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Permanent Forum on Indigenous Issues
Sixth Session
1st & 2nd Meetings (AM & PM)

INDIGENOUS PEOPLES DISTINCT CULTURES ERODE WITHOUT RESPECT FOR RIGHTS

OVER LANDS, TERRITORIES, NATURAL RESOURCES, FORUM TOLD

Two-Week Session Opens at Headquarters with Speakers Stressing Importance of General Assembly Adoption of Declaration on Indigenous Rights

With delicate ecosystems that support millions of native peoples being wiped out at astonishing rates, representatives of indigenous groups from all over the world gathered today in New York to begin two weeks of discussions with top United Nations officials, Government representatives and members of civil society on the struggle of indigenous peoples to defend their rights to access and use the land and natural resources in their territories.

“Without access to and respect for the rights over their lands, territories and natural resources, indigenous peoples’ distinct cultures -- and the possibility of determining their own development -- become eroded,” said Victoria Tauli-Corpuz, Chairperson of the Permanent Forum on Indigenous Issues, as she opened the Forum’s sixth session, which will run through 25 May and will consider solutions to end the senseless exploitation of traditional lands and natural resources, a key issue at the heart of indigenous people’s efforts to gain recognition of their rights

Paying tribute to “ancestors and the thousands of indigenous activists who had sacrificed their lives in defence of traditional lands and territories”, Ms. Tauli-Corpuz, who is from the Philippines, and was re-elected Chairperson at the opening of the meeting, said that it was no surprise that most local and national indigenous peoples’ movements had emerged from struggles against their customary land tenure and resource management systems, which expropriated their lands, extracted their resources without their consent and which led to their displacement.

Highlighting new developments, she said one of the major thrusts for 2007 would be to press for the General Assembly’s adoption of the United Nations Declaration on the Rights of Indigenous Peoples, approved by the Human Rights Council last year. Indigenous peoples worldwide had been “deeply disappointed” by the Assembly’s decision to defer action on the Declaration last year. Noting that amendments had been made to the text in the meantime, she said that every effort should be made to ensure that what was put before the Assembly was the Council-approved version, not one “which mangled the Declaration beyond recognition.” “The fate of this Declaration is in your hands and the Governments who are here today,” she said.

In his opening statement, José Antonio Ocampo, Under-Secretary-General for Economic and Social Affairs, said that the United Nations had long recognized that indigenous peoples had a profound spiritual and material relationship with the land, on which they often depended both for their physical and cultural survival. Indigenous sacred sites, foundations of indigenous traditional knowledge, indigenous religions, languages and ways of life were all tied to land. “Yet, all too often, indigenous peoples have been forcibly displaced from their traditional territories for economic, military or other interests, without any compensation or other means to sustain themselves,” he said.

Indigenous persons had joined the ever-increasing numbers of migrants that lived fragile lives in cities, at home and abroad. Urban indigenous issues, to which the Forum would devote special attention, were a

contemporary reality that Governments, indigenous communities, and the whole society needed to urgently consider. The Forum's recommendations on its special theme -- land, territories and natural resources -- should serve to enhance positive and constructive action at all levels, while this year's regional focus on Asia would provide another way to promote action closer to indigenous communities, he said.

Welcoming the Forum, General Assembly President, Sheikha Haya Rashed Al Khalifa of Bahrain, agreed that while the Forum had been the source of thought-provoking dialogue and produced concrete recommendations, there was more to be done. "Indigenous peoples continue to face marginalization, extreme poverty and other human rights violations, and are often dragged into conflicts that threaten their survival," she said, adding that they also suffered from a lack of access to healthcare and education.

Indigenous peoples were not victims, however, but were rather a "dynamic collection of communities" whose knowledge, culture and environmentalism offered valuable lessons, she continued. She assured the representatives of indigenous peoples of her continued commitment to reaching common ground on that important matter. "The doors of the United Nations will always be open to indigenous peoples and their presence would continue to enrich the Organization," she said.

Among the many expert presentations and reports by representatives on United Nations agencies and Funds that made up the bulk of the Forum's work today, Erica-Irene A. Daes, of Greece, an elected member of the Working Group on Indigenous Populations and Special Rapporteur on Indigenous People's Land Rights, said one of the most acute and complex situations facing the world's indigenous peoples was the refusal by certain Governments to promote and protect their rights to land and natural resources. To understand the profound relationship of indigenous peoples to their lands and natural resources, cultural differences between indigenous and non-indigenous peoples should be recognized.

The doctrines of dispossession that had emerged in developing modern international law, particularly the concepts of "terra nullius" and "discovery", had well-known adverse effects on indigenous peoples, she continued. Other problems included the State's failure to acknowledge indigenous rights to territories lands and resources; to demarcate indigenous lands; to enforce or implement laws protecting indigenous lands; and the State's expropriation of indigenous lands for national interest without the prior and informed consent of indigenous peoples. Also, the principle of permanent sovereignty over natural resources and the scope of indigenous peoples' right to own, develop and manage their territories, lands and resources, should be reviewed, she added.

In other business, the Forum adopted the provisional agenda of its sixth session, and elected by acclamation Vice-Chairpersons from among its membership: Otilia Lux de Coti from Guatemala, William Langeveld from South Africa, Mr. Aqaluk from Greenland and Ida Nicolaisen from Denmark. Michael Dodson from Australia was elected as Rapporteur.

Dalius Čekoulis of Lithuania, President of the Economic and Social Council, and Luis de Alba of Mexico, President of the Human Rights Council, also addressed the Forum.

As is the Forum's tradition, the sixth session was opened with an invocation from Tracy L. Shenandoah, Chief of the Onondaga Nation, Eel Clan. Acknowledging Red Willow as the leader of medicines, he said the creator had planted medicines, including berries, for people to use. He also gave thanks to the birds, especially the eagle, and to the "three sisters" of all foods: corn, beans and squash. He also gave thanks to the waters for their help in creating peace. His statement was followed by a performance by the Laihui cultural group from Manipur, India.

The Forum was also addressed by the representatives of the following United Nations agencies, associated funds and programmes and intergovernmental organizations: International Research and Training Institute for the Advancement of Women (INSTRAW); United Nations Educational, Scientific and Cultural Organization (UNESCO); United Nations Institute for Training and Research (UNITAR); United Nations Human Settlements Programme (UN-HABITAT); United Nations Development Programme (UNDP), the United Nations Population Fund (UNFPA); United Nations Children's Fund (UNICEF); the Food And Agriculture Organization (FAO) and the United Nations Forum on Forests.

Also addressing the Forum were representatives of the World Intellectual Property Organization (WIPO); the International Labour Organization (ILO); International Fund for Agricultural Development (IFAD);

International Land Coalition (ILC); the International Organization for Migration (IOM); and the Inter-American Development Bank (IADB).

A representative of the Office of the United Nations High Commissioner for Human Rights (OHCHR) also spoke.

Taking the floor on behalf of the Forum were Wilton Littlechild from Canada, Aqqaluk Lyngø of Greenland and Hassan Id Balkassm from Morocco.

The Forum will reconvene at 10 a.m. on Tuesday, 15 May, to begin its dialogue with indigenous peoples and representatives of indigenous groups on the special theme “indigenous peoples’ rights to lands, territories and natural resources”.

Background

The United Nations Forum on Indigenous Issues today opened its sixth annual session with more than 1,000 representatives of indigenous groups expected to discuss their rights to their lands, territories and natural resources. The session, which runs through 25 May, was also expected to examine urban indigenous peoples and migration, indigenous peoples in Asia and data collection and disaggregation. For background, see Press Release [HR/4916](#) issued 11 May 2007.

Opening of the Session

The opening proceedings of the Permanent Forum were presided over by José Antonio Ocampo, Under-Secretary-General for Economic and Social Affairs.

According to the Forum’s tradition, the sixth session of the Permanent Forum on Indigenous Issues opened with expressions of gratitude from TRACY L. SHENANDOAH, Chief of the Onondaga Nation, Eel Clan. Acknowledging Red Willow as the Leader of Medicines, he said the Creator had planted medicines, including berries, for people to use. Animals were on earth to help, he continued, acknowledging the deer as the leader of the animals. He also gave thanks to the birds, especially the eagle, and to the “three sisters” of all foods: corn, beans and squash. He also gave thanks to the waters for their help in creating peace.

His statement was followed by a performance by the Laihui cultural group from Manipur, India.

Members of the Permanent Forum then elected by acclamation Victoria Tauli- Corpuz as the Chairperson for the session.

Welcoming the Forum, SHEIKHA HAYA RASHED AL KHALIFA (Bahrain), President of the General Assembly, said the General Assembly had first opened its doors to indigenous peoples at a ceremony to launch the International Year of the World’s Indigenous People in December 1992. Noting that last year marked the start of the Second International Decade of the World’s Indigenous People, she said that the partnership demonstrated the Assembly’s continuing commitment to indigenous peoples.

The Permanent Forum was a unique body at the United Nations, as it had been the source of thought-provoking dialogue and produced concrete recommendations, she continued. The active engagement of indigenous peoples had been vital in that regard. However, there was more to be done. Indigenous peoples continued to face marginalization, extreme poverty and other human rights violations, and were often dragged into conflicts that threatened their survival. They also suffered from a lack of access to healthcare and education.

Indigenous peoples were not victims; rather, a “dynamic collection of communities” whose knowledge, culture and environmentalism offered valuable lessons, she continued. She assured the representatives of indigenous peoples of her continued commitment to reaching common ground on that important matter. The doors of the United Nations would always be open to indigenous peoples and their presence would continue to enrich the Organization.

DALIUS ČEKOULIS (Lithuania), President of the Economic and Social Council, said that the Council, as the Forum's permanent body, had been pleased to witness the Forum's progress. The Forum had played a key role in increasing the visibility of indigenous issues to the international level and had become the foremost body for dialogue between indigenous peoples, States, United Nations agencies and other intergovernmental organizations, including the international financial institutions and civil society. He was certain that the Forum's current session would result in highly relevant recommendations on the Forum's mandated areas, including the session's special theme on lands, territories and resources.

He encouraged the Forum to continue its active involvement with the Council's various high-level segments, and invited the Forum's participants to continue engagement with the Millennium Development Goals, and to continue working towards the inclusion of indigenous peoples in global, national and local development processes under the principle of free, prior and informed consent.

LUIS DE ALBA (Mexico), President of the Human Rights Council, said there were now opportunities for the Council and the Permanent Forum to develop a beneficial relationship. The Forum was undoubtedly the crucial place to deal with indigenous issues. The Council had the task of promoting and protecting all human rights and fundamental freedoms, in accordance with resolution 60/251.

The Council was guided by constructive dialogue and cooperation at the international, national and civil society levels. In his capacity as President, he wanted to draw attention to the importance of institution-building, in which the Council was involved. Congratulating the Indigenous Conclave and other indigenous peoples on their contributions in Geneva, he also noted their concern that their rights be represented within the Council.

Indigenous issues were being discussed by different forums, he continued, noting the question of reviewing mandates. On the Council's agenda were proposals that indigenous peoples' rights be included. Additionally, there was work to be done to ensure issues were addressed in a cross-cutting manner. He highlighted one proposal to create an Indigenous Expert within the Advisory Group of the Council. He also said there was a need to consider the future work of human rights in the broader context of reform, underscoring the opportunities for complementary work between the Permanent Forum and the Council.

Regardless of the course taken by those processes, the Permanent Forum and the Council should work jointly in an institutionalized and coordinated way, he said, as close collaboration would help to optimize the results of Forum's work through the monitoring of indigenous peoples' human rights.

On 29 June last year, the Council had adopted the Declaration on the Rights of Indigenous Peoples, he said, noting that it represented an important part of the development of international law. As President of the Council, he was extremely pleased at the historic adoption. He remained concerned, however, at the Declaration's status in the General Assembly. He appealed for its prompt adoption. The Council was studying ways to implement the Declaration, and the Forum should participate fully in that process.

In his opening statement, Mr. OCAMPO, who is also the Coordinator of the Second Decade of the World's Indigenous Peoples to the sixth session of the Forum, said that the Forum would not be what it had become without the wide participation it enjoyed, because it was through dialogue among all concerned that indigenous issues could reach constructive outcomes for the whole society. In a mark of the Forum's outreach, new participants joined the Forum's session every year, he said, adding that for this session, the Forum expected the participation of more than 2,500 persons.

The United Nations had been strengthening its capacity to respond to global challenges, of the kind that only the world body could be called upon to confront, he continued. The Forum stood at the centre of that effort. "Whether indigenous peoples will continue to survive and pursue self-determined development, building their societies according to their world views and concepts of well-being, it is not just a matter of their own self-interest or only a moral imperative of dominant parts of society," he said, adding that it was also an issue of humanity's survival, with the richness, knowledge and contributions that various cultures provided to each person, each country and the planet.

"None of us can ignore, for example, the loss of traditional knowledge. Nor can we close our eyes to the fact that the map of the world's richest biospheres coincided with the map of the areas with the largest linguistic diversity," he continued. As the United Nations geared up to implement the Millennium Declaration,

and the United Nations global development agenda, and to establish the principle of “delivering as one”, in its operational work, it must take indigenous peoples concerns and the Forum’s recommendations into account.

The special theme chosen by the Forum this year -- lands, territories and resources -- was fundamental for indigenous peoples. It had long been recognized in the United Nations that indigenous peoples had a profound spiritual and material relationship with the land, on which they often depended both for their physical and cultural survival. Indigenous sacred sites, foundations of indigenous traditional knowledge, indigenous religions, languages and ways of life were all tied to land. “Yet, all too often, indigenous peoples have been forcibly displaced from their traditional territories for economic, military or other interests, without any compensation or other means to sustain themselves,” he said. Indigenous persons had joined the ever-increasing numbers of migrants that lived fragile lives in cities, at home and abroad. He added that urban indigenous issues, to which the Forum would devote special attention, were a contemporary reality that Governments, indigenous communities, and the whole society needed to urgently consider.

He went on to highlight some of the reports before the Forum and update his work as Coordinator of the Second Decade. He reiterated his applause for the work that the Forum had been able to achieve in such a short time. He hoped that work would translate into the adoption of the Declaration on the Rights of Indigenous People by the General Assembly next year. Such action would precipitate a shift in the paradigm of the human rights and development discourse, which would itself make a marked and positive difference in the lives of indigenous peoples.

He also touched on some elements of the United Nations development agenda that the Organization was advancing, including the renewed spirit of partnership, to which the Forum had also been a “beautiful testament”. Another was the struggle for equity and equality, which underlay the two central pillars of the United Nations: the quests for human rights and for development. The fight for equality for all persons and human beings and citizens had been fought throughout history, and, in the case of indigenous peoples, the process was far from complete. “The principles of equity still manifests inadequately in Government policies,” he added, saying that, in his eyes, it was that fight for equality and equity that made the work of the United Nations so invaluable.

VICTORIA TAULI-CORPUZ, Chairperson of the Permanent Forum on Indigenous Issues, paid respects to the Onondaga Nation and Peoples, who she said were the original inhabitants of this land. Land, territories and related resource rights were fundamentally important to indigenous peoples, since they constituted the basis of their economic livelihood and were sources of spiritual, cultural and social identity. As the possibility for indigenous peoples to determine their future had become eroded, she said it was not a surprise that the right to land and natural resources was a key demand of the international indigenous peoples’ movement. It was proper to pay tribute to ancestors and the thousands of indigenous activists who had sacrificed their lives in defence of traditional lands and territories.

Highlighting new developments in how the session would address the Forum’s mandated areas, she said a new category of participants had been created for indigenous persons who were members of parliaments. Further, there now existed three special rapporteurs on human rights. Various reports would feed into the session, including the report of the annual session on the Inter-Agency Support Group on Indigenous Issues, which focused on the theme of “development with identity.” The Permanent Forum Experts had prepared technical papers on “Indigenous Traditional Knowledge”, among other issues, and reports of the regional expert workshops on indigenous peoples’ indicators of well-being, poverty and sustainability would be available.

Other highlights would include the participation of a 12-year old indigenous artist from the Chittagong Hills of Bangladesh and a half-day discussion on “Urban Indigenous Peoples and Migration”. The report of the International Expert Meeting on Urban Indigenous Peoples and Migration, held in Santiago in March, would feed into that session. A half-day regional focus on Asia would also be included, as well as a dialogue with Rodolfo Stavenhagen, Special Rapporteur on human rights and fundamental freedoms of indigenous people. Finally, the Forum would focus on implementing recommendations from previous sessions, especially those adopted on indigenous peoples and the Millennium Development Goals in 2005 and 2006.

One of the major issues for 2007 was the United Nations Declaration on the Rights of Indigenous Peoples, adopted by the Human Rights Council in 2006, she continued. Indigenous peoples were deeply disappointed at the General Assembly’s decision to defer adoption in November last year, as the Declaration

represented the minimum standards for the survival of indigenous peoples, and many still lived under the most oppressive conditions.

Noting that amendments had been made to the Declaration adopted by the Human Rights, she said the only chance for it to be adopted would be to ensure that the Human Rights Council version was adopted. Forum members had been engaged with various processes at the national, regional and international levels to raise awareness on the important issues for indigenous peoples. Further, the Forum was trying hard to promote a human rights-based approach to development and facilitate indigenous peoples' participation in processes that impacted them. The fate of the Declaration was in the hands of the General Assembly.

Election of Officers

The Forum then elected, by acclamation, its Vice-Chairpersons from among its membership: Otilia Lux de Coti from Guatemala, William Langeveld from South Africa, Mr. Aqqaluk from Greenland and Ida Nicolaisen from Denmark. Michael Dodson from Australia was elected as Rapporteur.

Presentations on the Forum's Special Theme

Ms. TAULI-CORPUZ said the special theme -- lands, territories and resources -- touched on very "difficult and sensitive issues", but issues that were really the core of indigenous people's demands. Indeed, Governments, indigenous peoples organizations and civic actors should join together to address the issues in a satisfactory manner, particularly to ensure that the land and resource rights of native peoples were respected and that their fundamental human rights were protected. She went on to highlight a few of the studies done by indigenous groups and Governments on those issues ahead of the Forum, and noted that many would be presented by experts during the session. The challenge was for all stakeholders "to put our heads together" and figure out the best ways to rectify the historic injustices that indigenous people had faced in these areas, and to submit concrete recommendations to the Economic and Social Council for action.

JEAN PHILIPPE AUDINET, Director, Policy Division, International Fund for Agricultural Development (IFAD), which is the current chair of the Inter-agency Support Group on Indigenous Issues, updated the Forum on the Support Group's work. He said that the Group's most recent meeting, last December in Rome, had centered on the principle theme of "development with identity", in line with the main focus of the Second Decade. The Group identified areas of general focus, including that institutions should review their policies and other instruments within the framework of the Declaration.

On recommendations for United Nations country teams, the Group noted that development activities could sometimes displace indigenous people from their lands and resources. The Group recommended, therefore, that country teams monitor their development activities and sensitize their affiliated agencies to the issue. The Group also suggested that the Forum contact the Department of Peacekeeping Operations on ways that it could raise awareness of indigenous issues with United Nations peacekeeping missions, particularly regarding land and resource concerns.

ERICA-IRENE A. DAES (Greece), highlighting her capacity as an elected member of the Working Group on Indigenous Populations, said one of the most acute and complex situations facing the world's indigenous peoples was the refusal by certain Governments to promote and protect their rights to land and natural resources. That non-recognition, and indigenous peoples' dispossession of their territories and lands, constituted problems of the most urgent nature. To understand the profound relationship of indigenous peoples to their territories, lands and natural resources, cultural differences between indigenous and non-indigenous peoples should be recognized. She discussed article 13 of the International Labour Organization Convention 1989/169 concerning Indigenous and Tribal Peoples in independent countries in that context.

The doctrines of dispossession that had emerged in developing modern international law, particularly the concepts of "terra nullius" and "discovery", had well-known adverse effects on indigenous peoples, she continued. Other problems included the State's failure to acknowledge indigenous rights to territories lands and resources; to demarcate indigenous lands; to enforce or implement laws protecting indigenous lands; and the State's expropriation of indigenous lands for national interest without the prior and informed consent of indigenous peoples. Also, the principle of permanent sovereignty over natural resources and the scope of indigenous peoples' right to own, develop and manage their territories, lands and resources should be reviewed.

She had considered those problems in her capacity as special rapporteur of the former sub-Commission for the Promotion and Protection of Human Rights.

She discussed various reports, including one by the International Expert Group Meeting on the Convention on Biological Diversity's International Regime on Access and Benefit-Sharing and Indigenous Peoples' Human Rights. Further, she recalled the jurisprudence of international, regional and national courts, highlighting the case of the Mayagna indigenous community of the Awas Tingi against Nicaragua. Finally, she proposed that the Forum place priority on implementation of recommendations that had been adopted, and encouraged relevant negotiations between Governments and indigenous peoples to promote reconciliation.

Before the Forum wrapped up its work for the morning, the representative of the Russian Federation said his delegation wanted to contribute to the successful work of the Forum. Unfortunately, however, despite a request to the United States Consulate almost two months ago, one of his country's delegates had not received a visa to participate in the Forum. He hoped that situation would be resolved.

The Chair responded that the Secretariat had alerted all necessary authorities to enable the delegate to travel to New York to participate.

Permanent Forum member HASSAN ID BALKASSM (Morocco) said that documents had not been made available for French-speaking representatives. He asked the President to ensure issuance of French-language documents.

The Secretary responded that the French documents would be ready for the afternoon session and that there were tables outside the conference room with other Forum documents. A side event would be at 1:15 p.m. on Spanish cooperation with indigenous peoples, as well as a discussion on violence against women. Also, a discussion on the Declaration would take place in the Dag Hammarskjöld Library Auditorium.

LEE SWEPSTON, International Labour Organization (ILO), said the Inter-agency Support Group had attempted to compile all policies on the theme, lands territories and resources in its report. While some of those contributions had been presented in his organization's paper, a full list was posted on the Secretariat website. The paper varied depending on the type of contribution made. There were written contributions or policies from agencies such as the United Nations Educational, Scientific and Cultural Organization (UNESCO), the World Bank and the Inter-American Development Bank, as well as practices from more general parts of the system.

The Group had compared policies to the draft Declaration to determine how issues were being managed, he continued. The draft had been divided into areas including rights to territories, involuntary resettlement, and rights to compensation and redress. Despite the different approaches within the international system, Group members had adopted specific policies that were compatible with the draft Declaration on lands, territories and resources, the report had concluded. Further, there was a consensus on development policies and human rights that had been accepted by human rights organizations and Governments that had requested its assistance.

Among the differences in approach was "coverage", he continued, noting that indigenous peoples were most affected by poverty alleviation work. There were also differences on the approach to prior informed consent. Those differences, however, were unlikely to make much difference on the ground. There were also limitations. Not all organizations had submitted information to the Group, so not every issue had been examined. Further, practice did not always follow best policies, and it was often difficult to spread adopted policies throughout large organizations. Additionally, the report did not include information from other development actors, such as non-governmental organizations. It would be useful to include them in the pursuit of comparative work.

Finally, the report did not include supervisory work, such as how issues had been dealt with in international law. On a personal note, it was his last appearance before the Forum. He had begun at a time when there was no Inter-agency Group, and there was doubt as to focusing on specific segments of a population. The situation had, indeed, developed since then.

Forum member Ms. NICOLAISEN reported on the meeting on the international regime on access and sharing benefits and rights under the Convention on Biological Diversity. She said that the expert meeting had been held in New York this past January. The meeting, which featured the participation of United Nations agencies, examined, among other things, elements of customary law, human rights treaties and other emerging or existing instruments on indigenous knowledge, as well as the role of customary law in the protection of traditional knowledge. "These are no easy issues," she said.

She went on to highlight some other issues covered in the meeting, including the need to ensure conformity between internationally recognized human rights laws and international laws on benefits sharing, the need to empower elders and youth, how to achieve shared understanding of concepts of traditional knowledge, and how to ensure traceability -- chiefly through certificates -- of genetic resources, from the collection phase through product marketing. The meeting ended with a great number of recommendations, she said, noting, among others the call for indigenous people, as custodians of the earth's biodiversity, to be actively involved in the initiatives launched around the world in the run up to and during the International Year of Biodiversity.

Reports from Agencies

CARMEN MORENO, Director of the United Nations International Research and Training Institute for the Advancement of Women (UN-INSTRAW), said indigenous peoples had made considerable progress towards recognition of their rights at the local, national and international levels. One of the most important successes at the international level was the adoption by the Human Rights Council of the Declaration on the Rights of Indigenous Peoples in 2006.

In Latin America, indigenous organizations and movements had been very relevant in some countries, she said, noting a key success had been the increase in their capacity to support their candidates' access to local and national Governments, as in the case of Bolivia. However, many still lived among the poorest of the poor.

Acknowledging that there had been an increase in the political presence of indigenous representatives in Governments, and that process had improved governance, she said much work remained in order to achieve a democratic representation of indigenous men and women in Governments. Without their participation, particularly in positions of power, democratic society could not be achieved.

Noting that UN-INSTRAW had recently concluded the first of a three-year project on strengthening governance from a gender perspective and women's political participation at the local level in Latin America, she said. The Institute also had released a study on indigenous women in politics in Bolivia, Colombia, Ecuador, Guatemala and Peru. The findings showed that, while mechanisms such as quota laws were essential, they did not redress indigenous women's low levels of representation.

The obstacles that remained included: poverty; tensions between the international community's concept of Government and that acknowledged by indigenous women; political violence; and the near invisibility of the problems of indigenous women. Future work should include a focus on small-scale initiatives that could be scaled up, and increasing the participation of young indigenous women.

Mr. AUDINET, updating on the work of IFAD, said the Fund's objectives on indigenous people had been fully integrated into its work, and the Fund had thus far invested more than \$1 billion in initiatives targeted specifically to the development of indigenous people and their communities. The Fund was also concerned about what types of financial instruments were used and what principles underpinned defining and identifying those initiatives. On a new project, the so-called Indigenous Peoples' Facility, inherited from the World Bank last year, he told the Forum that IFAD's Policy Division was now managing the small project, which had thus far received more than 1,000 proposals from grass roots actors suggesting a host of relevant projects and initiatives.

ANDREW FUYS, speaking on behalf of the International Land Coalition (ILC), an institution of members working to increase the rural poor's secure access to resources by strengthening the individual and collective capacity of its members and partners, said that his organization was assisting indigenous people to participate directly in international forums, so that they could more effectively exchange their views with Governments and others, and better ensure that there is access to land, natural resources, and territories were more secure.

A representative of the Food and Agricultural Organization (FAO), reported on his Organization's approach to the Forum's activity, noting that the FAO policy had been produced last year. That document was based on a review of FAO projects and programmes, and could serve as a basis for other organizations. The FAO would work in close collaboration with indigenous peoples in line with the principles in the draft Declaration on the Rights of Indigenous Peoples, especially in the areas of cultural indicators, genetic resources for food, climate change and capacity-building, among others. The right to food would be a theme during the upcoming World Food Day on 16 October in Rome.

Another representative said the FAO had been supporting a number of other activities, including various regional workshops on the right of indigenous peoples to new opportunities provided by communications technologies. A workshop in Latin America and a congress with the World Bank had been held. Outcomes from the congress would be discussed at 3:00 p.m. on 17 May. There would be follow-up regional workshop in Latin America with indigenous peoples in Bolivia. Communication was a strategic issue in advancing indigenous peoples' development, he said, and the FAO would continue to provide regional platforms for indigenous peoples to put forward their ideas for development.

The representative of the ILO said the second *Global Report on Discrimination under the Follow-up to the Declaration of Fundamental Principles and Rights at Work*, released last week, emphasized that indigenous peoples were the subject to discriminatory exclusions and practices worldwide.

The World Bank estimated that indigenous peoples constituted about five per cent of the world's population, but 15 per cent of the poor, he said, noting that indigenous peoples often had limited access to basic social services. Regarding traditional occupations, a main problem was the lack of recognition of indigenous rights to lands, territories and resources. He noted that indigenous people had struggled to maintain control over their territories, but many had been marginalized due to land grabbing.

Discussing legal instruments, he said the ILO had worked to raise awareness of the potential of Convention No. 111 as a framework for protecting indigenous and tribal peoples' right to carry out traditional occupation without discrimination. In poverty reduction, research in Cambodia, Cameroon and Nepal showed that secure rights to land was fundamental to achieving Government poverty reduction and development goals. Challenges to be addressed in a more systematic manner included the identification of entry points; capacity-building to implement legislation; increased consultation with, and participation of, indigenous peoples; differing concepts of development; and increased coordination among development partners.

SUSANNE SCHNUTTGEN, Programme Specialist in the Division of Cultural Policies and Intercultural Dialogue of the United Nations Educational, Scientific and Cultural Organization (UNESCO), said that she was pleased to take part in the Forum's work just two months after the entry into force of the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions. The Convention was the first legal instrument that recognized the distinctive nature of cultural activities, goods and services as vehicles of identity, values and meaning. It acknowledged the value of indigenous cultures as a source of intangible and material wealth and of their positive contribution to sustainable development.

Noting that indigenous people's cultural expressions were often weakened, she said the new Convention provided a framework and a tool to help ensure the rights of indigenous peoples to create and disseminate in a fair environment their specific expressions cultural goods and services. She said that UNESCO would urge the Forum during its session to provide the agency with information and experience related to the safeguarding of sacred sites and their role in protecting and promoting cultural and biological diversity. UNESCO believed the mapping of cultural resources could be an effective tool in exploring the spatial and territorial aspects of a community's cultural resources, including their memory, imagination and other dimensions of their intangible heritage. A concept paper and a guide to organizing workshops to raise awareness about the opportunities and risks of cultural mapping would be available on UNESCO's website by the end of the year, she added.

TRISHA RIEDY, the representative from the United Nations Institute for Training and Research (UNITAR), said marginalization from political and economic processes had resulted in poverty within indigenous communities, underscoring that meaningful participation for women and men in those processes was necessary for the prevention of conflict. Inclusive approaches, reflecting the diverse cultures of indigenous peoples were needed to form appropriate policies in sustainable manner.

As conflict over land and resources and marginalization from economic processes were among the greatest challenges, most of UNITAR training programmes had focused on those issues. There was also a need to improve the capacity of indigenous representatives to resolve conflict in a sustainable manner. To improve their ability to engage in constructive dialogue, UNITAR emphasized the use of special rapporteurs. Specific land and resource cases presented by regional experts to boost dialogue among indigenous peoples, Governments and the private sector were also highlighted.

Extensive documentation, including United Nations reports, were made available to participants to foster an understanding of rights, she said, noting that women who composed 40 per cent of the participants in UNITAR training programmes. Also, the programme had invited women to become involved in peacebuilding initiatives and sought to enhance the capacity of women in conflict analysis. The next training programme had been requested for peoples in Asia Pacific, she said. She thanked Denmark, Finland and Switzerland for their contributions to this year's programmes. UNITAR wanted to realize the goal of "development with identity" for the world's indigenous communities.

SELMAN ERGUIDEN, head of the Shelter Branch of the United Nations Human Settlements Programme (UN-HABITAT), reported on the Expert Group Meeting on Urban Indigenous Peoples and Migration, which took place in Santiago, Chile this past March. The meeting had been the first international expert-level initiative on the challenges of ongoing urban-rural migration and of improving urban indigenous people's quality of life. The aim of the initiative had been to facilitate a better understanding of the situation through the generation of comprehensive knowledge and to elaborate policy recommendations for improving the living and human rights condition of indigenous peoples.

He said that the meeting had featured the participation of some 75 experts, who had highlighted, among other things, that the rights of indigenous peoples should be recognized and respected as the first step towards improving their living conditions. They had also noted that comprehensive policies based on recognition of religious, political, social, cultural and spiritual rights, including of indigenous peoples sacred sites, needed to be formulated. States must work in a complementary fashion and adopt policies that enabled indigenous peoples to take full advantage of the opportunities that existed in urban areas.

WEND WENDLAND, the representative of the World Intellectual Property Organization (WIPO), addressed several issues, including the draft instruments on the protection of traditional cultural expressions and traditional knowledge against misappropriation and misuse. Because traditional knowledge and traditional cultural expressions were important, the Intergovernmental Committee was looking at draft instruments on those items. That approach recognized collective rights and the free and informed consent principle, he said, noting that the prior registration of traditional cultural expressions and traditional knowledge was not a precondition for protection. The drafts had not been endorsed by the Intergovernmental Committee and had incorporated proposals from the Secretariat of the Forum. Copies of draft instruments were available at the meeting.

On the participation of indigenous peoples in the World Intellectual Property Organization, he detailed measures, including a fast-track accreditation procedure for non-governmental organizations that had been created in 2001. More than 150 organizations were accredited to the Intergovernmental Committee, he said. The World Intellectual Property Organization Assembly had established the Voluntary Fund in 2005, which had received significant contributions from the Governments of France and South Africa, among others. Details on its management were on the Organization's website and a side event would be held on 15 May at 1:15 p.m.

On customary laws and protocols, her organization had started a process of consultation related to traditional cultural expressions and traditional knowledge, he said. Practical capacity-building measures included activities designed in cooperation with indigenous groups, such as work done with women in Panama to protect and promote their art. Attention had also been given to intellectual property guidelines on recording of intangible cultural heritage. That line of work, undertaken within Creative Heritage Project, was done in cooperation with the Masaai Cultural Heritage Foundation and the ILO.

CHANDRA ROY, of the United Nations Development Programme (UNDP), said that, each year, her agency released a report on an issue of global concern. This year that report had highlighted the linkages between water governance and population growth. It had found, among other things, that poverty was a major constraint to clean water and that identity was a major hindrance to clean water. It also found

that many Governments rode roughshod over the claims of many indigenous peoples to water and other natural resources on their traditional lands. She went on to highlight the UNDP's other efforts and initiatives, at the country level, to promote development and confidence-building among indigenous peoples and communities. In Cambodia, for instance, the UNDP had supported the Government and had worked with other United Nations agencies on land issues. Elsewhere, the agency had developed a number of programmes aimed at enhancing intercultural dialogues.

LUZ ANGELA MELO, representing the United Nations Population Fund (UNFPA) said her organization was mainstreaming indigenous issues throughout its programme. The Mid-term Strategic Plan for 2008 to 2011 contained three cross-cutting concerns: young people, humanitarian assistance and marginalized and excluded populations. The UNFPA would give special attention to initiatives that contributed to reducing social and economic gaps. Further UNFPA would identify excluded and marginalized groups and assess their needs, particularly focusing on reproductive health.

Since 2000, UNFPA had adopted a culturally sensitive approach to its programmes, which furthered human rights principles through an understanding of cultures outside of the Western belief system, she said. Such an approach was crucial for the UNFPA's endeavours in dealing with indigenous issues. Providing effective health care depended on the ability of medical and social services to accommodate cultural practices. Indigenous peoples' perception of the world was essential to their identity and development policies must reflect those understandings.

Summarizing UNFPA's work with indigenous peoples, mostly from Latin America, she highlighted the promotion of bilingual education. Indigenous women were twice as likely not to attend health services as non-indigenous women, and bilingual education with a sexuality component was critical. UNFPA programmes aimed to improve the reproductive health of indigenous women. Additionally, UNFPA's gender approach in Latin America gave value to the indigenous notion of well-being, which honoured reciprocity between the feminine and masculine worlds, both physical and spiritual.

ANNA LUCIA D'EMILAO, of the United Nations Children's Fund (UNICEF), said that while her agency's mandate was not directly linked to the issues that were the focus of today's discussion, it was nevertheless aware of the critical impact of land and natural resources on the survival of indigenous communities and on realization of indigenous children's rights. Indeed, one of the immediate impacts of deprivation of lands had been the degradation of children's nutrition. At their last meeting, the UNICEF indigenous consultative group for the Latin American and Caribbean region had observed that there was a clear link between the problems indigenous peoples were facing regarding their lands and territories and chronic malnutrition and infant mortality.

She said that UNICEF had been supporting programmes aimed at assessing and addressing child malnutrition in indigenous communities. Along with country level programmes, it had also been working at the policy-level, designing and implementing more inclusive plans that addressed the needs of the most marginalized, and included their participation at all levels of the process.

LUCA DALL'OGGIO, the representative from the International Organization for Migration (IOM), said his organization had prepared a report on indigenous peoples for the Forum. The theme of territories, land and natural resources was important, and the IOM would be more than willing to provide expertise in areas such as compensation programmes, particularly when migration was not undertaken by choice.

Discussing reasons for displacement, he said the impact of climate change had brought about specific challenges, and today there was a need to respond to "environmental migration". Indigenous peoples faced increased vulnerability to that phenomenon, as they relied on their territories for survival. Climate change mitigation plans represented a new challenge for indigenous communities, and they must become co-authors for any policies. They had proven the sustainability of their lifestyles and, thus, must voice opinions in all plans concerning the preservation of their lands and wildlife.

Following an IOM workshop on indigenous peoples and migration in April 2006, the Organization would be further investigating that intersection through a research paper that would identify the distinct migratory patterns of indigenous peoples. That paper would soon be made available.

Describing the IOM's collaboration with United Nations partners and Canada on the urban indigenous peoples and migration meeting in Santiago in March, he said that issue deserved particular attention. Scrutiny had increased over the last year on the nexus between indigenous peoples and migration, and indigenous concerns must be injected into the international debate. Identifying the challenges and responses to that nexus was important, and the IOM looked forward to continued collaboration with interested stakeholders.

JOSE PARRA, of the Office of the United Nations High Commissioner for Human Rights (OHCHR), updated the Forum on the Inter-agency Group on the intercultural issues of Bolivia. He said the Group aimed to strengthen coordination of United Nations agencies on the ground and to build the capacities of stakeholders working on behalf of Bolivia's indigenous populations. The project had led to the creation of a National Council for Dialogue, which worked to ensure the participation of indigenous people in Government-level decision-making on issues that directly concerned them. He said the Council had also given technical assistance to the Bolivian Assembly on international human rights law and the wider work of the United Nations human rights machinery.

ANNE DERUYTTERE, representing the Inter-American Development Bank (IADB), said with more \$8 million to \$10 million in new contributions every year, the Bank offered financing for development for Latin America and the Caribbean. The main item for debate -- territories, lands and natural resources -- was an issue of utmost priority for indigenous peoples. She was grateful to the indigenous groups, Governments and civil society groups that had contributed to the Bank's work in the development of indigenous areas.

Indigenous peoples had a responsibility for their culture and land, she stressed. Preservation of biodiversity was crucial; yet there were ongoing threats due in part, to the competition over natural resources and the globalization of production and trade. Urgent action was needed to preserve the identity and well-being of indigenous peoples, including those deliberately living in isolation. The Bank was proactive in supporting initiatives for indigenous peoples and in offsetting threats in the course of financing.

Noting that ancestral territorial land was the essence of ethnic and cultural identity, she stressed the importance of protecting land rights and decreasing discrimination in labour markets. Access to social services must be improved. Overcoming discrimination at various levels, particularly for indigenous women, also was important.

Protection of the intellectual knowledge of indigenous peoples was crucial, and indigenous peoples must defend their own values, she said. She called for greater dialogue in good faith, free and prior informed consent, and the recognition of inheritance. There was a new normative framework that must be implemented in order to prevent any negative impact on indigenous peoples.

The Bank had participated in integrated community development in Chile, tourism initiatives in Belize and an organic coffee growing project in Colombia. Since the fifth session, the Bank also had been promoting work in a normative framework for indigenous peoples living in isolation. Much more could be done, and challenges included making administrations aware of indigenous peoples' needs. The Bank's dialogue with the Permanent Forum was crucial, as it sought to solidify its normative framework. She hoped to continue working with the Forum and the Inter-agency Support Group.

GHAZAL BADIOZAMANI, of the United Nations Forum on Forests (UNFF), said that intergovernmental negotiations on issues related to land and natural resources were often quite difficult and the negotiations in the Forest Forum over the past three years had been no different. But, following particularly tough going in 2005, the Forest Forum had succeeded in creating a stronger overall mandate and greater scope for discussion on issues related to indigenous and local communities. Just two weeks ago, at its seventh session, the Forest Forum had adopted a non-legally binding instrument on all types of forests, the first -ever intergovernmental instrument on sustainable forest management. The instrument was expected to be forwarded by the Economic and Social Council to the General Assembly for adoption next year, she added.

Among other things, the instrument made several references to indigenous and local communities, including, that member States should support the protection of traditional forest-related knowledge and practices in sustainable forest management "with the approval and the involvement of the holders of such knowledge" and promote fair and equitable sharing of the benefits from their use, according to national legislation and relevant international agreements. She said that the Forest Forum believed that the implementation of the new instrument would only be successful if it was undertaken in partnership with

indigenous people at national and local levels. She said that the Forest Forum would encourage members of the Indigenous People's Forum to engage with their national Governments to ensure that the commitment to sustainable forest management was upheld at all levels.

Expert Comments and Questions

Forum member Willie Littlechild from Canada said there was a parallel theme this year -- the United Nations Declaration. Twenty years from now, the Forum would look back to the sixth session as a pivotal point in history, as it would recognize its contribution to better understanding, partnerships and justice. Moreover, the session could turn indigenous peoples from a point of marginalization and dispossession, to one of recognition and inclusion.

Recalling that Erica Daes' studies as a special rapporteur had contributed greatly to the Forum, he also referred to statements made by the agencies. He focused first on Lee Swepston's presentation for the ILO and paragraph 9 of the ILO report that called on agencies to review all programmes to ensure consistency with the Declaration. He also underscored Ida Nicolaisen's suggestion to recommend to States with indigenous peoples a review of all programmes and projects to ensure their consistency with the Declaration.

He then asked Lee Swepston of the ILO whether he could present the Forum with the status of paragraph 30. Would the intent still be to hold a meeting, pursuant to paragraph 30?

Discussing issues that were particularly relevant to the Declaration, he highlighted the WIPO's discussion on the rights to traditional knowledge and traditional cultural experiences, and the UNDP's call for a rights-based approach. Additionally, he requested more financial data in the reports, as they would be otherwise incomplete.

Another expert, AQQALUK LYNGE, said it was appropriate to thank Erica Daes for her contribution. He found the UNESCO idea on sacred sites very interesting. He invited indigenous peoples to share information on that issue and said it would be appropriate to get further information from UNESCO on how it would protect the data it sought.

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