and transmitters of culture were targeted by colonizers' assimilation efforts, and their access to education and resources must be encouraged.

**CANADA** says the special themes of indigenous children and women indicate ways to ensure children are equipped for the future, and women's creativity and energy are integral to their societies' development, such themes Canada has supported with parallel event. It has also participated in seminars on data collection and disaggregation, on IPs and education and on FPIC.

## Asia and Pacific

**SAIWF** lament that the war on terror compounds militarization in South Asia. IPs are suspected terrorists, are arrested, tortured and killed; children are kidnapped, girls prevented from going to school. They ask the SR to visit South Asia, especially Nepal (also **NEFIN**). They request the PF to ask UNICEF and UNESCO to take initiative to stop schools being recruiting and training grounds, and to ask CERD to pay attention to IPs' situation.

**KKF** address the situation of Khmer women in Vietnam, where they are disrespected and discriminated against. **Khmer Krom** women need rights, education and jobs to escape trafficking.

**NEFIN** report that in Nepal indigenous women are disproportionately victims of armed conflict, rape, and murder. They face racial, linguistic, and gender discrimination, and are deprived of education in their mother tongue. Rape and torture as a tool of war are a crime against humanity.

**PCG** express disappointment with Bangladesh's statement, which fails to reflect the true situation of IPs.

**BANGLADESH** stresses the importance of difference between IPs (original inhabitants) and tribal peoples (descended from settlers who came a few centuries ago). Bangladesh protects citizens' rights, including their 2 million tribal peoples, and gives them social benefits.

**NEPAL** informs that each community has the right to protect and promote its own language, script and culture, and to practice its own religion. There are daunting challenges to peace and development in Nepal due to violence and terrorist activities, but the government is fully committed to protecting the life and property of the people.

**VIETNAM** explains that discrimination is prohibited by domestic law and IPs are represented in all national bodies. The Constitution guarantees freedom of religion. The PF should not base its recommendations on information presented by organisations that have political agendas.

**INDONESIA** says that government decentralization has resulted in a culture of democracy where more power is vested in regional governments, permitting them to address regional issues according to their own local values. Papua's decolonisation was legally completed more than three decades ago. Regarding Aceh, some progress has been achieved in negotiations with the insurgency, but it borders on exaggeration to say that militarization exists in Aceh.

## Africa

**IPACC/YPA** report that indigenous women's development in East Africa is hindered by cultural exploitation, harmful practices including female genital mutilation, sexual abuse and molestation including early and forced marriage, and forced manual labor. They recommend the UN to actively promote women by going straight into indigenous communities, provide access to resources for entrepreneurship, and support for women and girls' access to education.

## Central and Eastern Europe, the Circumpolar, and Russia

**SC** present the recently concluded negotiations between Norway and the **Saami** parliament on resource use in Saami territories as a successful example of FPIC implementation. They draw attention to the negotiations on Saami rights with Finnish, Norwegian and Swedish governments and invite the PF to study these instances of good practices.

## Item 5: Future Work of the Forum

The **DESA** declares that according to an evaluation of the OHCHR on the first Decade, only 36% of the respondents noted positive changes in their indigenous communities over the past ten years. The proclamation of a Second Decade at this point in time is propitious and can be combined with the MDGs. Two important areas of the programme will be the active participation of IPs in development processes and the development of specific indicators and disaggregated data beyond the national aggregates. In the proposals received for the Second Decade two themes stood out: 1) the concept of partnership and 2) a human rights approach to development, centred on the concept of identity. The proposals for the Program of Action fall into three categories: 1) standard-setting, monitoring, and strategies and methods for implementation at the international and regional levels; 2) action-oriented programs to strengthen work at the national level; and 3) capacity building. Regarding standard-setting, one of the priorities of the Second Decade should be the adoption of the DD, the nomination of an indigenous co-chair would be a way to make the process more dynamic. Fundamentally, the Second Decade should emphasize improving the living conditions of IPs.

In response to PF members' comments, DESA informs that the first activity that has to be carried out is one of advocacy in the UN system regarding the objectives of the Decade in order to obtain a political consensus for their achievement. The action programme at the national level has to be tripartite between States, IPs and the UN.

**Aqqaluk Lynge** asks when an indigenous co-chair will be nominated for the DD process (also **Willie Littlechild**).

**Michael Dodson** is concerned about linking the DD once again with the Decade since it might encourage some participants to see it as a time frame in which negotiations can remain stagnant, while waiting for a third Decade to be proclaimed. Standard-setting should be separate from other UN activities and have its own time frame (also **Willie Littlechild**).

The **Indigenous Youth Caucus** recommend that the PF facilitate greater participation of youths in the Forum, create a permanent membership position for an indigenous youth as well as hire indigenous youths as staff to focus on this issue.

**TF**, together with 25 indigenous organisations from around the world, urge the PF and other UN related bodies to further the accountability of multilateral development banks towards all international human rights standards; especially in light of the World Bank's appalling recent decision to require free, prior and informed *consultation* rather than *consent* in its new policy on IPs.

**STP** as spokesperson of 26 indigenous organisations from around the world, strongly encourage the PF to produce an "Informational Video" for IPs promoting and disseminating information about the UN system. The PF staff should be enhanced by at least three more bilingual staff members, and invitation letters from the UN for visa purposes should be sent at least one and a half months prior to the start of the session. A database of "good practices - role models" should be made available to IPs and UN bodies.

**IPACC** and **CAF**, representing 20 French-speaking indigenous organisations from different regions, declare that the full participation of French-speaking IPs will only be possible once the oral and written translation services are significantly improved.

**doCip** together with **CFSC**, **AFSC** and **RD** recommend that, given the important nature of doCip's logistical activities, doCip be considered an official partner of the Second Decade, and that the PF inscribe on the Action Plan of the World Summit on the Information Society (WSIS) the activities of the documentary network that gathers together documentation centres specialised on indigenous issues. doCip urge the PF to find a solution for the Indigenous Caucus to be able to meet at no cost in the UN after 6 pm.

**PIPE** inform that the *Partnership Electronic Communication System* (PECS) has been launched and is the first NGO Internet Portal that will guarantee access to the internet for IPs world-wide.<sup>15</sup>

**TA**, a traditional gathering of Indigenous Nations from Central and North America, inform that a **TIANKIZCO** (Indigenous Peoples Free Trade Zone) has been created in downtown Phoenix with the goal of strengthening the regional economic presence of IPs.

## Central and South America

The **Latin American Caucus** made a series of general recommendations – and specific ones to certain countries – for a greater respect of IPs' rights. Recurring problems are still: the non-respect by States of peace accords or international or national agreements; disputes over territories, and official recognition of IPs and their cultures. **ECMIRS** emphasise that indigenous women and children are particularly affected by situations of violence and conflict in South America and have the least resources to defend themselves.

**PIA** invite the IPs from the whole world to boost their self-esteem and to be at the forefront in defending the values that define IPs as the original inhabitants of their lands.

<sup>15</sup> For more information see: [www.pipeorg.com](http://www.pipeorg.com).



**AN**, **INTII** and **FPCI** declare that the success of the Second Decade is dependent on the implementation of a new methodology and active participation of IPs in high-level meetings such as the CBD, UNFF and others, as well as at the national level.

**CAPAJ** propose that self-determination become a cross-cutting issue of the next PF, and that the PF pro-actively recommends the ECOSOC to formulate a plan of action toward debt cancellation. **CAPAJ** want to see the meaningful participation of the World Trade Organisation (WTO) and IMF at the next session considering their responsibility in achieving the MDGs.

**ACOIN** recommend that the UNDP establish a Regional Initiative on IPs in all regions of the world with an Indigenous Co-ordinator, and that the PF report back to the next session on the resources allocated to achieve this recommendation.

**CTT** recommend that the relevant expert of the PF present the results of the seminar on FPIC in the next meetings of the CBD, particularly to the Working Group on Article 8 (j), the Working Group on Access and Benefit Sharing and the Eighth Conference of Parties.

**YW** express dismay at the use of “issues” in the PF’s name, which they say refers to basic human necessities such as health, education, culture and other human rights. They recommend the PF decentralise its sessions, since many IPs are not present at the PF because they cannot afford a US visa.

**CAIPCD** inform on the current establishment of an International IPs’ Media-Information Caucus to better fulfil the mandate of the PF regarding the dissemination of information on IPs’ issues. Another recommendation put into action is the operational Indigenous Education Caucus. **CAIPCD** recommend the convening of a special Conference on Decolonization in the Caribbean Antilles in 2006.

The **Caribbean Caucus** recommend the inclusion of a Caribbean member at the PF and to establish regional offices of the PF in the Caribbean supported with the necessary funding. It asks that the preservation of sacred species be one of the goals of the Second Decade.

**CHILE** agrees that recognition of IPs’ rights is primordial but not sufficient, measures need to be taken to oversee and enforce their rights. This should be one of the main objectives of States for the Second Decade.

**GUATEMALA** highlights the need to better disseminate the activities of the Second Decade so that all sectors of the governments are informed and can contribute to its goals. Guatemala supports self-initiated and self-managed indigenous institutions.

#### North America

**IITC**, **IOIRD**, **CTSFN**, **IEN**, **FDD** and **FPCI** recommend that “lands, territories, treaties and agreements” become a permanent item of the PF’s agenda (also **ITC**, **LL**, **IAITPTF**) and be the theme for a next session. They are disappointed that the OHCHR is replaced by DESA in the co-ordination of the Second Decade and urge DESA to work closely with the OHCHR.

**ITC** and **LL** underline the urgent need for the PF to formalise its membership to the Collaborative Partnership Forum within the UNFF to secure indigenous rights (also **ICN**, **AN**, **INTII**, **FPCI**, **IAITPTF**). They call upon governments to put their energy into implementing recommendations rather than taking up time with interventions of a general nature.

**SFN** recommend that “Treaties, Agreements and Other Constructive Arrangements” be the theme for the next session. Further investigations need to be done by PF experts and SRs on the eradication of colonialism.

Regarding the projected UN structural changes, **AILA** recommend that the human rights section remain in Geneva, since the political atmosphere of New York would negatively impact its work. **AILA** also reject the proposal to universalise the CHR membership, it would reduce human rights standards and require too much energy from IPs who are already struggling to submit their concerns to 53 member states.

#### Asia and Pacific

**NKIKLH**, **IWA**, **KF**, **WHCC** and **KCHS** recommend that the PF initiate efforts to bring IPs with technology background, as well as an expert representing the PF, to the World Summit on the Information Society (WSIS) in Tunisia.

The **Asia Caucus** propose the following priority activities for the Second Decade: capacity building of IPs for improved participation; adoption of the DD within the next 2-3 years (also **Pacific Caucus**); a regional conference to be held on the concept of *indigeness* in Asia; promotion of cultural and intellectual property rights; new media training programmes for indigenous communities; appointment of an indigenous ambassador to promote the Second Decade; evaluation of national bodies directed at IPs; and improved collaboration within the UN on indigenous issues as well as increased resources for the responsible bodies.

The **Pacific Caucus** recommend the adoption of a permanent agenda item of the PF entitled “Reports on the Progress of the Second Decade”, from stakeholders and states. The UN should work towards the integration of indigenous women at all steps of the planned activities for the Decade and should employ more indigenous staff. The PF should encourage a joint effort in the establishment of best practices of the mining industry, particularly restoration and rehabilitation practices.

**SAIWF** propose “Engagement in Action” as the motto for the Second Decade and the creation of Regional Indigenous Councils to evaluate the achievements of the Second Decade.

**PCJSS**, representing ten Bangladeshi indigenous organisations, recommend that the PF formulate mechanisms for monitoring the implementation processes of treaties, accords, agreements and other legal arrangements, made between governments and IPs. The PF should also conduct an impact assessment of militarisation, land dispossession, and transmigration of non-IPs into IPs’ territories.

**AMAN** and **AFN** highlight the importance of respecting the principle of FPIC in indigenous communities affected by the Tsunami, especially in issues related to rebuilding of schools, employment and income generation, housing reconstruction, and IPs’ interest in alternative energy development.

**BAA** express their profound gratitude to the PF, its ex-president Mr. Ole Henrik Magga, the previous Pacific representative Ms. Mililani Trask, as well as to the NGOs and UN state members who by their intervention impeded the genocide of the **Maluku** people by the Indonesian military forces. However, the situation remains alarming and the PF should continue to closely follow any developments.

**IPSF** suggest the creation of a flag representing IPs presence at the UN to hang next to the country flags on 1<sup>st</sup> Avenue in New York.

**AHF** recommend that the PF enable more IPs to attend the Forum by facilitating their travel and visa procedure because greater representation of IPs is needed at the PF.

**HIHR** support mechanisms to monitor implementation of Decade’s priorities, increase the States’ contributions to the UN Volunteer Force (UNVF) and support an international summit focusing on IPs.

**INDONESIA** dismisses the claims by **BAA** as fabricated facts, political propaganda and separatist aspirations.

### **Africa**

**IIN** and **AIWO** urge a greater participation of African governments in the PF and ask the PF to provide funding for data collection on IPs in Africa. The PF should collaborate with the OHCHR to monitor human rights situations in Africa. The OHCHR and UNDP are to be congratulated for the HURIST programme in Kenya that has enhanced IPs’ capacity in human rights issues.

**CAURWA** and **IWGIA** recommend a close collaboration with the African Commission on Human Rights, whereby a member of the PF would follow up on the application of the reports of the African Commission.

### **Central and Eastern Europe, the Circumpolar and Russia**

The **Arctic Caucus** welcome the establishment of a single Indigenous Fund under the auspices of the PF, to enhance efficiency and decrease administrative charges, and encourage governments to contribute generously (also **Asian Caucus**, **IIN**, **AIWO**, **SAIWF**, **SP**, **FSP**, **Indigenous Youth Caucus**).

**ICYC** request that the UN pay attention to the environmental, socio-economic and cultural impact of military activities in the Arctic. The UN, particularly the UNESCO, should investigate the causes for the high suicide rates among indigenous youth in the Arctic region and develop strategies for its prevention.

**RAIPON** emphasise the importance of spending time to guarantee the implementation of the recommendations made to the PF (also **SC**, **ICC**, **SAIWF**, **CTT**). Special attention should be given to recommendations regarding FPIC in terms of IPs’ rights to their traditional lands and territories. Governments need to establish committees with IPs to oversee the activities of the Second Decade, the first step being through the formal recognition of IPs in the constitutions.

**MCTP** recommend that the PF involve IPs in the MDGs campaign. Before the eradication of poverty can be achieved, the continuous violation of the basic human rights and freedoms of IPs need to be addressed.

**SC** and **ICC** appeal yet again for the adoption of a Rule of Procedure allowing indigenous representative bodies to participate in the Forum sessions in their own capacity (also **FSC**). **SC** and **ICC** strongly support the creation of a mechanism capable of regularly producing an update on the state of the world’s IPs. The PF is also urged to adopt work plans stretching over several years and to impose a deadline for the submission of statements for prior review by the members and bureau (also **Aqqaq Luk Lyng**).

The **SP** and **FSP** condemn the logging of crucial grazing grounds for traditional **Saami** reindeer herding, an expert group is exploring the possibility of reintroducing the 1751 regulation that extended Saami land use rights beyond nation state borders.

**DENMARK**’s strategy to support IPs is to secure their voice at the international level, such as in the PF. For the Second Decade Denmark recommends focusing on the adoption of the DD, on equal participation and partnership, and on collecting the necessary funds for the activities.

### **Item 6: Draft Agenda for the PF’s 5<sup>th</sup> session**

**Victoria Tauli-Corpuz** informs that the PF wants to address MDGs 3 to 8 from IPs’ viewpoint, and the special theme ensures that cross-cutting issues will be addressed in the MDGs.

**Merike Kokajev** suggests adding indigenous women, as this year.

**Willie Littlechild** asks for a report on the WSIS and IPs for follow-up in the future.

**Qin Xiaomei** suggests that when IPs receive funding from an agency they could submit a report; this would encourage others and thank donors.

In response to the **Asia Caucus'** question about the Africa agenda item (also **Qin Xiaomei**), **Victoria Tauli-Corpuz** affirms the importance of focusing on Africa and says it will encourage African governments to participate more in the 5<sup>th</sup> session. **Hassan Id Belkassm** emphasises this item is urgently needed, HIV/AIDS has affected development in Africa.

In response to the **WB's** emphasis on implementation and proposal for UN agencies to give reports on all eight MDGs, **Victoria Tauli-Corpuz** says the reports are welcomed for the next session, and the PF will analyse all recommendations made in the 4<sup>th</sup> session and present a report at the next session.

The **Latin American Caucus** propose lands and territories (also **INTII**, **HAP**, **FECSA**, **CPQAE**), Latin American countries' external debt, and new WB policies to be on the agenda. **Victoria Tauli-Corpuz** says this will be raised under MDG 8.

**ICSA/AyA** criticise the use of "issues" in the PF's name, which they say devalues the PF (also **YW**). The name should be "Permanent Forum of Indigenous Peoples".

**AIPIN** propose "resolution of conflicts between governments and IPs" as one of the themes (also **SAN**).

**CAIPCD** thank the PF members (also **AILA**) and suggest holding pre-session hemispheric consultations or working group.

A morning should be dedicated to informing about all the recommendations (**INTII**). In response to **INTII's** question about the evaluation, **Victoria Tauli-Corpuz** says it will be finished by next year, and will be reported on at the 5<sup>th</sup> session.

**AILA** commend the PF focusing on one region, as this may facilitate holding regional meetings. **Victoria Tauli-Corpuz** informs that regional meetings will be permanent features of the PF, so that ideas can already be synthesised at the beginning of the session, as Asia and Pacific regions have done this time. Next year the regional meetings will be of North America and the regions that did not have one this year.

The **Asia Caucus** recommend more emphasis on human rights violations against IPs in the context of militarization (also **INTII** who say that this should be a permanent agenda item).

**WAC/ICITP/JOHAR** propose that development aid and its misuse be on the agenda. **AHF** suggest the impact of big development projects as a theme. **Victoria Tauli-Corpuz** says that militarization and development will be considered under MDG 8.

Responding to the **RUSSIAN FEDERATION's** question on the expert meeting, **Victoria Tauli-Corpuz** says that the PF members will participate in their function as experts in this year's technical seminar on MDGs, IPs' participation, and governance.

### Closing session

The Chairperson, **Victoria Tauli Corpuz**, closes by stating that the 4<sup>th</sup> session brought together 1,200 participants from governments, indigenous organisations, NGOs, academia and UN bodies. During this session innovative methods of work were developed such as appointing certain PF members as SR on various themes. The Secretariat of the PF is warmly thanked for its hard work.

The Co-ordinator of the Second Decade, **José Antonio Ocampo**, hopes that the human rights approach to the MDGs presented during the PF will be taken into account, and looks forward to working together with the PF in the Second Decade.

**Statement by Louise Arbour, High Commissioner for Human Rights***4<sup>th</sup> Session of the Permanent Forum on Indigenous Issues - New York, 16 May 2005*

Ladies and gentlemen,

It gives me great pleasure to be with you on the occasion of the fourth annual session of the PF, together with such a variety of representation from States, representatives of organisations and specialized agencies of the UN system, non-governmental organisations, and importantly IPs. Congratulations also to Chairperson Ms. Tauli-Corpuz on her election.

This morning you start your discussions of the Millennium Development Goals and in particular MDG 1 that commits States to the reduction of poverty by 50 per cent by the year 2015. I believe that the Forum has chosen a useful format by focusing attention during its next sessions on the MDGs. They are cross-cutting concerns that involve the entire UN system. Furthermore, Heads of State and Government are formally committed to achieve the goals. The Forum can usefully contribute to the fulfilment of this historic commitment by providing IPs' perspectives and priorities so that they can be fully taken into account in the implementation of programmes aimed at attaining the goals.

Ladies and gentlemen,

Poverty is a denial of human rights. It is the denial of virtually all the basic rights that every human being should be entitled to and should be equipped to claim. It is a denial of the right to food, of the right to adequate housing and of the right to fairly remunerated work. It is the denial of opportunity, and the denial of the respect and dignity of the human person. Poor people are deprived of access to education and health and of effective participation in the political, social, economic and cultural life of society. Since many poor people often belong to vulnerable groups, they are also subject to discrimination.

Poverty is inherited and passed on to future generations. And although there are many celebrated examples of individuals who succeed in breaking out of the circle of poverty, there can be no doubt that whole generations of children born into poverty will continue to suffer deprivation throughout their lives, unless the profound changes that are implicit in MDG 1 are realized. This is perhaps the most disturbing feature of poverty: it effectively results in an intergenerational denial of human rights.

Poverty may therefore be the greatest human rights challenge we face. It is a central concern of the OHCHR and will remain high on my agenda as High Commissioner.

Ladies and gentlemen,

IPs are one of the groups most severely affected by poverty. This is confirmed in the reports of the CHR's Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people, as well as in reports by inter-governmental organisations, testimonies provided to the WGIP and, in many cases, by studies made by Governments themselves. It is timely therefore that IPs consider how the MDG commitment to reduce poverty will impact upon their lives and their futures.

Allow me to set out the perspective of my Office. OHCHR fully supports the attainment of the MDGs and will contribute to the worldwide efforts to reach the goals set out by Heads of State. Importantly, we believe that the programmes and strategies to achieve the MDGs should be rooted in human rights. While goals are a valuable means of establishing targets and measuring progress, rights, including those that ensure that all human beings enjoy a basic standard of living, are obligations that States must implement.

I wish to make four comments with respect to MDG 1, IPs and human rights.

First, the programmes that are developed to achieve MDG 1 must be inclusive and not lead to exclusion. There is a legitimate concern that the 2015 goal may be achieved by a statistical formula that lifts numerically significant groups out of poverty but leaves smaller groups untouched. Careful attention needs to be given to ensuring that the benefits that accrue from MDG 1 initiatives reach all groups, including IPs. They should not be marginalized in the planning, implementation, monitoring and evaluation of programmes aimed at benefiting the poorest. This implies that a key principle of the right to development is recognized, namely the right of IPs to participate fully in country programmes to reduce poverty.

Secondly, the programmes and strategies designed to reduce poverty should not be undertaken at the expense of IPs. This point is also made in the joint paper presented to the Forum by the Inter-agency Support Group. Programmes to reduce poverty should not, for example, lead to losses of IPs' lands and resource bases, require them to leave their homeland or give up their ways of life. In the past such policies have contributed to the impoverishment of IPs and it would be a sad irony if, in the effort to reduce global poverty, progress for some was achieved through injustice for others. We must be especially vigilant in this regard.

Thirdly, it will be important for IPs to make their own contribution to the understanding of the concept of poverty. Economists produce numerical descriptions of poverty – dollars/euros and cents – but numbers hardly capture the cultural dimension. Is an indigenous community that has lost its ancestral lands lifted out of poverty because some of its members have found temporary work and get a wage? Is an indigenous community poor because there is little money circulating when its members can fish, hunt and farm and use local resources for housing and other basic necessities? Common article 1 of the human rights covenants declares that no people may be deprived of its own means of subsistence. To deprive IPs of their resources for survival is in practice to condemn them to poverty and dependence; conversely to protect IPs' rights to lands and resources is to contribute to the reduction of poverty. IPs will reduce their own poverty if provided with the enabling environment to do so.

Fourthly and finally, it is important to understand the MDG commitments as not just about producing progress and development but about implementing rights. I concede that what matters more to a poor family is direct and immediate assistance – schools, health clinics, jobs and so on – rather than the knowledge that the right to these basic necessities of life is enshrined in a UN Convention or national statute. But ultimately the best form of assistance is the one that empowers the poor to assert and claim their rights. In the case of IPs, unless we recognize their rights both internationally and nationally there can be no sustainable reduction of poverty. Reducing poverty in indigenous communities is about national policy priorities, with obligations attached to their implementation.

Ladies and gentlemen,

As I can only be with you briefly, I hope you will give me the opportunity to address a number of other matters.

At the last session of the CHR, it was decided to hold a further session of the working group on the draft United Nations declaration on the rights of IPs. It was agreed that, subject to the availability of resources, an additional five working days would be added to the session in order to advance and perhaps complete the discussion on the declaration. I can now confirm that the working group will meet for two weeks in October/November and a further week during December. The Government of Mexico has also offered to host an informal workshop that is intended to help further understanding of some of the critical issues contained in the DD.

When I took up my responsibilities as High Commissioner in July 2004, I stated my firm belief that the priority then was the rapid completion of a strong declaration that has the support of States and IPs. While many have noted the disappointing result of the last session of the working group, I noted the cautious optimism among many States and some IPs at the Commission's last session that a good consensus document can be produced within a short time span. There appears to be considerable good will on all sides and a willingness to try new and perhaps more productive working methods. We all look forward to a real breakthrough in the months ahead and I have pledged that my office will contribute in any way possible to a successful outcome.

The International Decade of the World's Indigenous People ended in December 2004 and, as you know, a second Decade has been proclaimed by the General Assembly. A number of reports evaluating the first Decade have been presented to the legislative bodies of the UN including the General Assembly, the ECOSOC and the CHR. These reports detail the activities carried out by the UN system, States and indigenous organisations, which are considerable. They also provide an assessment of the impact of the Decade.

While it is regrettable that one of the goals of the Decade – the adoption of the declaration on the rights of IPs – was not achieved within the ten-year framework, there were many other objectives of the programme of action that were accomplished due to the efforts of IPs, States and UN organisations. But I would like to single out one particular advance that I believe characterizes the first Decade. I refer to the considerable work and cooperation on indigenous issues that has been undertaken during that period by UN organisations and specialized agencies. To a large extent, the opening up of the UN system to indigenous concerns can be attributed to indigenous organisations themselves. But credit is also due, I believe, to the efforts of the UN to respond to the call for international cooperation of the first Decade and to build partnerships with IPs. The culmination and institutionalisation of that relationship is the establishment of this body – the Permanent Forum – mandated to strengthen the dialogue between IPs and the UN.

Where should we be going next? The programme of activities of the second Decade will be prepared by the coordinator, the Under-Secretary-General for Economic and Social Affairs. My office will make some proposals for possible activities in the human rights area and I have requested input from the SR on indigenous people and the WGIP that will meet in July. Both are expert human rights mechanisms with considerable contact with IPs.

Decade or not, there should be no doubt that the protection and promotion of the human rights of IPs will remain, as it has since the 1980s, a high priority for the OHCHR. The UN does not recognize yet the rights of IPs although I pay tribute to the ILO for being the pioneer in adopting a binding instrument – ILO Convention 169 on indigenous and tribal peoples. In my view the adoption of the declaration is still a core objective of the new

Decade but I also believe that, having achieved this, it would be important to consider, as I noted in my report to the Commission this year, whether a legally binding instrument might not eventually afford greater protection.

Notwithstanding the importance of standard-setting both in relation to the declaration and as part of the mandate of the WGIP, my Office's work will include a greater focus on national implementation in the future. In the case of our programme on IPs, we are already moving in this direction. We have received, for example, comprehensive reports from the SR on indigenous people on the countries he has visited with recommendations drawn from governmental officials in the country, UN country teams and indigenous communities. At the invitation of governments, we are now undertaking follow-up activities in the countries concerned. This kind of country engagement will be a core component of the new agenda of OHCHR. Our objective will be not only to facilitate international dialogue on policy issues and rights but also to support improvements directly impacting the communities.

It is sometimes said that there are good laws in place but not enough application on the ground. In line with the direction given by the Secretary-General, I believe that we must focus a greater part of our efforts on strengthening national protection. This is particularly the case for IPs who, during the last decade, have benefited from some legislative and even constitutional changes, but are often still waiting to feel the difference in their communities.

Ladies and gentlemen,

I hope when I see you again, probably for many of you in July when you attend the WGIP, I shall have an opportunity to provide further information about the work of OHCHR and of any possible reform initiatives. As you are aware, there are many proposals for changes in the UN as a whole and in the area of human rights in particular. I would like to assure you that whatever the developments, IPs will continue to have full opportunities for participation in human rights activities and bodies. In fact, I understand that over the last years, you have met with the SR on indigenous people and the Chairperson of the WGIP and have had fruitful discussions. They will both be with you on Monday next week.

I think it is essential that IPs use to their full extent the existing human rights mechanisms including the Special Procedures, as we call them – that is to say the different thematic and country rapporteurs or independent experts – and the treaty bodies, the committees established to monitor the compliance of States with their treaty obligations.

You also have, in the WGIP, a body that can and should be used to elaborate commentaries, guidelines and legal or human rights studies that could be useful in clarifying concepts and principles. I encourage IPs to make use of these Geneva-based mechanisms and consider them as the relevant entry points on human rights. In my view, we need to underline the complementarity of all existing institutions. IPs need the full commitment and engagement of all of the bodies, organisations and specialized agencies of the UN system.

I would like to express my commitment to work with all of you in bringing about improvements in the lives of IPs. This, I believe, is our collective responsibility.

Thank you.

## 4. ABBREVIATIONS

AAH:	Ainu Association of Hokkaido
AAJ:	American Association of Jurists
ACINC:	Asociación de Cabildos Indígenas del Norte del Cauca
ACOIN:	Asociación de Comunidades Indígenas
AFN:	Assembly of First Nations
AFNWC:	Assembly of First Nations Women's Council
AFSC:	American Friends Service Committee
AHF:	Akha Heritage Foundation
AI:	Amnesty International
AICT:	Asociación Internacional contra la Tortura
AILA:	American Indian Law Alliance
AIPIN:	Agencia Internacional de Prensa India
AIPP:	Asian Indigenous Peoples Pact
AITPN:	Asian Indigenous and Tribal Peoples Network
AIWO:	African Indigenous Women's Organisation
AJIA:	Asociación de la Juventud Indígena Argentina
AMAN:	Aliansi Masyarakat Adat Nusantara
AN:	Asociación Napguana
ANIS:	Asociación Nacional Indígena Salvadoreña
AP:	Andes Perú
APFWLD:	Asia Pacific Forum on Women, Law and Development
ARIS:	Anti-Racism Information Service
ArS:	Armenian Sisters
AWC:	Association of World Citizens
AyA:	Aymara Alliance
BAA:	Bangsa Adat Alifuru
BAF:	Bangladesh Adivasi Forum
BAG:	Bougainville Autonomous Government
BIPF:	Bangladesh Indigenous Peoples Forum
BRDN:	Buffalo River Dene Nation
CAF:	Coordination Autochtone Francophone
CAIPCD:	Caribbean Antilles Indigenous Peoples Caucus & the Diaspora
CAJ:	Comisión Andina de Juristas
CAPAJ:	Comisión Jurídica para el Autodesarrollo de los Pueblos Originarios Andinos
CAPC:	Congress of Aboriginal Peoples in Canada
CASPIM:	Centro de Apoyo y Servicios de los Pueblos Indígenas de México
CAURWA:	Communauté des Autochtones Rwandais
CCJ:	Comisión Colombiana de Juristas
CECOIN:	Centro de Cooperación al Indígena
CFSC:	Canadian Friends Service Committee
CI:	Conservation International
CIDPI:	Caucus Migración y Desplazamientos de los Pueblos Indígenas
CIMCIB:	Comité Intertribal de Memoria y Ciencia Indígena de Brazil
CNB:	Comarca Ngobe-Bugle
CONAMI:	Conselho Nacional de Mulheres Indígenas, Brazil
CONAVIGUA:	Coordinadora Nacional de Viudas de Guatemala
CONMIE:	Consejo Nacional de Mujeres Indígenas del Ecuador
CORE:	Centre for Organisation Research and Education
CPINM:	Consultoría de los Pueblos Indígenas en el Norte de México
CPN:	Citizens Potawatomi Nation
CPNAB:	Consejo de Pueblos Nahuas del Alto Balsas
CPQAE:	Coordinadora de Pueblos Quechua de la Amazonia Ecuatoriana
CRG:	Chagos Refugee Group
CTSFN:	Confederacy Treaty Six First Nation
CTT:	Consejo de Todas las Tierras
DEPIEA:	Defensoría de los Pueblos Indígenas del Ecuador en América
doCip:	Indigenous Peoples' Center for Documentation, Research and Information
ECLAC:	Economic Commission for Latin America and the Caribbean
ECMI:	Enlace Continental de Mujeres Indígenas

ECMIRS:	Enlace Continental de Mujeres Indígenas Región Sudamérica
EMIROAF:	Ethnic Minority and Indigenous Rights Organisation of Africa
EP:	Earth Peoples
FAIRA:	Foundation for Aboriginal and Islander Research Action
FDD:	Frente por la Democracia y el Desarrollo
FECSA:	Fundación Educativa Comunidad del Saber Andino
FEDEFAM:	Federación Latinoamericana de Asociaciones de Familiares de Detenidos Desaparecidos
FEINE:	Federación Evangélica Indígena de Ecuador
FI:	Fundación Indoamerica
FL:	France Libertés
FND:	First Nations Development
FPCI:	Fundación para la Promoción del Conocimiento Indígena
FSC:	Finnish Saami Council
FSP:	Finnish Saami Parliament
GCC:	Grand Council of the Crees
GREPNET:	Green Peoples Environmental Network
GRULAC:	Grupo de Países de América Latina y el Caribe
HAP:	Habitatpro Association Peru
HCICTP:	Hmong Choafa Indigenous Confederation and Tribal People
HD:	Haudenosaunee Delegation
HIHR:	Hawai'i Institute for Human Rights
IAITPTF:	International Alliance of the Indigenous Tribal Peoples of the Tropical Forests
ICC:	Inuit Circumpolar Conference
ICCIC:	Indigenous Caucus Committee on Indigenous Children
ICITP:	Indian Confederation of Indigenous and Tribal Peoples
ICJ:	International Commission of Jurists
ICN:	Innu Council of Nitassinan
ICSA:	Indian Council of South America
ICYC:	Inuit Circumpolar Youth Council
IED:	International Education Development
IEN:	Indigenous Environmental Network
IFPRERLM:	International Federation for the Protection of the Rights of Ethnic, Religious, Linguistic and other Minorities
IFRACM:	International Federation of Rural Adult Catholic Movements
IIN:	Indigenous Information Network
IINN:	Institute of the Issues of Indigenous Nations of the North, University of Toronto
IITC:	International Indian Treaty Council
IWFF:	International Indigenous Women's Forum
IYYC:	International Indigenous Youth Caucus
ILRC:	Indian Law Resource Centre
INBRAPI:	Instituto Indígena Brasileño para la Propiedad Intelectual
INDESIC:	Instituto para el Desarrollo Social y las Investigaciones Científicas
INTII :	International Native Tradition Interchange, Inc.
IOIRD:	International Organisation of Indigenous Resource Development
IPACC:	Indigenous Peoples of Africa Co-ordinating Committee
IPCGC:	Indigenous Peoples Caucus of the Greater Caribbean
IPNC:	Indigenous Peoples and Nations Coalition
IPSF:	Indigenous Peoples Survival Foundation
ITC:	Intertribal Committee
IWA:	Indigenous World Association
IWGIA:	International Work Group for Indigenous Affairs
JC:	Jubilee Campaign - A vital voice
JJCCJ:	John Jay College of Criminal Justice
JOHAR:	Jharkandis Organisation for Human Rights
JPIC:	Justice and Peace Integration of Creation
JPNI:	Jumma Peoples' Network International
KCHS:	Kamakakuokalani Center for Hawaiian Studies, University of Hawai'i
KF:	Koani Foundation
KKF:	Khmer Kampuchea Krom Federation
KLH:	Ka Lahui Hawai'i
KSU:	Karenni Student Union



LL:	Land is Life
MCTP:	Mejlis of Crimean Tatar People
MIP:	Movimiento Indígena Pachacutec del Perú
MOSOP:	Movement for the Survival of the Ogoni People
MV:	Maya Visión
NACDL:	National Association of Criminal Defense Lawyers
NCIV:	Netherlands Centre for Indigenous Peoples
NEFIN:	Nepal Federation of Indigenous Nationalities
NIA:	Nauru Island Association
NKIKLH:	Na Koa Ikaika o Ka Lahui Hawaii
NNO:	Newars' National Organisation, Nepal
NWAC:	Native Women's Association of Canada
NYCOP:	National Youth Council of the Ogoni People
OIA:	Organización Indígena de Antioquia
OMWM:	Organización Meli Wixan Mapu
ONIC:	Organización Nacional Indígena de Colombia
OVAW:	O'odham Voice Against the Wall
PCG:	Peace Campaign Group
PCJSS:	Parbatya Chattargram Jana Samhati Samiti
PCRC:	Pacific Concerns Resource Center
PIA:	Parlamento Indígena de América
PIPE:	Partnership for Indigenous Peoples Environment
PTC:	Papua Traditional Council (Dewan Adat Papua)
PUMC:	Programa Universitario México Nación Multicultural
RAFUP:	Russian Association of Finno-Ugric Peoples
RAIPON:	Russian Association of Indigenous Peoples of the North
RD:	Rights and Democracy
RDFP:	Rural Development Foundation of Pakistan
RF:	Retrieve Foundation
RLP:	Rongmei Naga Women's Organization
RPCC:	Rapa Nui Parliament and Council of Chiefs
SAIWF:	South Asia Indigenous Women's Forum
SAN:	Sherpa Association of Nepal
SC:	Saami Council
SCA:	Southern Chiefs Association
SERVINDI:	Servicios en Comunicación Intercultural
SFN:	Saulteau First Nation
SGF:	Seventh Generation Fund
SP:	Saami Parliament, Norway
SPOO:	Sociedad Progresista Otlense de Oaxaca
STP:	Society for Threatened Peoples
TA:	Tlahtokan Aztlan
TC:	Taype Ceqe
TF:	Tebtebba Foundation
THR:	Tavini Hui Raatira - No Te Ao Maohi French Polynesia
TOTSNTC:	Tetuwani Oyate Teton Sioux Nation Treaty Council
TPP:	Tara-Ping Pu
TRP:	Transnational Radical Party
TTK:	Turaga/Tuvalu Komuniti - Vanuatu
UCEJP:	UCE Justice Project
UCTP:	United Confederation of Taino Peoples
UNNTN:	United Native Nations Truth Network
WAC:	World Adivasi Council
WCC:	World Council of Churches
WHCC:	Waikiki Hawaiian Civic Club
WHPC:	World Hmong Peoples' Congress
WIIB:	Warã Instituto Indígena Brasileiro
WILPF:	Women's International League for Peace and Freedom
WPC:	World Peace Council
YNAM:	Yamasee Native American Moors
YPA:	Yaaku Peoples Association

YW: Yachay Wasi  
ZORO: Zo Reunification Organisation

## 5. OTHERS

The **Seminar on Indigenous Peoples' Sovereignty over Natural Resources** (see Decision 2005/110 of the Commission on Human Rights, published in Update 63-64) will take place

in **Geneva, Switzerland, from 24 to 27 January 2006.**

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### New Publication of the Tebtebba Foundation:

#### **BEYOND THE SILENCING OF THE GUNS**

edited by Chandra K. Roy, Vicky Tauli-Corpuz and Amanda Romero-Medina

*Beyond the Silencing of the Guns* is a collection of 10 case studies (seven from Latin America, two from Asia and one from Southern Africa), exploring the role IPs and local NGOs play in preventing and resolving conflict. The studies offer insights into understanding the root causes of conflict, highlight innovative mechanisms for building peace, and examine the dynamics and tensions of partnership building between a diverse set of actors. The publication responds to a growing demand from civil society organizations and IPs for a documentation of their efforts and successes. It aims to sensitise a greater public on issues related to ethnicity and the defence of human rights.

These case studies were identified, commissioned and overseen by the UNDP Civil Society Organizations Division over a two-year period (2000-2002). The report contributes to the recommendations proposed in the UNDP policy of engagement with IPs (2001), which sees a clear role for UNDP in legitimising the presence of and role of IPs and their organizations in preventing conflict and promoting peace.

In addition to an Introduction, Synthesis and Reflections, as well as a Conclusion on challenges and ways forward, *Beyond the Silencing of the Guns* includes case studies about the Chittagong Hill Tracts (Bangladesh), Bolivia, Colombia, Ecuador, Guatemala, Mexico, Southern Philippines, Peru, South Africa and Southern Venezuela.

This book is available, at the moment only in English, on the Internet at:  
<http://www.undp.org/cso/beyondSG.html> .

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**NEW !**

doCip's **CD-Rom on the Working Group on the Draft Declaration** is available ! It contains all UN documents and all statements from the WGCD (1995 – 2004), relevant resolutions and other reference documents. All statements are in their original language: English, French, Spanish or Russian. UN translations of official documents have been included when available. The CD-Rom is distributed free of charge to all Indigenous Peoples' organisations.

The CD-Rom was realised thanks to the financial support of the European Commission, the Swiss Agency for Development and Cooperation, the Canton de Genève, and Rights and Democracy (Canada).

**NEW !**

The **Online Catalogue of Indigenous Peoples' and International Websites Related to Indigenous Issues** is on [www.docip.org](http://www.docip.org) ! These websites have been classified per region (the 7 regions of the Permanent Forum on Indigenous Issues) and per issue (land, resources, human rights, education etc.). The Catalogue allows having a direct access to the pages of the websites concerning the issue. It is in English, Spanish and French.

The Online Catalogue was granted financial support from the European Commission.

**NEW !**

The **Thesaurus for the Classification/Indexation of Documents on Indigenous Peoples' Issues** is on [www.docip.org](http://www.docip.org) ! Elaborated in English by indigenous experts with the help of a Spanish-speaking brother, it has been translated into French, Spanish and Russian. It includes an alphabetical list of 2100 words as well as a list of keywords distributed in Categories and Sub-Categories such as land, resources, human rights etc.

The Thesaurus was realised thanks to the financial support of the European Commission, the Swiss Agency for Development and Cooperation, the Canton de Genève and Rights and Democracy (Canada).

If you have comments and suggestions about this Update, please do not hesitate to share them with us:

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- by fax at: + 41 22 740 34 54
- by mail at: doCip, 14 avenue Trembley, CH-1209 Genève

Thanks!

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