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### **INDIGENOUS FACE POVERTY -- EVEN EXTINCTION -- AT HANDS OF INDIFFERENT GOVERNMENTS,**

### **PROFIT-HUNGRY CORPORATIONS, UNITED NATIONS FORM TOLD**

#### **Indigenous Hears from Special Rapporteurs on Indigenous Human Rights, Violence against Women, Trafficking of Women and Children**

Increasingly cut off from lands, resources and traditions vital to their well-being and survival, tribal and native peoples in all regions of the world now faced marginalization, poverty, disease, violence -- and, in some instances, extinction as a people -- at the hands of indifferent Governments and profit-hungry corporations, the top United Nations expert on indigenous rights warned today.

“One of the new trends that has been reinforced in recent years is [...]the continuous loss of indigenous lands and territories, including their loss of control over natural resources [...]intensified as a result of economic globalization, especially with increased exploitation of [energy and water] resources,” said Rodolfo Stavenhagen, Special Rapporteur of the Geneva-based Human Rights Council on the situation of human rights and fundamental freedoms of indigenous peoples, in his annual address to the Permanent Forum on Indigenous issues.

Mr. Stavenhagen, who was joined by the Special Rapporteur on violence against women, highlighted trends that had a tremendous impact on indigenous peoples, including the encroachment of extractive and logging industries, such as those in North America and Liberia; the extension of plantation economies, particularly in some regions of South-East Asia and the Amazon; and the ongoing destruction of the last original forests due to indiscriminate logging, in various countries in Equatorial Africa and Latin America. “They lead to massive violations of their human rights,” he said, adding that he had personally visited some of the areas and had been able to verify the devastation first hand, in some cases.

Citing other examples, he noted the loss of territory by Cambodia’s indigenous communities as a result of widespread corruption and economic concessions over ancestral lands granted against the provisions of the land law. Throughout South-East Asia, native peoples were vulnerable, facing military build-ups on their territories and the loss of lands as a result of commercial plantation growth and the construction of “mega-projects” that had substantial environmental and social impacts. Similar situations could be found in Africa, where some countries -- including Cameroon, Congo, Uganda and the United Republic of Tanzania -- routinely dispossessed vulnerable groups of their ancestral lands, even though there were laws on the books that were supposed to protect them from just such abuse.

The Special Rapporteur on violence against women, Yakin Ertürk, said that the failure of States to create inclusive societies had undermined the recent global push to promote indigenous peoples’ rights, leaving them only a “romanticized manufacture of indigenous identity”. Further, progress lagged in the recognition of gender-specific discrimination encountered by indigenous women within and outside their communities, she said, stressing that indigenous women faced a dual task of defending their rights as members of an excluded group within a dominant society, and resisting the static patriarchal perceptions of culture and tradition within their own communities.

It was crucial to identify the racial elements of gender discrimination and the gendered elements of racial discrimination, as violence against indigenous women was rooted in the traditional patriarchal gender hierarchies, she said. The general understanding that women provoked domestic violence by failing to perform “as expected” often legitimized the use of violence as a disciplinary tool. Women frequently turned to national laws to overcome marginalization within their communities. However, both State law and custom demanded that indigenous women conform to “traditionally” ascribed behaviour. The insufficient protection in State justice systems also made indigenous women vulnerable to violence perpetuated by State agents.

Empirical and anecdotal evidence had shown that, despite the serious obstacles indigenous women faced in pursuing their human rights, they were not remaining passive, she said. They were developing strategies to counter public and private forms of discrimination through awareness-raising campaigns in remote communities and, in some countries, establishing micro-businesses and self-help groups. They were also linking their concerns to global movements. The indigenous peoples’ struggle for social justice and human rights would be successful only if such problems as violence and discrimination against women were addressed, she declared.

Julian Burger, from the Office of the United Nations High Commissioner for Human Rights (OHCHR), presented the mandate of Sigma Huda, Special Rapporteur on trafficking in persons, especially women and children. He said the Forum had repeatedly highlighted that indigenous communities scored low in all social and economic indicators, despite anti-poverty efforts. Noting challenges such as the non-recognition of indigenous peoples as such, and their increasing vulnerability to becoming victims of conflict, he stressed that women were especially impacted. Misconceptions about indigenous women played a significant role to that end.

Different root causes must be urgently addressed, he said, as indigenous women were being trafficked “because they are women and because they are indigenous”. Information on their trafficking was lacking, he said, noting that the Special Rapporteur had actually received little information on the phenomenon since her appointment in 2004. Only recently had the issue been highlighted in human rights circles, particularly in light of whispered, but widespread, reports of trafficking in indigenous women for sexual exploitation and forced labour. “But we are still very far from having the full picture of the situation. It needs to be better documented,” he added.

Among the representatives of indigenous groups taking the floor today, a speaker for the Global Indigenous Caucus stressed the vital need to strengthen mechanisms within the United Nations system to promote and protect the human rights of indigenous peoples. The United Nations, especially the Human Rights Council, needed to ensure that ongoing human rights abuses were effectively addressed, including through strengthening the mandate of the Special Rapporteur. She was among several speakers calling for the establishment of an expert working group on the human rights of indigenous people, as a subsidiary body of the Human Rights Council. It should include no fewer than three indigenous experts appointed by indigenous groups. She urged the Forum to press for the creation of such a group at the June session of the Human Rights Council.

Summing up the day’s discussions Aqqaluk Lynge, Forum expert from Greenland, recalled the “chilling” reports presented about the situation of indigenous peoples worldwide, including rape, forced disappearance, trafficking in women and beatings by law enforcement officials. The list of injustices went on and on. He said that, “even though we have been told not to” he had no fear of “naming and shaming” of countries that had been identified as rights abusers, because those very countries seemed not to care about the rights of the indigenous peoples living in their midst.

At the end of the day, what was clear was that, worldwide, the rights of indigenous people were under serious threat. That was why adoption of the Declaration was so important. He reminded the Governments present that the draft “wasn’t even legally binding”. It was simply a declaration that had been negotiated in good faith. But now, some Governments in the room were extolling the virtues of their Constitutions and polices towards indigenous peoples. Those were some of the same “States that have turned their backs on us”. Whatever the case, he said that the indigenous “would not bend”. They were strong and would continue to fight against discrimination, degradation and marginalization.

Representatives of the following Governments spoke today: Myanmar, Viet Nam, Canada, Colombia, Nepal, Lao People’s Democratic Republic, Finland, Norway, Thailand and Denmark.

Participating in the Forum were the Deputy Director of the New York Office of the Joint United Nations Programme on HIV/AIDS (UNAIDS), a representative of the Indigenous Fellows Programme of Office of the United Nations High Commissioner for Human Rights (OHCHR) and a representative of the United Nations Children's Fund Regional Office for Latin America and the Caribbean (UNICEF TACRO).

Statements were also made by representatives of the following indigenous organizations: Pacific Caucus, Native Women's Association in Canada, (on behalf of the Caucus of Indigenous Peoples of North America), Latin American Caucus and associated organizations, Indigenous Women's Caucus, Asian Caucus, Conselho Indigena Roraima, Forest Peoples Programme, Asian Indigenous Women's Network, Russian indigenous groups and the Indigenous Information Centre of the Krasnoyarsk Territory, Assembly of First Nations Women's Council, National Native Title Council and other organizations, Parlamento Indigena de America, Union de Pueblos de la Nacion Diaguita and other organizations, Lawyers' Association for Human Rights of Nepalese Indigenous Peoples and other organizations, All Boro Post Graduate Youth Federation and other organizations, Asia Pacific Indigenous Youth Network, Assembly of First Nations, Aboriginal Peoples of Argentina, Confederation of Indigenous Peoples of Ecuador and associated organizations, Lao Human Rights Council and associated Hmong organizations, Andes Chinchasuyo and the Traditional Circle of Indian Elders and Youth, Akah Heritage Foundation, Indigenous Peoples of the Pacific Federation, Comite Indigena Internacional para la Protection de los Pueblos, La Red Chicana Indigena and the South Central Farmers of Los Angeles, Research and Support of Indigenous Peoples of Crimea Foundation, and Native American Women's Health Education Resource.

The Forum will reconvene on Monday 21 May to discuss the situation of indigenous people in Asia, as well as urban indigenous peoples and migration.

### Background

The United Nations Permanent Forum on Indigenous Issues met today to continue its sixth annual session. It was expected to discuss implementation of recommendations on the six mandated areas -- economic and social development, environment, health, education, culture and human rights -- and on the Millennium Development Goals. It also was expected to hear two reports presented by Rodolfo Stavenhagen, Special Rapporteur of the Human Rights Council on the human rights and fundamental freedoms and indigenous peoples, and Yakin Ertürk, Special Rapporteur of the Human Rights Council on violence against women. Also before the Forum was a written report from Sigma Huda, Special Rapporteur on trafficking in persons, especially women and children. For background, see Press Release [HR/4916](#) issued 11 May 2007.

### Statements

KYAW MOE TUN ( [Myanmar](#)) said indigenous issues were regarded as national issues in Myanmar, a nation of 54 million people comprised of eight national races, which themselves contained more than 100 ethnic groups. There were neither "early settlers" nor "late settlers" in his country and, for that reason, all indigenous peoples were referred to as "national races".

On environmental issues, he said that, following the 1992 United Nations Conference on Environment and Development (UNCED) in Rio de Janeiro -- the Earth Summit -- Myanmar had adopted the National Environmental Policy, which contained programmes on social, economic and environmental issues. Local communities had a vital role to play in identifying both general and environmental issues. The country was renowned for its forests and biodiversity, and the forest ecosystem was crucial for its ethnic populations. Customary rights were acknowledged and wide access was given to local populations to use forest resources. Further, for the sustainable management of forest, Myanmar had adopted a forest law in 1992.

Noting that Myanmar had faced several insurgencies in the past, he said that today, 17 of the 18 major insurgent groups had come back "into the legal fold". As peace had returned to the border areas, where 20 per cent of the national races lived, the Government was able to implement its development programme. To promote the well-being of national races, the Ministry for the Progress of Border Areas had implemented the "border areas development programme", among others. Further, it had given priority to building roads and bridges, and had built 852 primary schools in the border areas.

Myanmar had also improved health services for national races and the border areas, he continued, noting for example that the number of hospitals had increased to 79 from only 6 in 1988. The Government had invested more than \$550 million in developing services for national races living in the border areas.

NGUYEN TAT THANH (Viet Nam) said that, to ensure that his country's current economic growth benefited everyone, even the most disadvantaged groups in society, the Vietnamese Government was taking steps to address the socio-economic needs of some 53 ethnic minority groups living in Viet Nam's mountainous and remote areas, who made up 21 per cent of the total population. To promote sustainable development in such harsh environments, it was necessary to ensure harmony and balance between economic growth, social justice and environmental protection, as well as to preserve the cultural identity of all ethnicities. For mountainous regions, the Government's priority areas included, among others, improving the livelihoods and working to actively meet the spiritual and material needs of the ethnic minorities living there, and to protect and improve their unique environment as an integral part of prompting overall sustainable development.

The Government was also encouraging their active participation in identifying their needs and in the development, implementation and monitoring of plans and programmes that concerned them, he said. The programme on the socio-economic development of communes with special difficulties in mountainous and ethnic-minority areas had been launched in 1998 and, in its current phase, aimed to considerably improve production and income-generating opportunities, infrastructure, such as irrigation systems, providing electricity and clean water, and school enrolment. Before concluding, he said his delegation felt compelled to state its objection to the participation of entities such as the Khmer Kampuchea Krom Federation and the Montagnard Foundation in the Forum's work. Those groups "spread false information" that Viet Nam rejected. Such allegations and actions by those groups only served to negate the important work the Forum -- and the Vietnamese Government -- were doing to promote the betterment of all people around the world.

CATHERINE ADAM (Canada) discussed initiatives to improve the health status of aboriginal peoples and actions to address previous Forum recommendations on the themes of health, indigenous women and children, and data collection, noting that improving the health status of First Nations, Inuit and Métis peoples was a goal shared by the Government and aboriginal partners.

The First Nations and Inuit Health Branch, one of seven branches of Health Canada, was helping those communities address health barriers and disease threats, mainly through the non-insured health benefits and community programmes. The \$100 million Aboriginal and Health Human Resource Initiative, for instance, was designed to increase the number of First Nations, Inuit and Métis in health careers. Further, Health Canada had provided financial support to national aboriginal organizations for the development of culturally appropriate health indicators, she said, noting that the 2006 Aboriginal People's Survey would generate important data relating to socio-economic determinants of health.

As a nutritious diet was essential, Health Canada had launched its first Food Guide for First Nations, Inuit and Métis, she continued. Unfortunately, the rate of diabetes among aboriginal peoples was three to five times higher than that of the general Canadian population. To close that gap, Health Canada had launched the Aboriginal Diabetes Initiative in partnership with aboriginal peoples.

To support maternal and child health, it launched a national "healthy pregnancy campaign", she said. On suicide prevention, the February 2005 federal budget had identified \$65 million over five years for a national aboriginal youth suicide-prevention strategy. Regarding HIV/AIDS, Canada was a major sponsor of the International Indigenous Peoples Satellite, associated with the sixteenth International AIDS conference held in Toronto in 2006. Noting that it was important to develop partnerships with aboriginal peoples, she described various initiatives, including the Health Canada/Inuit Tapiriit Kanatami Task Group, the Health Canada/Assembly of First Nations Task Group and the tripartite 10-year First Nations Health Plan Memorandum of Understanding.

VICTOR ORTEGA, Deputy Director of the New York Office of the Joint United Nations Programme on HIV/AIDS (UNAIDS), said that the world's indigenous peoples were routinely marginalized and often lived in remote, poverty-ravaged regions, conditions that often fostered the spread of HIV/AIDS. Global efforts towards universal access to HIV treatment, prevention, care and support should not overlook indigenous peoples, he said, adding that the response to the virus must involve indigenous communities. UNAIDS was actively working to reach indigenous communities and help, with other members of the development and donor

community, as well as other United Nations agencies, to build capacities and raise awareness about HIV treatment, prevention and care.

CARLOS SUAREZ ( Colombia ) said that, just five years ago, his country had been facing widespread insecurity at the hands of armed groups financed by the drug trade. Those groups had been terrorizing the country, including indigenous communities and other civilian areas. He said that the Government's aggressive policy to end that reign of terror had not been, as some had suggested, an abrogation of rights and freedoms, including fundamental human rights. Rather, Colombia's security party had reinvigorated the economy, significantly improved security for all and restored the faith of all citizens, including indigenous minorities, in national authorities to protect and promote their rights. He said that homicides had dropped to an all-time low in the wake of the country's domestic security policy and comprehensive plans targeting extremely vulnerable indigenous communities were now yielding benefits.

He said that some delegations in the Forum had insinuated that the Government forces had actually been acting as "paramilitary outfits" operating outside international law, when in fact, those agents had been working to bring the heads of armed groups to justice. On implementing the Millennium Goals, he said the Government was actively working to ensure that there was real change on the ground, because of the wide gaps that existed between population groups, particularly those that lived in rural versus urban areas. He said that the poorest indigenous minorities had access to free health care. That programme had now reached some 48 per cent of that population, but the goal was universal coverage in the very near future.

A representative of the Pacific Caucus said health and education issues could not be decoupled from the question of land and natural resource control, as they brought to mind images of colonialism and globalization. Regarding health, he asked the Forum to push States to improve the health of indigenous peoples, paying particular attention to protecting knowledge associated with traditional medicine and providing training for staff to understand native peoples. Further, States should adopt appropriate legislation to protect the biodiversity of traditional lands against exploitation by the mining sector, and protect traditional knowledge. Laws to improve the living conditions of those who had been urbanized should also be developed. Turning to education, he asked the Forum to demand that Governments implement the United Nations Educational, Scientific and Cultural Organization (UNESCO) Action Plan. Moreover, States should provide funding for indigenous peoples and develop policies to improve the quality of education. The indigenous peoples of the Pacific were suffering from a lack consideration for their knowledge and language.

#### Presentations by Special Rapporteurs

Opening the Forum's discussion with human rights experts, RODOLFO STAVENHAGEN, Special Rapporteur of the Human Rights Council on the situation of human rights and fundamental freedoms of indigenous peoples, said that, since the last time he had addressed the Forum, several events had occurred that affected the rights of indigenous peoples. Those included the creation by the General Assembly last year of the new Human Rights Council and the "momentous" adoption by the Council of the United Nations Declaration on the Rights of Indigenous People.

He went on to sum up his work over the past year, drawing on an earlier presentation to the Human Rights Council, including the special emphasis he had placed on the challenges of protecting and promoting the rights of indigenous peoples, including particularly vulnerable groups, such as forest peoples, people living in isolation and pastoralists. He had also reported to the Council on his visits to Ecuador and Kenya, and had highlighted trips to Guatemala, Canada and the Philippines. He said that, in the months before his mandate ended, he hoped to visit Congo, as the Brazzaville Government had publicly expressed an interest in such a visit during the last session of the Human Rights Council.

Turning next to the trends and challenges facing indigenous peoples and communities, he drew attention to the troubling ongoing loss of indigenous lands and territories, including their loss of control over natural resources. That process had been intensified as a result of economic globalization, especially with increased exploitation of energy and water resources.

The environmental impact of extractive industries, such as those in North America and Liberia; the extension of plantation economies, particularly in some regions of South-East Asia and the Amazon; and the ongoing destruction of the last original forests due to indiscriminate logging in various countries in Equatorial Africa and Latin America were all trends that impacted indigenous peoples tremendously. They had led to

massive violations of their human rights, he said, adding that he had personally visited some of the areas he had described, and had been able to verify the devastation first-hand in some cases.

He said that a recent expert seminar on the situation of indigenous peoples and their lands in Cambodia had revealed a serious loss of territory by Cambodia's native communities as a result of widespread corruption and economic concessions over indigenous ancestral lands granted against the provisions of the national land law. But all throughout South-East Asia, indigenous and tribal peoples were vulnerable and faced a military build-up on their territories and the loss of lands as a result of commercial plantation growth and the construction of a host of "mega-projects" that had substantial environmental and social impacts, which, more often than not, did not benefit local populations.

He stressed that similar situations could be found all over the world. He noted, in Mexico for example, the damage being caused by construction of the La Protta dam and threats and abuses perpetrated against indigenous rights defenders in countries like the Philippines and Guatemala. He said that some African countries -- including Cameroon, Congo, Uganda and the United Republic of Tanzania -- routinely dispossessed vulnerable and marginalized groups of their ancestral lands, even though there were laws on the books that were supposed to protect them from just such abuse.

He drew special attention to the precarious situation of the world's forest peoples, whose very way of life collided with the process of globalization, which, ultimately, was the cause of their vulnerability. Those peoples were losing their habitats at an alarming rate and they were receiving no compensation or economic alternative. Powerful economic interests were pressuring the few hangers-on, posing the very real risk of extinction. That was the case in various Latin American countries in the Amazon basin. The lives of pastoralists in arid and semi-arid lands were also at risk, because of the privatization and allotment of their traditional herding area, or because of the creation of nature preserves. Those processes had slowly, but steadily, decreased their traditional habitats, as had been witnessed in various East-African countries.

He went on to say that extractive industries, large commercial plantations and unsustainable patterns of consumption and production had led to widespread environmental pollution and destruction, which seriously impacted indigenous peoples, whose ways of life were inextricably linked to the environment, land and natural resources. That deterioration often sparked mass population movements of indigenous communities, which, in turn, generated high rates of poverty and serious health, nutrition and welfare problems. A dramatic example of that was the current situation of the Arctic people, now suffering directly from the consequences of global warming, he added.

He noted that, to defend their rights and express their needs, indigenous peoples had resorted to different forms of social organization and mobilization, often the only ways their voices could be heard. All too often, however, such social protests were criminalized, leading to new and sometimes gross violations of human rights. He had documented various cases in his reports to the Human Rights Council, including of extrajudicial executions, forced disappearances, torture, arbitrary detentions, threats and harassment. Many of those incidents had taken place in the context of the struggle led by indigenous peoples and communities to defend their ancestral territories and natural resources.

Finally, he drew attention to the persistent disadvantages and challenges indigenous women, girls and boys faced in many parts of the world. Throughout his six-year mandate, he had received both oral and written testimony regarding the discrimination, violence and abuse suffered by those groups. In that regard, he urged the Forum to closely consider the presentations to be made today by the special rapporteurs on violence against women and on trafficking in persons, especially women and children.

The Special Rapporteur on violence against women, YAKIN ERTÜRK, praised the Forum for providing a platform to pay tribute to the many known and unknown indigenous peoples who had resisted systematic oppression throughout history. While success had been achieved over the last decade, progress lagged with regard to the equal participation of indigenous peoples in social, cultural, economic and political life. During her official missions, she had observed that poverty was disproportionately concentrated among native peoples, clearly reflected in the gap between indigenous and non-indigenous populations in the areas of life expectancy and infant and maternal mortality, among others. The failure of States to create inclusive societies had undermined the principles of the recent international agenda for indigenous peoples' rights, leaving them only a "romanticized manufacture of indigenous identity", she said, noting that national pro-indigenous

legislation rarely referred to the issue of entitlements and access to justice, prerequisites for their continued existence.

Further, she said progress lagged in the recognition of gender-specific discrimination encountered by indigenous women within and outside their communities, stressing that indigenous women faced at least five layers of discrimination on the basis of sex, ethnicity, poverty, often being rural and increasingly being migrant. As a result, they faced a dual task of defending their rights as members of an excluded group within a dominant society and resisting the static patriarchal perceptions of culture and tradition within their own communities.

In addressing the status of indigenous women, she continued, it was essential to identify the racial elements of gender discrimination, and the gendered elements of racial discrimination, as violence against indigenous women was rooted in the traditional patriarchal gender hierarchies. The general understanding that women provoked domestic violence by failing to perform “as expected” often legitimized the use of violence as a disciplinary tool. Women frequently turned to national law to overcome marginalization within their communities. However, both State law and custom demanded that indigenous women conform to “traditionally” ascribed behaviour. The insufficient protection in State justice systems also made indigenous women vulnerable to violence perpetuated by State agents.

In conflict zones, reports of soldiers raping indigenous women with impunity was particularly alarming, she continued, noting that indigenous Twa women had been subjected to violence during the armed conflicts in the African Great Lakes region. However, empirical and anecdotal evidence had shown that indigenous women confronted challenges in pursuing their human rights work; they were not remaining passive. They were developing strategies to counter public and private forms of discrimination through awareness-raising campaigns in remote communities and, in some countries, establishing micro-businesses and self-help groups. Further, they were linking their particular concerns to global movements. The struggle of indigenous peoples for social justice on a human rights platform would be successful only if such problems as violence and discrimination against women were addressed.

JULIAN BURGER, Office of the United Nations High Commissioner for Human Rights (OHCHR), presenting the mandate of Sigma Huda, Special Rapporteur on trafficking in persons, especially women and children, recalled that the Commission on Human Rights had adopted decision 2004/110, by which it had decided to appoint a Special Rapporteur in her capacity. The universally accepted definition of trafficking in persons was contained in article 3 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children. Human rights violations were both a consequence and cause of human trafficking, and the Special Rapporteur’s mandate had been created with the objective of addressing the human rights aspects of trafficking in persons, with particular attention to the situation of women and children.

In examining the prevention aspect of trafficking, he said the mandate addressed factors that might increase vulnerability to trafficking, such as poverty, discrimination and corrupt law enforcement. All were examples of root causes of trafficking. The mandate also considered whether States provided those who had been trafficked with support that was in line with international standards, and whether they had adopted laws to criminalize trafficking.

Citing a “means” of trafficking contained in the Palermo Protocol definition as the “abuse of power or of a position of vulnerability”, he said power and vulnerability in that context should be understood as including power disparities based on gender, race, ethnicity and poverty. As the Forum had repeatedly highlighted, indigenous communities scored low in all social and economic indicators, despite anti-poverty efforts. Noting challenges such as the non-recognition of indigenous peoples as such, and their increasing vulnerability to becoming victims of conflict, he stressed that women were especially impacted. Misconceptions about indigenous women played a significant role to that end.

Different root causes must be urgently addressed, he said, as indigenous women were being trafficked because of being women and indigenous. Information on their trafficking was lacking. He noted that the Special Rapporteur had actually received little information on the phenomenon since her appointment in 2004. Only recently had the issue been highlighted in human rights circles, particularly in light of whispered, but widespread, reports of trafficking in indigenous women for sexual exploitation and forced labour. “But we are

still very far from having the full picture of the situation. It needs to be better documented,” he added. He welcomed working with the Forum to bring the issues more prominently to the international stage.

### Statements

A representative of the Global Indigenous Caucus said that her collective would stress the vital need to strengthen mechanisms within the United Nations system to promote and protect the human rights of indigenous peoples. Those rights were being consistently abused, and the United Nations, particularly the Human Rights Council, needed to ensure that such abuses were effectively addressed, including through strengthening the mandate of the relevant Special Rapporteur. She called for the establishment of an expert working group on the human rights of indigenous people. Such a body should be a subsidiary of the Human Rights Council and should include no fewer than three indigenous experts appointed by indigenous groups. She called on the Forum to press for the creation of such a group at the June session of the Human Rights Council.

Forum expert QIN XIAOMEI from China welcomed Mr. Stavenhagen’s presentation and called on the Forum to urgently implement his recommendations. She also called on the Human Rights Council to extend the mandate of the Special Rapporteur and seriously consider the establishment of an expert working group. She went on to call on Member States to show flexibility and compromise, and speedily adopt the Declaration on the Rights of Indigenous Peoples, which was still being blocked in the General Assembly.

SUBAS NEMBAANG, Speaker of the Legislature-Parliament of Nepal, said that indigenous people had been deprived of the human rights and fundamental freedoms through dispossession of their lands, territories and resources. They often suffered the most from armed conflicts, which deprived them of their means of subsistence and development. “They need to be given just and fair compensation,” he added. As for the situation in Nepal, he said that all people, regardless of ethnicity, race or language had overwhelmingly participated in the popular movement in 2006, and had brought about peace and an end to a decade-long conflict. The Government was committed to protecting and promoting the rights of the country’s various ethnic and indigenous peoples, and recent political changes had provided even more space for improving the dialogue between the Government and indigenous leaders.

PARSHURAM TAMANG, expert from Nepal, said that his country was indeed undergoing dramatic political changes. The interim Constitution and the new Government promised to address the challenges facing indigenous and minority communities, which made up 32 per cent of the country’s population. The new Government had also vowed to address the concerns of Nepalese women, he added, calling on the Forum to work as closely as possible with the Nepalese Parliament as it sought to right years of historic wrongs done to Nepalese minority groups.

Responding to “inaccuracies” in the presentations by the special rapporteurs, the representative of Myanmar said that the information presented to the Forum should be factual and accurate. He said that his Government agreed that trafficking had a negative impact on women, but was perplexed why the Special Rapporteur had used his country as an example of the practice. He said that Ibrahim Gambari, in his former capacity as Under-Secretary-General for Political Affairs, had visited Myanmar and had not witnessed the practice, contrary to what the Special Rapporteur had just stated. He, therefore, urged the Rapporteur to provide facts, not misinformation.

BEVERLY JOHNSON, President of the Native Women’s Association in Canada, on behalf of the Caucus of Indigenous Peoples of North America, said that the United Nations needed to strengthen its efforts to address the human rights concerns of North America’s indigenous peoples and indigenous peoples worldwide. She expressed serious concern at increased violence against women, particularly “femicide” practiced against indigenous women in North America and in all regions of the world. She called on Canada to undertake enhanced efforts to improve the sensitivity training of its law-enforcement and judicial officials.

She drew attention to a recent report released by Amnesty International, which noted that indigenous women were more likely to be abused and raped during their interactions with law enforcement authorities worldwide. She was also concerned by the high rates of incarceration among indigenous communities compared to the general population in North America. Considering the impact of separating indigenous people from their communities, she urged countries such as Canada to consider alternatives to incarceration whenever possible.

PHOMMA KHAMMANICHANH (Lao People's Democratic Republic), referring to allegations that his Government had carried out ethnic cleansing and genocide against Hmong people in Lao People's Democratic Republic, called those allegations "utterly false and groundless". They had been fabricated with the purpose of damaging the good image and reputation of the Lao People's Democratic Republic in the international arena. Since liberation, the Lao Government had done everything possible to promote the fundamental rights and freedoms of its multi-ethnic people. Since 1975, the Hmong and other ethnic groups had enjoyed independence and had become the true rulers of the country. All ethnic groups were equal before the law, he said, adding that article 8 of the Constitution said that the State should pursue a policy of solidarity among ethnic groups. All acts of discrimination were prohibited.

As a result of the fair policy towards them, the lives of ethnic groups had been improved materially and morally, he said. The Hmong, in particular had contributed to the progress of the nation, with Hmong representing 9.4 per cent of the Central Committee members. Some Hmong held high office in the Political Bureau of the Party, among other entities, and about 20 per cent of combatants recognized as national heroes in the struggle against the imperialist aggressors were Hmong.

The Hmong could live in peace thanks to the Government's fair and equitable policy of creating solidarity among ethnic groups. The Government attached importance to opium-poppy eradication and the removal of unexploded ordnance or "killer toys", which prevented people from pursuing the Millennium Development Goals. The Government made no distinction among its ethnic groups, he said, noting that the State protected the legitimate interests of all citizens, including the Hmong. However, due to the country's land-locked status, living standards remained modest.

Mr. BURGER, Office of the United Nations High Commissioner for Human Rights(OHCHR) calling the Forum a vital source of advice aimed at improving the lives of indigenous peoples, said support for 67 indigenous representatives had been authorized by the Secretary-General following the recommendations of the Voluntary Fund for Indigenous Populations. OHCHR was not alone in extending support to the Forum, he continued, noting the presence of United Nations colleagues from other cities. Ultimately, hoped the Forum would contribute to the creation of more effective United Nations programmes for indigenous communities, and he urged participants to take advantage of the presence of United Nations agencies.

He drew attention to encouraging trends and specific activities for possible follow-up. Regarding United Nations human rights mechanisms, he said there was a continuing increase in their use by indigenous peoples. Treaty bodies -- committees that monitored State implementation of human rights treaties -- were paying more attention to indigenous issues. Last year, for example, the Committee on the Elimination of Racial Discrimination had addressed indigenous rights in its concluding observations or decisions in relation to 16 country situations.

Also, over the last year, most of the special rapporteurs who reported to the Human Rights Council had made references to indigenous issues, often with information provided by indigenous organizations. Further, the Special Representative on the issue of human rights and transnational corporations had held consultations on the extractive industry and indigenous peoples. A review of the treaty bodies and special procedures suggested indigenous issues were more widely integrated into their work, which had not been seen five years ago.

Notwithstanding indigenous peoples' increased participation in those mechanisms, many organizations remained unaware of them or lacked the capacity to use them, he said. Thus, a recommendation had been put forward to broaden the mandate of the Voluntary Fund to allow it to assist native peoples in providing information to the treaty bodies.

He said that, since its 2006 report to the Forum, OHCHR had organized three expert seminars: a seminar last year on treaties, agreements and other constructive agreements, in cooperation with the Maskwacis Cree, in Alberta, Canada; a regional expert seminar in Bolivia on indigenous peoples in voluntary isolation and in initial contact of the Amazonian Basin and El Chaco; and, together with United Nations United Nations Human Settlements Programme (UN-HABITAT), an expert seminar on urban indigenous peoples in Santiago de Chile.

OHCHR, he continued, was increasingly engaged at the country level with programmes protecting the rights of native peoples in Bolivia, Cambodia, Chile, Congo, Ecuador, Guatemala, Kenya, Mexico and Nepal.

Recalling the wide implementation gap in legal protections, he said OHCHR must be ready to assist States in fulfilling recommendations of relevant human-rights mechanisms. OHCHR continued to observe violations of indigenous peoples' human rights, including the forcible displacement from traditional lands.

A representative of the Global Indigenous Caucus dismissed the Africa Group's proposal on the rights of indigenous peoples, saying it did not aspire to create even the most basic human rights for them. Furthermore, it undermined the most fundamental rights. The very essence of human rights sought to establish limits on what national laws could stipulate, and he called the proposal "discriminatory, if not racist". All States that took human rights seriously recognized the right to self-determination and the right to lands, territories and natural resources. The African proposal deleted both those rights. The remaining diluted rights in the African Group's proposal were subject to the will of States, which introduced a discriminatory double standard.

The African Group's proposal was offensive to indigenous peoples and did not come across as serious, he said. Deliberations based on it would never result in a Declaration that could be adopted by the United Nations. He suggested that Mexico's proposal constituted the only way towards adoption of the Declaration. He called for adoption of the Declaration, as adopted by the Human Rights Council. He urged the General Assembly President to facilitate adoption, and hoped that would be last time he would need to comment on the African Group's proposal.

KIRSTI LINTONEN ( Finland) focused on the wide gap between norms and policies and the daily reality of indigenous peoples. That "implementation gap" related to internationally agreed instruments, the application of a human-rights based approach to development and the Forum's recommendations. There were many ways Governments and international, regional and local organizations and agencies could address that gap.

First, indigenous issues and general human rights work must be kept on the agenda, she said, noting that implementation of the Millennium Development Goals must consider the situation of indigenous populations in affected geographic areas. Direct cooperation among as many actors as possible must be initiated to avoid unnecessary duplication of work. Awareness-raising among the population as a whole must be intensified. A lack of understanding often lay at the core of discrimination.

As Finland had often noted, States must display greater political will in promoting the human rights and fundamental freedoms of all, she said, highlighting that a lack of support for the Human Rights Council and other human rights bodies hampered joint efforts to improve the world. On presentations made by the special rapporteurs, she said it was vitally important that all States take note of the alarming issues raised by them. She also urged the adoption of the Declaration.

AQUILES CONEJERO, delivering a statement on behalf of the Latin American Caucus and associated organizations, said the Human Rights Council had been preparing its future work and the Forum should note that the indigenous peoples working group had been able to contribute. Also, the Forum should recommend to the Council that it establish an indigenous advisory group to continue work started under the Human Rights Commission.

A representative of the Indigenous Women's Caucus said she had listened with great interest to presentations made by the special rapporteurs. While the Forum had made several recommendations on indigenous women, she was concerned at the implementation of those recommendations. The rights on lands, territories and natural resources were paramount for the survival of indigenous peoples. Human rights violations against women represented violations against mother earth. She called for the adoption of the Declaration, drawing attention to article 22 on the rights of indigenous women. That article required States to ensure women could enjoy all fundamental rights and freedoms. The Forum should encourage States to foster relations with indigenous peoples. Among areas of concern, she noted the large number of migrants. She commended United Nations efforts to address migrant needs, but stressed that State actors should take action, as many supported the activities of corporations, whose practices both displaced and exploited indigenous peoples. Moreover, she recommended that women be consulted as issue experts, rather than objects of study.

A representative of the Asian Caucus expressed grave concern at the systematic assassination and extrajudicial killings of indigenous leaders in "Burma", Bangladesh, Philippines and Thailand. He also called on the Governments of those and other countries in the region to end the practice of arbitrary arrest and prolonged detention of indigenous human rights defenders and community leaders, and urged the

Special Rapporteur and the Forum to use the good offices of the United Nations to press those Governments to live up to their State obligations to protect and promote the human rights of all their citizens, regardless of ethnicity.

JOENA WAPICHANA, delivering a joint statement on behalf of Conselho Indigena de Roraima, Forest Peoples Programme and other groups, recommended that the Forum encourage States to continue to make progress in protecting indigenous territorial rights and indicate that protection of lands did not come to an end when title was granted. States must deal with the protection of indigenous lands through public policies crafted with international law on land and title rights in mind. Title alone was not enough.

Responding to comments that had been made earlier, FRED CARON ( Canada) said that his Government was not trying to undermine efforts to elaborate a draft Declaration. Since the 1980s, his Government had worked for a Declaration that would, among other things, protect and promote the rights of indigenous peoples and strike a harmonious balance between the rights of indigenous peoples and the rights of others, as well as promote enhanced cooperation between indigenous communities and national authorities worldwide. As it stood, the draft Declaration currently before the Assembly did not meet those objectives. To be clear, he added, no Canadian Government could accept the text in its current form. Changes would be necessary, and Canada supported the continued discussions and would participate in an open and consecutive manner.

A representative of the Asian Indigenous Women's Network said that her collective was deeply saddened by the ongoing trafficking in, and rape and killing of, their women and girls, and condemned the use of violence against women as a weapon of war. She called for an end to patriarchy in all forms and for all Governments to abide by their obligations under the Convention on the Elimination of All Forms of Discrimination against Women and other international human rights instruments.

GULVAYRA SHERNATOVA, speaking on behalf of Russian indigenous groups and the Indigenous Information Centre of the Krasnoyarsk Territory, said that, while the Russian Federation had undergone many changes during the past 20 years, over the last two years, progress along the path to democratic development of institutions and the protection and promotion of human rights had proved difficult. Rights were, in fact, regressing, a very dangerous trend for indigenous communities in the region. Decisions were taken in the name of combating terrorism, but were, in reality, a way to crack down on indigenous communities, human rights defenders and representatives of non-governmental organizations.

KATHLEEN MCHUGH, Assembly of First Nations Women's Council, said that, in Canada, women and children bore the brunt of years of discrimination and degrading policies. The Government of Canada was in the process of unilaterally drawing up legislation as a response to matrimonial real property issues, threatening to undermine relations between aboriginal people and the Canadian Government even further. She also said that Canada's treatment of indigenous children had brought about a "crisis situation". A recent report had cited acute poverty, poor health, high suicide and school dropout rates and the large number of children in State care as matters requiring urgent attention and broad economic and social changes.

A representative of the Pacific Caucus highlighted the general misunderstanding of the special autonomy law in Papua. He welcomed the status of the special autonomy law as a step forward to solving problems of the past. The legal status was vital in responding to indigenous needs, and the lack of support from the Indonesian Government was unacceptable. To improve the situation in Papua, he asked the Forum to push the Government to implement the special autonomy law for Papua; open dialogue with indigenous communities; implement special regional regulations; refrain from challenging the authority of the indigenous peoples; and install the Truth and Reconciliation Commission. Further, he asked that the Special Rapporteur visit Papua and that the Declaration be adopted.

A representative delivering a joint statement by the National Native Title Council and other organizations drew attention to the lack of a human rights-based approach to native Australians. Indigenous Australians were without a political voice at the local, regional and national levels. A national human rights institution observed that the Government approach to indigenous priorities had been taken without their prior consultation. The Government had then attacked indigenous peoples as "passive recipients" of assistance.

The Government's "normalization agenda", regarded as an assimilation policy, constituted a blatant attack on native Australians' cultural identity and they wanted no part of it, he said. Moreover, native

Australians were being told to trade communal title in order to gain access to basic housing, education and health-care services. Indeed, the Government had adopted a “take it or leave it” approach. He supported the Special Rapporteur’s comments regarding land reforms, and acknowledged other United Nations bodies, including the Committee on the Rights of the Child.

ISABEL ORTEGA VENTURA, representative of the Parlamento Indigena de America, addressed women’s issues, saying there was discrimination against women parliamentarians. It was important to work for gender equity and defend rights as women. There must be no discrimination. In Bolivia, earlier Governments had privatized State enterprises, causing great poverty. Now, the new President was an indigenous person and was trying to change the country. Supporters of the neo-liberal capitalist system, however, were resisting that. Mother earth was truly being harmed by factories making poisonous things -- fungicides, pesticides. Mother earth had rights too, was like a human being and must be respected.

A representative delivering a joint statement by the Union de Pueblos de la Nacion Diaguita and other organizations, said Argentina had recognized International Labour Organization Convention 169, however, provisions had not been implemented, particularly at local level, due to a lack of political will. Development projects were being undertaken without free, prior and informed consent. Effective mechanisms must be established to ensure participation of indigenous peoples in every Member State. He urged the Forum to press Argentina to change its position on the Declaration on the Rights of Indigenous Peoples, and asked that the Special Rapporteur visit Argentina to review major development projects.

SHANKAR LIMBU, representing the Lawyers’ Association for Human Rights of Nepalese Indigenous Peoples and other organizations, said 80 per cent of indigenous peoples had lost their lives in the country’s conflict. He said the decision to restructure Nepal was excluding indigenous groups from all decision-making processes, adding that the Constitution barred them from creating a political party. Article 67 even limited their ability to raise issues in Parliament. While he welcomed the recent visit of the Special Rapporteur to Nepal, he asked the Forum to establish a commission to study human rights violations of indigenous peoples in Nepal and push the Government to implement the peace accord. Moreover, he urged the country to ratify International Labour Organization Convention 169.

DHARMODIP BASUMATARY, delivering a joint statement by the All Boro Post Graduate Youth Federation and other organizations, said he represented Boro youth in north-east India. The grave armed conflict in that area had led to serious human rights violations, with people becoming easy prey to “trigger-happy” Government forces, during their struggle for survival. The Boro people had entered into a truce in June 2005. He supported that truce, as it helped to pave way for peace. However, the continued militarization of Boro territories by the Indian Government had created confusion among indigenous communities, threatening their existence. He asked the Forum to support the peace talks and urge the Indian Government to assure the Boro peoples’ right to self-determination, possibly the only meaningful factor in finding a peaceful solution.

A representative of the Asia Pacific Indigenous Youth Network said his group had been formed in 2002. As youth from the region struggled for self-determination, the militarization of their native lands had taken a serious toll on their mental and spiritual integrity. Serious conflicts with indigenous peoples persisted throughout Asia, particularly in Bangladesh, the Philippines, West Papua and “Burma”, where indigenous peoples were used as forced labour. In Okinawa, the United States military presence continued have an impact on indigenous populations. He asked the Forum to take up the issue of militarization as a threat to the survival of indigenous peoples.

A representative of the Indigenous Fellows Programme of OHCHR recommended, among other things, that the Forum increase its efforts to raise awareness about the fellowship programme in their respective countries. The programme was an extremely valuable way to improve indigenous participation at the community and international levels.

EDWARD JOHN, making a statement of behalf of the Assembly of First Nations, reported on the outcome of recent meeting held in the run-up to the Forum’s sixth session. Participants at that event had expressed serious concern at the socio-economic gaps between indigenous and non-indigenous people in North America and had called on the Forum to boost its efforts to address the situation.

ELIZABETH GONZALES, speaking on behalf of a collective of Aboriginal Peoples of Argentina, said that indigenous people of her region were still feeling the fallout from the genocide and discrimination their

ancestors had faced during the early 1900s. The indigenous communities had lodged complaints with the Argentinean courts in their province, but the process had yielded no results. Since that was the case, she called on the Forum to ask the Argentinean Government to respect the right of all the country's indigenous peoples and communities, and give special attention to the situation of women and children.

A representative of the Confederation of Indigenous Peoples of Ecuador and associated organizations said that logging, mining and other activities under way in her country were undercutting the rights of Amazonian indigenous people. There were some areas, particularly isolated and coastal regions, that were being subjected to "cultural genocide", as mining companies and other mega-corporations had their way with the land. Peoples living in voluntary isolation had never been consulted about any of the actions of those corporations. She said that her organization was prepared to take the case to the International Court of Justice.

VAUGHN VANG, speaking on behalf of the Lao Human Rights Council and associated Hmong organizations, said that his groups had listened in shocked disbelief while the Vietnamese Government had earlier requested that its side event be cancelled. Another representative of that collective then took the floor, saying that her people were either running for their lives, starving like wounded animals or hiding in the jungles and mountains. Many had fled into the mountains to escape from the Lao People's Democratic Republic Government. The actions of the Government had sparked a flood of refugees into Thailand and other countries. She urged the Forum to intervene and press the Lao Government to stop hunting her people and abide by its international obligations.

YOLANDA TERAN, in a joint statement on behalf of 10 organizations, including Andes Chinchasuyo and the Traditional Circle of Indian Elders and Youth, said that her delegation was concerned that States that were parties to the Convention on Biological Diversity had yet to respect the sovereignty of indigenous biological property. To that end, she called on the Forum to prepare a legal analysis that might help States parties better understand those rights.

A representative of Akah Heritage Foundation asked that the format of the meeting be changed to better address the needs of indigenous people. Year after year, he had come to the Forum and asked why the Queen of Thailand was above the law. He had been deported by the Government and his website had been blocked, while land was being taken at an alarming rate. The Forum was supposed to be a space for interaction between indigenous peoples, but how many years was he supposed to come before the body before his concerns were addressed? He also expressed grave concern about the elimination of the oral transmission of Akah literature by missionaries in his country. He was most disturbed to find that many missionaries, the very ones responsible for the sterilization of hundreds or even thousands of Akah women and depriving countless Akah children of their heritage, were actually working with United Nations agencies under the guise of helping to preserve Akah cultural heritage. He asked what the Forum was doing about those situations.

The representative of the Indigenous Peoples of the Pacific Federation said the indigenous peoples of the Taroko Nation had considered the land their blood, and forests their home for more than 400 years. However, their traditional territories were being demarcated by the Government, directly violating their indigenous rights. He demanded an end to human rights violations committed by police, as well as an apology. Further, the peoples reserved the right to file for national compensation. He called for the dismissal of those responsible for continued violations. Additionally, he urged full respect for the United Nations Declaration on the Rights of Indigenous Peoples.

Responding to comments that had been made earlier, the representative of Norway said that his Government expected all officials and representatives working in agencies funded or sponsored by Norway to observe strict "zero-tolerance" policies on sexual exploitation. He said that Norway had investigated the charges made against an agency working in Akah territory, and that probe had concluded that the allegations could not be substantiated. He added that Norway would continue to make every effort to prevent sexual exploitation by agents working in organizations backed or funded by Norway.

ANTONIO IVICHE, speaking on behalf of the Comite Indigena Internacional para la Protection de los Pueblos, called on the Forum to do more to promote the concerns of indigenous peoples living in voluntary isolation. Indeed, those peoples were among the most marginalized communities in the world, and their lands and territories were under mounting pressure from State authorities and multinational corporations.

RUFINA JUAREZ, representing La Red Chicana Indigena and the South Central Farmers of Los Angeles, said hybrid corn had eclipsed local production and many people had been forced to flee to urban areas. Her people had represented one of the most diverse urban farms in the United States, but had been evicted. Today, they did not have any rights, as they had been forcefully removed. Farmers had been made to depend on corporate foods and her organization was an example of a dispersed indigenous population who needed the protections of the Declaration. She urged that the Declaration be adopted by the General Assembly, as adopted by the Human Rights Council. She invited the special rapporteurs to examine the abuse of “children in diaspora” in the United States, who were suffering from obesity and diabetes. Moreover, she endorsed the development of indicators that would allow for disaggregated data.

A representative of the United Nations Children’s Fund Regional Office for Latin America and the Caribbean (UNICEF TACRO) said States should eliminate enslavement and exploitation, and pursued policies should return land occupied by indigenous peoples. Without land, there could be no self-determination. Special attention should be given to vulnerable indigenous peoples. He called for adoption of the Declaration and for specialized agencies to protect indigenous children.

MUEBEYYIN BATU ATTAN of the Research and Support of Indigenous Peoples of Crimea Foundation, which represented the Crimean Tartar population, described the 1944 deportation of Crimean Tartars that had been carried out without resistance, as most of those deported were children and elderly. Indeed, 113,000 had been children under the age of 18. As the Crimean Tartars prepared to commemorate the genocide and mass deportation, socio-economic and political discrimination by the Ukrainian Government continued. He said only half of all those deported in 1944 had been returned, and only one out of nine Crimean Tartar children had been educated in their native language. He demanded the Ukrainian Government restore the human and national rights of the Crimean Tartar people; recognize Crimean Tartars as indigenous people of the Crimea; and recognize the Crimean Tartar National Mejlis as the representative of the Crimean Tartar people, among other things.

CHARON ASETOYER of the Native American Women’s Health Education Resource Center said patterns of sexual violence against Native-American and Alaskan women constituted an attack on their identity, and the Government had a legal obligation to intervene in cases of sexual assault against them. Failure to do so would constitute both racial and sexual discrimination. Most sexual assaults committed were interracial, with 86 per cent committed by non-native American men, most of them white. Citing a January 2005 survey conducted by her centre, she noted a large gap in the numbers of women using services after an assault. The study also noted that 44 per cent of service facilities lacked personnel trained for emergencies. She asked the Forum to include that area of human rights violations in its report and press the United States to report on measures undertaken to resolve the shocking human rights violations in the area of sexual violence.

The representative of Thailand said he was convinced that constructive dialogue should guide the work of the Forum. Thailand had a long humanitarian tradition, he said, noting that millions had passed through the country in recent decades. However, massive numbers of people had illegally entered Thailand for economic purposes, straining the economy. His delegation had serious concern that the Akha Heritage Foundation failed to adhere to the guiding principle of dialogue. His country was a bastion of cultural diversity, he said, and people were accorded the same rights, regardless of background. Regarding the issue of land seizure, he said the area discussed was inhabited by hill tribes who took part in slash-and-burn practices and opium cultivation. Against that backdrop, projects aimed at producing sustainable development for those communities had been undertaken, including reforestation projects and those aimed at improving access to basic infrastructure and education services. Local participation was at the heart of those projects, and people in the area were working with the agencies involved. The projects had proven immensely successful. Underscoring the importance of constructive dialogue, he said ill intentions should not be allowed to abuse the spirit of the Forum.

The representative of Denmark said that, despite successes achieved in promoting indigenous peoples’ rights, it was less promising to hear about the situation on the ground. One way forward was to intensify the dialogue. The key instruments in promoting the rights of world’s indigenous peoples were the Forum, the Human Rights Council -- particularly through the Special Rapporteur and the Declaration on the Rights of Indigenous Peoples. He recommended that the Rapporteur be present in the formal session, so the Forum could report on results achieved. Further, the Rapporteur could act as a liaison between Geneva and New York. His delegation favoured that arrangement, which could be enhanced through round table discussions that included experts, among others.

## Experts Comments

HASSAN ID BALKASSM, expert from Morocco, welcomed the presentations that had been made earlier by and on behalf of the various special rapporteurs. He said that those rapporteurs were working hard to raise Governments' awareness to the plights of their indigenous communities, but the interventions that had been made today showed that there was a long way to go. He drew particular attention to the situation in Africa, "where it was no secret that there were many problems" in promoting the recognition of the rights of indigenous and minority people on the continent.

He wondered if any of the special rapporteurs had any specific information on why this matter was proving so hard to address in Africa and why the rights of minority communities were continually ignored. He added that it would be up to States to ensure that their national Constitutions highlighted the values of all peoples and cultures, including indigenous communities. He also reiterated his belief that the adoption of the Declaration on the Rights of Indigenous Peoples would be a sure way to address the discrimination and other human rights abuses native peoples faced. The Forum experts would not accept any more delays, he said, adding that they would neither accept any changes to the document.

AQQALUK LYNGE, expert from Greenland, said that the Forum had heard chilling reports about the situation of indigenous peoples worldwide, including rape, forced disappearance, increased trafficking in women, beatings by military and law enforcement officials, and deepening poverty and degradation. The list of grievances went on and on. He had no fear "naming and shaming" countries that had been identified as abusers, because those very countries appeared to care very little about the rights of the indigenous peoples living in their midst.

It was clear that, worldwide, the rights of indigenous people were under serious threat. That was why adoption of the Declaration was so important. He reminded the Governments present that the draft "wasn't even legally binding". It was simply a declaration that had been negotiated in good faith. But now, some Governments in the room were extolling the virtues of their constitutions and policies towards indigenous peoples. Those were some of the same "States that have turned their backs on us". Whatever the case, the indigenous "would not bend". They were strong and would continue to fight against discrimination, degradation and marginalization.

WILTON LITTLECHILD, expert from Canada, said that, regardless of the status of the negotiations, the SPECIAL RAPPOORTEURS should continue using the Declaration as a standard for assessment during their missions to various countries. He was concerned that indigenous people not lose the gains that had been made in the Human Rights Council and supported the calls for creating an expert working group as a Council subsidiary body. He asked if OHCHR might provide some guidance on the establishment of such a body.

Finally, he recalled that Mr. Stavenhagen had noted that, often, indigenous peoples "social protests are criminalized, leading to new and sometimes gross violations of human rights". He said that, in late June, the indigenous people of Canada would hold a national day of action to air their frustrations and concerns, and he hoped that none of the gatherings and demonstrations would be criminalized there.

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