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Permanent Forum on Indigenous Issues

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INDIGENOUS PEOPLE WORLDWIDE URGE GOVERNMENTS TO REDRESS ENTRENCHED LACK OF RESPECT

FOR THEIR VALUES, OVERHAUL LEGISLATION, ENDORSE DECLARATION, IN PERMANENT FORUM

The Permanent Forum on Indigenous Peoples continued its eighth annual session today, with indigenous speakers decrying Governments' near-total disregard for their rights in the development of roads, waterways and extractive projects; negotiation of free trade agreements; and drafting of national legislation that impacted their lives.

In a day-long meeting that heard almost 60 speakers take the floor, indigenous representatives from all regions called on States that had not yet done so to swiftly endorse the Declaration on the Rights of Indigenous Peoples and redress what they viewed as an entrenched lack of respect for their values -- even existence -- laid bare in unjust laws and "policies of territorial manipulation".

A representative of the Asian Indigenous Peoples Caucus said the situation was desperate in his part of the world, where indigenous peoples were losing their lands at an alarming rate, due to development of hydropower and other projects. They needed technical support to protect their natural resources, and he called on States, the World Bank and other multilateral institutions to consider alternative systems to fossil fuel-based energy, bio-energy and hydropower dams.

Echoing that call, a representative of the Coordinator of the Indigenous Organizations of the Amazonian River Basin (COICA) was concerned that people in his region were being repressed by Governments that signed contracts with multinational companies without considering their right to free, prior and informed consent. Moreover, indigenous peoples' access to water was not being prioritized and he condemned Governments' refusal to declare water as a human right. He asked the Forum and participating countries to demand implementation of environmental and social standards for projects carried out in indigenous territories.

"We are not trying to take crumbs from the table," the delegate from Red de Instituciones y Organizaciones Mayas del Quiche, Maya Vision asserted. "We have our own worth and contribute to our societies." Because of that, Governments had to comply with the international conventions they signed. Indigenous peoples had a right to be consulted on issues on which they were vulnerable -- yet they lacked the ability to make real decisions in social, political and environmental spheres.

Responding to those calls, a participant from the United Nations Institute for Training and Research (UNITAR) discussed a training programme that aimed to strengthen indigenous representatives' ability to negotiate improvements to all areas under the Forum's mandate: health; education; culture; environment; economic and social development; and human rights. Most cases focused on the two greatest challenges to indigenous peoples: conflict over land and resource issues; and marginalization from political and economic processes.

The meeting also heard from representatives of Government -- participating as observers -- and international financial institutions who stressed the importance of conservation and the equitable sharing of benefits.

For their part, Government representatives defended measures taken to address challenges faced by indigenous peoples and outlined steps to improve health, education and other services in the areas in which they lived. Mexico's delegate said her Government had substantially increased the federal budget for guaranteeing a full life for indigenous people -- from 13.3 million pesos in 2001 to 31 million pesos in 2008. Some 38.1 million had been earmarked in 2009, a 22.8 per cent increase over last year. She conceded that Mexico needed to move from commitment to action in the implementation of the rights set forth in the Declaration.

The representative of Namibia's Office of the Prime Minister pointed out that the term "indigenous people" was not suitable for his country, since all Namibians were indigenous, but the term "most marginalized people" was applicable and it referred to the extreme poor. To make that connection, he discussed the creation of a programme to integrate San communities into the economic mainstream, and thus achieve the Millennium Development Goal to eradicate extreme poverty.

The representative of the Russian Federation noted that national legislation on indigenous peoples was still being fine-tuned in accordance with the Declaration and the Second International Decade of the World's Indigenous People.

Similarly, the Assistant Deputy Attorney-General of Canada -- whose Government was criticized throughout the day for a perceived lack of attention and resources devoted to indigenous rights -- said her country hoped to dismantle various barriers to safety, socio-economic prosperity and equality confronting indigenous women.

Offering another way forward, a representative from the Convention on Biological Diversity said the Natural Resources Stewardship Circle of the aromatic, perfume, and cosmetics industry adopted a Declaration that supported the goals of the Convention, the Declaration, the Global Compact, and ILO Convention No. 169. That industrial sector -- a more than \$40 billion annual industry -- was sourced largely by natural extracts directly from indigenous and local communities. Such "win-win" creative partnerships between the private sector and indigenous people benefited biodiversity, the environment and indigenous communities.

Also speaking today were State members represented by observers from Nicaragua, Brazil, Finland, Spain, Guatemala, and Ecuador.

Representatives of Colombia, Chile, Spain and Viet Nam spoke in exercise of the right of reply.

Forum members from Bolivia, Morocco, Spain, Congo, and Uganda also spoke.

Speaking on behalf of United Nations specialized agencies and other intergovernmental organizations were representatives of the International Labour Organization (ILO), the European Bank for Reconstruction and Development (EBRD), and the International Organization for Migration (IOM).

Also delivering statements were representatives of the following caucuses, umbrella organizations and indigenous groups: Asian Indigenous Peoples Caucus; Assembly of First Nations; Confederación Mapuche de Neuquén, Organización Pueblo Mixe of Mexico and the National Indigenous Organization of Colombia (ONIC); Coordinator of the Indigenous Organizations of the Amazonian River Basin (COICA); Forum for Indigenous Perspectives in Action; Organización Regional de Los Pueblos Indígenas del Estado Zulia (ORPIZ); Enlace Continental de Mujeres Indígenas -- Región Sudamérica; International Union for Conservation of Nature (IUCN); Congressista de Peru; International Indigenous Women's Forum; Global Indigenous Women's Caucus; Quebec Native Women Inc./Femmes Autochtones du Québec Inc.; Internationale Touareg; and the Australian Caucus of Non-Governmental Organizations.

Representatives of the following caucuses, umbrella organizations and indigenous groups also made statements: Native Women's Association of Canada; Global Women's Caucus and indigenous organizations of Asia, the Americas, the Pacific, Africa and the Caribbean; Innu Nation; Collectif des femmes du Printemps noir de Kabylie; Autonomia Eraiki; Retrieve Foundation of Ireland; Habitat Pro; Onondaga Nation, Six Nations Iroquois Confederacy Haudenosaunee in the United States; Khmers Kampuchea-Krom Federation; Montagnard Foundation; Cordillera People's Alliance; International Organization of Indigenous Resource Development; El Molo Forum; Wolf Lake First Nation; Brazilian National Foundation for Indigenous Issues; and the National Foundation for Development of Indigenous Nationalities of Nepal.

A statement was also made by a parliamentarian of Peru and the First Vice President of the Indigenous Parliament of America (PIA).

The Forum will reconvene at 3 p.m. on Wednesday, 20 May to continue its session.

Background

The Permanent Forum on Indigenous Issues met today to continue its eighth annual session in which representatives of indigenous groups were expected to discuss ways to further implement the United Nations Declaration on the Rights of Indigenous Peoples, the relationship between indigenous peoples and industrial corporations, climate change, the Arctic region, and land tenure. (For additional information on the current session, see Press Release [HR/4979](#).)

Statements

ELISA CANQUI MOLLO, Forum member from Bolivia, commenting on statements made yesterday by observers from Ecuador, Brazil and Colombia, commended advances in public policy, but wondered where indigenous peoples' economic rights really stood. There was also a humanitarian question. Indigenous peoples were being moved -- and sometimes held hostage -- as part of conflict that raged between Governments and rebel groups. Could those Governments respond to such concerns?

HASSAN ID BALKASSM, a Forum member, Amazigh activist and attorney from Morocco, and an attorney accredited by the Higher Court in Rabat, as well as President of Tamaynut Association and the Indigenous Peoples of Africa Coordinating Committee, said the Second Decade, as well as the Declaration, called for international action. While those were important documents, at the moment, they were just statements of intent. They must be put into action and become part of international law. Mining companies were extracting minerals in areas without any prior consent from indigenous peoples. Governments must afford protection to indigenous peoples and not be complicit with the companies or facilitate their investments without prior informed consent from indigenous communities in the area.

BARTOLOMÉ CLAVERO SALVADOR, Forum member from Spain, recalled Chile's ratification of International Labour Organization (ILO) Convention No. 169 and Colombia's withdrawal of reservations and current support for the Declaration. The representative of Chile had spoken of constitutional reform -- and ongoing consultations on that reform. Chile had invited the Special Rapporteur on human rights and fundamental freedoms to study those reforms vis-à-vis international standards. He had concluded that Chile was not complying with what was needed, particularly as there was no recognition of indigenous peoples' right to water. The constitution had done away with that right. With tourism in the north and logging in the south, the water left for indigenous peoples was wastewater. As for Colombia, there was contradiction between its written report and the oral presentation, which noted support of the Declaration. He urged revision of the laws that had deprived indigenous peoples of their rights to resource use and urged the Government to do something about its declarations of intent.

FAMARK HLAWNCHING, representative of the [Asian Indigenous Peoples Caucus](#), said most Asian Governments had not yet recognized indigenous peoples and had not adopted policies that were acceptable to them. Nor had they implemented key recommendations made by the Forum in

previous sessions. Among those recommendations were that Asian States recognize indigenous peoples constitutionally and legally as peoples, promote legal reform, particularly with regard to recognizing indigenous peoples' collective land rights and their customary laws and institutions, and abandon transmigration policies and programmes as well as prevent illegal migration into indigenous territories. Asian Governments, United Nations agencies and other intergovernmental organizations and international financial institutions had also not adopted the principle of free, prior and informed consent.

He said that the situation of indigenous peoples in Asia remained desperate in relation to the recognition of indigenous peoples' rights to land, territories and resources. They continued to lose their lands at an alarming rate due to large-scale development projects, including those involving plantations, extractive industries, hydropower development and road construction. He appealed for immediate implementation of several key Forum recommendations, including that technical support be given to protect and nurture indigenous peoples' natural resource management, including for environmentally-friendly technologies, biodiversity and cultural diversity. He also called on States, the World Bank and other multilateral institutions to consider alternative systems to fossil fuel-based energy and large-scale bioenergy and hydropower dams. There was a lack of disaggregated data of the situation of indigenous peoples. Indicators on poverty, health and sustainability should guide programmes affecting indigenous peoples.

WILTON LITTLECHILD, Regional Chief of the Assembly of First Nations, said that if Canada was sincere about promoting indigenous peoples' rights, it must respect the statement made at the Forum's fourth session that economic and social development must be understood from indigenous perspectives. Indigenous communities had been adversely affected by diverse factors that limited growth. Many lacked access to the necessary economic resources to properly develop their economies, a situation often tied to the need for control over traditional territories and resources. Infrastructure, including access to modern technology, was required, as were "tele-health" systems, water monitoring and long-distance learning capacities.

As such, he urged the Forum to call on Canada to implement various measures, including legislative, fiscal and political support, that would respect indigenous peoples' right to economic development. Canada must also respect indigenous peoples' right to free, prior and informed consent, and consult with indigenous peoples in a manner that respected constitutional obligations, fully responded to their goals and assisted in the design of the new Aboriginal Economic Framework. That framework must consider indigenous peoples' economic growth needs, regardless of whether those economies were at a development, emerging or dynamic phase.

BIRGITTE FEIRING, ILO Office for the United Nations, New York, said there was no doubt that the Forum's work, together with indigenous organizations, United Nations agencies and Governments, had enlarged the knowledge base on indigenous peoples' economic situation. But the question should be asked: to what extent had that situation improved, particularly with regard to accessing education, health services and employment? While progress had been made with regard to overall coordination and awareness, country-level implementation was lacking.

She said that the Forum's broad recommendations reflected the holistic nature of indigenous peoples' aspiration for self-determined development, which would require profound legislative, policy and institutional changes. Hopefully, the more specific recommendations would contribute to fulfilling that aspiration, but achievements risked being undermined by other factors. She cautioned that the aid effectiveness agenda, which guided international development assistance, carried risks for further exclusion of indigenous peoples if safeguards were not developed. Donors might harmonize policies to provide support to Governments that did not take into account indigenous peoples' rights. As to how to measure impact, the ILO had undertaken efforts at national, regional and international levels, but it had been difficult to operationalize them. She wondered if specific and time-bound targets could be developed to hasten implementation of the Declaration.

ROMAN KASHAEV (Russian Federation) said his country was the most multi-ethnic country in the world. It had 46 ethnic groups and 280,000 units living in 30 areas of the country. National legislation on indigenous peoples was still being fine tuned in accordance with the Declaration and the Second Decade. The Government had been taking a myriad of steps to improve

health, education and other services in areas in which indigenous people lived. A national policy protected indigenous people in the country's north. It aimed at preserving their cultural heritage and traditional occupations, raising their level of access to education, reducing child mortality and improving their overall health. The policy would be carried out in three stages from 2009 to 2025.

Further, he reported, there were proposals to introduce several amendments to federal legislation in order to better protect indigenous communities, also in the north, including in Siberia. And work was under way to develop another important legislative act to determine losses, including lost profits, that indigenous peoples incurred for losing access to their land and other natural resources, as well as a procedure to address damages to their ancestral land. The Russian Federation was ready to contribute constructively to indigenous issues of other countries.

STEDMAN FAGOTH, Minister of Fisheries of Nicaragua, said that autonomous regions were recognized in the Constitution. Natural resources belonged to communities, and not to the State. But 25 per cent of those resources were allowed to go to the State: "Resources belong to us," he asserted, naming gold, water and soil among those resources. Such laws had broken ground and were starting to work. No treaty could be concluded without the consent of communities. For example, after signing a license for a fishing vessel, that vessel could not set forth without the community's consent. The same held true for hydrocarbons. However, there were two companies conducting exploration, without the permission of the regional councils, which was not acceptable. Turning to gender, he said that national law 648 outlined measures for women to claim their economic rights. On other matters, he said education was a regional decision.

JORGE NAHUEL, a representative of the Confederación Mapuche de Neuquén, Organización Pueblo Mixe of Mexico, and the National Indigenous Organization of Colombia (ONIC), said extractive industries were destroying ancestral homelands at an alarming rate in Mexico, Colombia and other Latin American countries. The Forum should recommend that States obtain prior consent from indigenous people before allowing extractive industries to begin a project. He called for impact studies to be undertaken before any project began, in accordance with international human rights law and the Declaration. Governments must hold consultations with indigenous groups prior to approving land mining projects.

He said that the Secretary-General, the United Nations and its agencies should call on Member States to enact legislation to protect indigenous peoples. The Forum should urge the World Bank to eliminate venture capital for extractive industries. It should also recommend that the World Health Organization (WHO), with full participation of indigenous peoples, carry out a study on the impact of cyanide and heavy metal on indigenous communities. Governments should also pass legislation that prohibited open mining in indigenous areas.

EGBERTO TABO, Coordinator of the Indigenous Organizations of the Amazonian River Basin (COICA), demanded respect for indigenous peoples' right to self-determination and was concerned at the lack of implementation of free, prior and informed consent, as outlined in the Declaration, notably in the extractive industries. The Forum must take steps to protect Amazonian peoples, who were being repressed by a Government that signed contracts with multinational companies without indigenous peoples' prior consent. As a result, plant and animal species were disappearing and the harmony of ecosystems was being destroyed by so-called development work, which evicted indigenous peoples from their land.

Moreover, he worried, indigenous peoples' access to water and other natural resources was not being prioritized, and he condemned Governments that refused the declaration of water as a human right. He asked the United Nations to take a lead role in that debate. Indeed, large companies provoked conflict in internal communities in order to gain control of natural resources. The Forum, and participating countries, should demand the implementation of environmental and social standards for projects carried out in indigenous territories. Amazonian Basin peoples had rights, and the Forum must take a stand, particularly on those peoples' decision for voluntary isolation, which was jeopardized by businesses.

GABRIELA GARDUZA ESTRADA (Mexico) said her country had consistently submitted timely reports on follow-up to the Forum's recommendations. The Mexican Government had

substantially increased the federal budget for guaranteeing a full life for indigenous people. In 2001, that budget was 13.3 million pesos. In 2008, it was 31 million pesos. The Government had earmarked 38.1 million in 2009, a 22.8 per cent increase from the previous year. Despite great efforts on the part of the Government and indigenous leaders, more were needed to implement the rights set forth in the Declaration. Mexico was well aware of that and of the need to move from commitment to action. It was necessary to ensure that indigenous people achieved their full rights.

In that regard, she said, Mexico had dedicated much attention to the Millennium Development Goals, and support for indigenous peoples had been incorporated in all aspects of the Government's plans and programmes to achieve the Goals. Mexico's 2006 report on the Goals incorporated specific indicators for the indigenous population, and the 2010 national census would include indicators on indigenous peoples. She hoped that that information would help improve public policy and, thus, compliance with international agreements on indigenous issues. She supported the proposal to reduce the number of the Forum's recommendations on an annual basis so that all stakeholders could fulfil them.

GERSON H. KAMATUKA, Deputy Director, Special Projects, Office of the Prime Minister of Namibia, said his Government had signed the Declaration and was looking forward to constructive dialogue. The term "indigenous people" was not suitable, since all Namibians were indigenous, but the term "most marginalized people" was applicable and it referred to the extreme poor. The Cabinet had approved the creation of a programme that would help integrate San communities into the economic mainstream, and thus achieve the Millennium Development Goal to eradicate extreme poverty. Since the inception of that programme, various projects had been undertaken to improve San peoples' access to education and employment, among other things. Since 2005, some N\$3 million had been spent on it. The Government would continue to assist its most marginalized communities where possible, depending on the availability of resources.

MICHAELA BERGMAN, representative of the European Bank for Reconstruction and Development (EBRD), said that international financial institutions had a mandate to promote the transition to market economies in 30 countries. For the Bank, indigenous people were a specificity of the Russian Federation and, therefore, policy was tailored for the post-Soviet context. Indigenous people were partners in the transition process, taking into account special measures, the Declaration and their circumstances in the Russian Federation. The Bank's policy aimed to avoid adverse impacts on the lives of indigenous people, enable them to benefit from Bank-supported projects, foster good-faith negotiations and informed participation, and respect and preserve their culture. That meant meaningful consultation, compensation and benefit-sharing, as well as respect for indigenous peoples' autonomy, decision-making processes and their preferred language.

She said that in cases where indigenous people were relocated from their traditional customary land, or where their land or use of their cultural resources was affected, the Bank required clients to enter into good-faith negotiations with indigenous people, ensure their informed participation and obtain their free and prior consent before starting activities. An increasing number of companies had recognized that a "regulatory" license to operate was insufficient for sustainable operations. By obtaining an indigenous community's consent and approval to go ahead, the company de facto received a social license to operate. That reduced the risk of incurring losses due to delays, conflict and protests which damaged a company's reputation. The challenge was to reach a common understanding. The Bank was planning workshops with indigenous peoples' representatives and the private sector.

JITEN YUMNAN, Forum for Indigenous Perspectives and Action, spoke about the importance of free, prior and informed consent for indigenous peoples in India. In his country, they were being denied self-determined development and natural resource use. In the north-east, for example, the Government had pursued extractive industries, and economic policies were being formed from a national security perspective, which undermined indigenous peoples' rights. A dam project had taken indigenous land and destroyed many sacred sites. That decision had been made without the free prior and informed consent of inhabitants. Also, the confiscation of agricultural land undermined food sovereignty and fostered dependence on outsiders.

He called on the Forum to urge the Indian Government to implement its recommendations: respect their right to self-determination, and to free, prior and informed consent before undertaking

development projects; ensure that a human rights-based approach to development was fully implemented; and stop using the military to pursue mega-development projects. Also, the World Bank and Asian Development Bank must respect indigenous peoples' rights to land and resources.

LISANDRO MARQUEZ, Organización Regional de Los Pueblos Indígenas del Estado Zulia (ORPIZ), which was a member of COICA, spoke on behalf of various grass-roots organizations, saying that land was a guarantee of survival for indigenous peoples. As such, Governments must acknowledge plurality. He discussed an example of that desire in Venezuela, where indigenous peoples had carried on their struggles for years. President Hugo Chávez had recognized land owned by indigenous peoples as part and parcel of economic development. National resources -- air and water included -- should not be damaged in any way. Moreover, traditional medicine must be acknowledged, as should women's rights, the demarcation of lands, and protection of local languages. Like Bolivia, Venezuela was a protagonist in its own history, and one must not forget what had been achieved. He stood with indigenous peoples whose Governments had not respected their independence and had allowed their lands to be desecrated.

JOHN SCOTT, Programme Officer, Traditional Knowledge, Social, Economic and Legal Affairs, Convention on Biological Diversity, said the Convention valued partners in the private sector and indigenous and local communities. In October 2008, the Natural Resources Stewardship Circle of the aromatic, perfume, and cosmetics industry adopted the Natural Resources Stewardship Circle Declaration in an effort to support the goals of the Convention, the Declaration, the Global Compact, and ILO Convention No. 169. That industrial sector, a more than \$40 billion annual industry, was sourced largely by natural extracts directly from indigenous and local communities. The Circle, in collaboration with Tribal Link, the Convention secretariat and the Forum, had met at United Nations Headquarters last week to seek advice from indigenous representatives on how the industries involved could implement the goals of the Circle's Declaration. That meeting produced a procedural report and initial draft guidance.

He said that such "win-win" creative partnerships between the private sector and indigenous people benefited biodiversity, the environment and indigenous communities. They helped to achieve the Convention's goals of conservation, sustainable use and equitable sharing of benefits. Raw materials purchased directly from indigenous communities could help foster sustainable development, entrepreneurship and sustainable use of biodiversity at the local level. He stressed the challenge of the private sector to self-regulate in view of the current economic crisis. Industry's ability to continue to benefit from services provided by biodiversity was under threat. With current loss rates, it was projected that by 2050 an additional 1.3 billion hectares of land would lose their entire original biodiversity. Environmentally-sustainable and socially-ethical practices that provided clear guidance could be a useful model for other industrial sectors to consider.

TARCILA RIVERA, Enlace Continental de Mujeres Indígenas -- Región Sudamérica, asked the United Nations to appeal to Governments to fully adopt the Declaration so that it could be used a tool for ensuring indigenous women's rights. Also, women's role as managers must be acknowledged, and an analysis should be made of strategic programmes. The Forum should recommend that Governments work with young indigenous peoples to increase their income. States should provide the legal security of indigenous peoples' collective land, as that would help ensure sustainable development. Free, prior and informed consent must become a reality. Measures must also be put in place to protect women and children from violence and discrimination, and States should include indicators to record the way in which indigenous people lived. As for the impacts of extractive industries on indigenous peoples, children and women were the first to be affected, notably seen in the lack of food security.

TRISHA RIEDY, Manager and Senior Trainer, Peacemaking and Conflict Prevention Programme, Peace and Security and Diplomacy Unit, United Nations Institute for Training and Research (UNITAR), said the UNITAR Training Programme to Enhance the Conflict Prevention and Peacebuilding Capacities of Indigenous Peoples' Representatives had been created in 2000 based on the requests of indigenous peoples' representatives worldwide and recommendations of United Nations Special Rapporteurs. The training aimed to strengthen indigenous representatives' ability to negotiate improvements to all areas under the Forum's mandate: health, education, culture, environment, economic and social development, and human rights. Most cases and negotiation simulations in

training focused on the two greatest challenges to indigenous peoples: conflict over land and resource issues; and marginalization from political and economic processes.

She said that the training programme reviewed rights-based and problem-solving negotiation processes to strengthen the capacity of indigenous representatives to analyse root causes of conflict and engage in constructive dialogue with Governments, the private sector and other communities to resolve conflicts in a mutually beneficial, sustainable way. UNITAR actively sought indigenous women's participation and contribution for each training programme. Women comprised 40 per cent of training participants. The aim was to build on their capacity to analyse sources of conflict, identify the interests and concerns of the various parties involved, and engage in dialogue and negotiation to improve the condition of life for their communities in all sectors. Indigenous experts and former participants were consulted in the design and planning of each UNITAR training programme to ensure that the programme addressed key concerns and evolving issues faced by indigenous peoples.

ANNELIE FINCKE, International Union for Conservation of Nature, said indigenous peoples' rights -- and, more generally, rights-based approaches to conservation -- were featured at the 2008 Fourth World Conservation Congress, which brought together 8,000 people from indigenous communities, United Nations agencies and businesses. At the Congress, the Declaration was profiled as a guiding framework for conservation work taking place on indigenous lands. International Union members took decisions upholding standards for free, prior and informed consent, and in support of fair restitution of land and natural resource rights. An important set of decisions concerned the integration of the concept of "indigenous conservation territories", recognized as protected areas owned and managed by indigenous peoples. The Congress called on Governments and others to protect indigenous peoples by protecting those lands from threats.

Also addressed had been emerging mechanisms for reduced emissions from deforestation and forest degradation, she said. A resolution had been adopted urging all parties to the United Nations Framework Convention on Climate Change to ensure indigenous peoples' equitable participation. All climate change response measures must respect human rights; they could not ignore the rights dimension of the phenomenon. Capacity building was critical to developing rights-based approaches, and the links between climate change, conservation and indigenous peoples' rights must be better understood.

ISABELLE HERNANDEZ CASTRO, Red de Instituciones y Organizaciones Mayas del Quiche, Maya Vision, spoke about Guatemalan indigenous peoples and urged the Government's compliance with the international conventions it had signed. Indigenous peoples had a right to be consulted on issues on which they were vulnerable -- particularly on environmental, social, cultural and political issues. "We are not trying to take crumbs from the table," she said. "We have our own worth, and contribute to our societies."

She said that Guatemalan indigenous peoples were the majority, but they were struggling to achieve true recognition, which was still weak. They were used for folklore and tourism, but lacked the ability to make decisions in social, political and environmental spheres. Abject poverty continued at high levels compared to the mixed-race population, a result of racist policies. Youth hoped to overcome obstacles, but they were often subjected to gang and criminal activity. The Government had asked states to legalize immigrants, but those were the wrong policies. Governments also had sold lands to companies for mega-development projects, which indigenous peoples had already developed.

HILARIA SUPA HUAMÁN, a parliamentarian of Peru and First Vice President of the Indigenous Parliament of America (PIA), said supreme decrees had been handed down by the Government, which encroached upon the rights of indigenous peoples, depriving them of their land in order to allow for private investment. That was impoverishing indigenous peoples. Last year, the same demands were made. But there had been no progress made since then, particularly in Peru. Peru had been split into two different countries. There had been no respect for treaties, ILO Convention No. 169, or the Declaration. Extractive industries did not respect human rights or Mother Nature. The white man did not know how to respect his Mother. Indigenous people respected Mother Earth. Little by little, Mother Nature was being killed. What was the hope then for future generations?

She called on the Chair to have the Declaration take on the form of international law so that indigenous peoples and their communities would be respected. The Amazon was the land of the world. Indigenous people had their feelings and their rights. For that reason, the three international treaties that referred to indigenous peoples' rights must be taken on by Member States and become international law. Peru had a bill before Parliament, but it had not been enacted. The Chair should recommend that the Peruvian Parliament enact that bill.

GLORIA RAMOS PRUDENCIO, Congressista de Peru, said extractive industries had plundered Peru's resources, both on the coasts and plains. Initiatives, such as eco-tourism and exploitation of medicinal plants, could foster harmonious development with diversity. Oil industries were exploiting indigenous territories, protective areas and biodiversity. Moreover, Peru did not recognize indigenous peoples' rights in its negotiation of the Free Trade Agreement (FTA) with the United States, whose aim was to achieve profits even at the expense of environmental and natural resources. Foreign companies were not meeting their environmental commitments.

As such, she said people in the Peruvian Amazon had been on strike since 3 April and attacked by armed forces. On 7 May, Peru's Congress approved a multiparty report, which outlined the unconstitutionality of legislative decrees in facilitating the Free Trade Agreement. A multiparty commission had 10 days to reach a judgement on the matter, and in August, would submit a report on health, education and environmental alternatives. She asked the Forum to urge the Peruvian Government to repeal laws and decrees that adversely impacted indigenous peoples.

LEIA BEZERRA DO VALE (Brazil) said her Government had established the Special Secretariat for Women's Policies in 2003 to develop public policies aimed at improving the lives of Brazilian women and reaffirming the Government's commitment to them. To achieve its objectives, the Special Secretariat took joint action with other ministries and secretariats to address the dual challenges of incorporating women's specific needs in policy and of ensuring that full citizenship could also be exercised. Recently, the Special Secretariat had organized a series of national events to consult women to determine their demands and priorities. Subsequently, two national policy plans had been developed with, among others, the active engagement of indigenous women and the National Indigenous Foundation (FUNAI).

She said that the National Indigenous Foundation had, as the primary agency with responsibility for executing public policies related to the indigenous population, given particular priority in its 2008 and 2009 internal planning process to organizing 13 regional seminars for indigenous women. Those aimed at promoting analysis, clarification, and discussion of the "Maria de Penha" Law and its applicability to indigenous community members. The seminars not only considered the available legal mechanisms for defending women victims of violence, but the international human rights instruments and customary rights of indigenous people provided for in international treaties to which Brazil was a party. The Foundation had also held a total of 13 workshops throughout Brazil between 2006 and 2008, with the participation of 410 women representing 159 distinct ethnic groups. These meetings had led to the implementation of eight pilot projects intended to strengthen the economic lives of indigenous communities, vis-à-vis food production, traditional farming and the production of goods and tools; to provide for the production and marketing of goods for markets outside indigenous villages; and to contribute to food and nutritional security in the communities.

ELIZABETH SANDERSON, Assistant Deputy Attorney-General of Canada, said her Government had made progress in implementing a number of the Permanent Forum's recommendations regarding indigenous women and hoped to dismantle the barriers to safety, socio-economic prosperity and equality confronting indigenous women. Towards that goal, the second National Aboriginal Women's Summit had been held in July 2008 in Yellowknife, Northwest Territories, allowing women to come together to discuss and prioritize issues that should be addressed to strengthen their communities. The Summit had carried forward three original themes from its predecessor: health, safety and wellness; equality and empowerment; and strength, balance and honour. Canada also planned to have the Summit's work inform its Federal Action Plan for Women, which the Government had announced in June 2008. Its three pillars would focus on women's economic security and prosperity, encouraging women's leadership and democratic participation, and ending violence against women.

She said Canada was also working to develop a new federal framework for Aboriginal economic development, and had held a round table for Aboriginal women to share their technical knowledge, expertise and experience in that area in April. The Government also sought to integrate the different perspectives of indigenous women in policies and programmes, including using a cultural lens specific to the Aboriginal population within the context of gender analysis. Elsewhere, it sought to provide indigenous women with quality health care and to end violence against them, particularly by addressing the country's large number of missing and murdered Aboriginal women. Canada was also working to put in place legal frameworks to ensure the rights of Aboriginal people, including their human rights. Last year, national legislation had been passed to provide full legal access to the country's central human rights act. This year, legislation had been introduced to provide basic rights and remedies to individuals on reserves, regarding family homes and other matrimonial interests and rights. Finally, Canada sought to address the needs and challenges of indigenous women in urban centres by renewing its Urban Aboriginal Strategy of 2007.

LILIANE MUZANGI, Forum member from the Congo, recalling that indigenous women continued to be raped and displaced by war, hoped the eighth session would produce various texts that resoundingly condemned such ignoble attacks. Women, particularly indigenous women, played an important role in their families and communities. If such violence continued, society would not survive long.

MONICA ALEMAN, International Indigenous Women's Forum, presented a report on indigenous women, whose goal was to identify advancements made in carrying out the Forum's recommendations between 2002 and 2008. Data had been collected via a participatory process. The report consolidated responses from indigenous organizations and was a first effort to monitor and follow up implementation of the Forum's recommendations.

She proposed that the Forum institutionalize a gender perspective in its work; facilitate meetings between indigenous organizations and their country delegations; appoint a Forum member as special rapporteur to investigate cultural practices that negatively impacted indigenous women; and periodically review the implementation of recommendations related to women.

YOLANDA TERAN, Global Indigenous Women's Caucus, said it was necessary to affirm the rights of indigenous women to ensure that they were protected by the Declaration. That required acknowledging on a global scale that indigenous people had the right to move freely. Urban indigenous women represented half of all indigenous women globally. They faced the brunt of violence in urban areas, which impacted entire indigenous communities, degrading the women and their communities. Indigenous women were often subjected to violence in immigrant detention centres.

She said the Forum should take several steps to ensure protection of indigenous women and their rights. It should urge Governments to implement article 10 of the Declaration, concerning not forcibly removing indigenous people from their territories, and a legal mechanism should be created for that purpose. The Forum should also request that the Special Rapporteur study the situation of indigenous women migrants in rural and urban environments and that United Nations bodies and agencies develop programmes to address the needs of indigenous women, including migrant women. Governments should fund programmes according to a rights-based approach, in line with the provisions of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. Additionally, undocumented migrant indigenous women must be given assistance in their local language.

Right of Reply

The representative of Colombia, speaking in exercise of the right of reply, stressed the importance of indigenous issues related to women. Discriminating against or jeopardizing their rights must be avoided. Women must be recognized as victims of racial discrimination, not perpetrated by the State, but rather rooted throughout the Latin American world. Colombia had made strides at combating that phenomenon, notably by strengthening indigenous communities and vulnerable groups. Indigenous peoples should be part of indigenous institutions, he added.

He said his Government, through a council on the protection of indigenous women, was promulgating domestic legislation and working to carry out international provisions. It promoted programmes backed by women and fostered women's participation in various committees to draft articles. Attention must be paid to health and education.

Chile's representative, also speaking in exercise of the right of reply, said a new bill was before Chilean legislators to set up a National Council of Indigenous People as a body that was independent from the Government. During the preparatory phase of creating such a body, 4,000 communities of indigenous people had been involved and 1,500 people had participated in workshops on the matter. The second phase of consultations was under way. Constitutional reform was also being studied. He stressed the importance of indigenous peoples' participation in the workshops so that they could be involved and could inform their communities. Documents on the workshops and the Government's involvement would be presented to Chile's Congress.

Concerning constitutional reform over water rights, the text of that reform had been submitted to indigenous leaders, he said. Chile's Constitution established that rights to land belonged to the State. It was up to the Government to ensure that all citizens participated, in order to bring about changes that society needed. That was the only way in which a democratic society could face challenges. Article 2 of ILO Convention No. 169 referred to the use of natural resources. The Government had to embark on wide-ranging consultations with indigenous peoples to look at codes of conduct and to ensure that indigenous people were consulted whenever natural resources were exploited.

ELLEN GABRIEL, President of Quebec Native Women Inc./Femmes Autochtones due Quebec Inc., said that the nationality and identity of indigenous peoples were threatened by that country's forced assimilation practices. It was also disappointing that the Government of Canada continued to oppose the indigenous peoples' Declaration. While Canada had made some attempts to provide access to human rights instruments for indigenous women and their communities, the Indian Act continued to undermine indigenous women's rights. Without reinforcing indigenous women's role in nation building, there was no assurance that their traditional customs, languages and forms of governance would be perpetuated. The role of indigenous peoples could be reduced to artefacts in museums. Therefore, it was imperative that all States practiced, in good faith, the process of free, prior and informed consent.

She said that while the international community congratulated the Canadian Government for its apology last year to the Indian Residential School survivors, there had been no change in the status quo. Quebec Native Women recommended that all Member States, including Canada, create national strategies to prevent violence against indigenous women and children; consult with indigenous culture and traditions; and implement the Convention on the Rights of the Child and the articles of the indigenous peoples' Declaration to adequately help indigenous peoples overcome the effects of colonization. They should also implement gender-based analysis in all State policies and programmes, especially those that affected the collective rights of indigenous peoples. Among other priorities was the role of indigenous people in watershed protection; indigenous peoples' representation in decision-making regarding land management and water rights; and prevention of exploitation of indigenous lands prior to settlement of land claims.

TUOMAS ASLAK JUUSO, representative of the Finnish Sami Youth Organization and member of the delegation of Finland, said roughly half of Finland's Sami people lived outside their traditional homeland, with the number living in urban areas rising. That urbanization challenged the enjoyment of the rights to which indigenous peoples were entitled, particularly those relating to culture and language. The central question was how the culture, identity, traditional knowledge and cultural heritage of indigenous peoples could best be preserved outside a tightly-knit community. The Sami youth should also be able to exercise the right to choose, on equal ground with the rest of the population, the type of education and livelihood to pursue.

He said that in tackling those challenges, the State had a responsibility to fulfil its obligations to the Sami people wherever they resided. Education and day care should be provided in the Sami languages, through systematic policy efforts. More advances were needed in the direction of the

Government's Development Programme for Child and Youth Policy, which had been adopted in 2007 and aimed to make Sami culture better known through improved teaching curricula at all levels. Further, given the increased expectation for Sami women and girls to perform well within modern society, while also preserving their "traditional" Sami identity, the gender perspective needed strengthening within Sami self-governance. Sami organizations also played an important role in bringing people together and creating the possibilities for strengthening Sami culture, and indigenous women, particularly those in urban communities, represented a tremendous resource for increasing information sharing on indigenous culture. The more constructive contact between indigenous people and the rest of society, the better the chance of fulfilling indigenous peoples' rights.

DELORIS MARTIN, Spanish Agency for Cooperation and Development, described actions taken by her Government for the 2009-2010 period. In terms of economic and social development, Spain's approach had promoted respectful cooperation with indigenous peoples, including those living in voluntary isolation. In May 2008, it had held an information meeting with Spanish corporations on the importance of free, prior and informed consent. The Government had tried to implement the Forum's recommendations, take other measures to protect biological diversity, and promote efforts against climate change, among other environmental issues.

Moreover, she noted, the Government had financed the Second Latin American meeting on Local Governments and Indigenous Territories, held in Guatemala. Turning to indigenous women, she said the Government's support had been evident in such areas as gender, education, sexual and reproductive health, and economic development. The Government also had focused on bilingual and cultural education as a means of empowering indigenous girls. Spain had ratified ILO Convention No. 169, and her Agency had published a report on the implications of that ratification. She invited all to hear a presentation on that report next Thursday.

AMY MUEDIN, Adviser, International Organization for Migration (IOM), said in March 2007, the organization had participated in an expert group meeting on urban indigenous peoples and migration in Santiago, Chile, to discuss the challenges of improving the quality of life of urban indigenous peoples and the ongoing rural-urban migration process. It had been noted that, while migration and urbanization was not a homogenous experience for indigenous peoples, indigenous women had particular vulnerabilities. In Asia, indigenous migrant women were particularly affected by the downside of urbanization and they needed special support, including protection against physical and emotional harassment, as well as support to counter the risk of being lured into human trafficking networks. Previous Forum sessions had raised concerns over indigenous migrant women's particular difficulty in integrating into societies of destination.

She said that some indigenous people moved to urban areas due to pull factors relating to employment and educational prospects, improved access to health and housing services and increased political participation, and social recognition and opportunities they might lack in their native communities. Indigenous migrants to urban areas did not leave behind their identities and they must not be artificially divided into urban and rural members of indigenous peoples. Their rights and identity should be considered wholly, irrespective of whether they lived on their territories or in urban areas. There was limited data on the migration process and on indigenous women's migration to urban areas. That scarcity prevented adequate policymaking on migration issues with regard to indigenous peoples, specifically indigenous women. Policies, programmes and legislation designed to protect the rights of migrant women were often ineffective unless the indigenous women's status was explicitly recognized or addressed.

SARAH FORTUNE, Internationale Touaregue, said improving women's condition was not always the priority concern of Governments. In Niger, 85 per cent of the Tuareg women lived outside of cities. Her people had their own capacities that allowed them to live in arid areas, and the Forum could help them protect their habitat. Women's lives were imperilled, their husbands were being killed by a military junta and there was radioactive contamination of their lands that had given rise to health concerns.

Against that backdrop, she asked that an external independent body study the health of peoples living in northern Niger, particularly women and children. She urged the Forum to raise the question of creating a demilitarized zone that would allow free movement of people looking for pasture

land; the establishment of a food bank; special support for water in her region; and involvement of women's organizations in the decision-making in such areas.

DOT HENRY, on behalf of the Australian Caucus of Non-Governmental Organizations, called on Governments to eradicate discrimination and violence against indigenous women and children through holistic approaches to essential services and culturally-appropriate education and justice strategies. Acknowledging that Australia had now agreed to support the Declaration, she called attention to the article on promotion of the rights and special needs of women, stressing that the participation of indigenous women in pursuit of that objective was essential.

She also called for the provision of adequate resources for existing programmes in Australia that aimed to prevent violence against women and for the creation of national services to respond to Foetal Alcohol Spectrum Disorder (FASD). Welcoming the National Apology to the Stolen Generations, she called for the development of a strategy to make it more effective. She also called on the Permanent Forum to work for an end to national policies that denied indigenous women access to social services, to promote adequate national funding to fight domestic violence in all settings, and to urge all States to establish national indigenous women's advocacy bodies.

MARCO ANTONIO CURRUCHICH, Commissioner of the Presidential Commission on the Fight against Racism and Discrimination of Guatemala, expressed concern that 46 per cent of the Forum's recommendations had not been implemented, or that there was no information on their implementation status. Financial resources were needed to continue implementation. Guatemala had a programme to protect the rights of indigenous women that developed actions, strategies and processes for the respect, promotion and compliance with the rights of indigenous women and their protection before the law. It had developed an agenda to empower Maya, Garifuna and Xinka women. Leaders from those communities participated in plans to improve their living conditions. The aim was to raise their profile and to foster gender equality, respect their cultural identity, and improve their quality of life in the public and private sphere through cross-cutting thematic strategies.

He said that the Defence for Indigenous Women programme provided free social, psychological and legal advice to indigenous women in their native tongue. It also ensured legal protection in cases that required court proceedings. On 13 March, the Government had launched the Campaign to Promote the Rights of Indigenous Women in coordination with Defence for Indigenous Women, the Presidential Commission on the Fight against Racism and Discrimination, and the Office of the United Nations High Commissioner for Human Rights (OHCHR) in Guatemala. In October 2006, the Government had created a public policy for coexistence and the elimination of racism and racial discrimination. That policy was the collective effort of public and social institutions, social scientists and activists, and the Government. It was based on the idea that society could move from exclusion and discrimination to a reality based on pluralism and democracy.

GONZALO OVIEDO, Senior Adviser, Social Policy, International Union for Conservation of Nature, stressed that indigenous women were particularly vulnerable to the impacts of climate change, including food insecurity. As such, they should be included in decision-making processes to improve access to land and solve food security problems.

Describing his organization's work in gender equality, he noted a workshop with indigenous women and gender experts to explore the links between biodiversity and gender equality. The main outcome of that workshop was an analysis of -- and action plan for -- gender mainstreaming in biodiversity. Another series of national workshops organized throughout Central and South America allowed participants to identify indigenous women's needs. The meeting produced a publication that became part of a regional agenda to boost indigenous women's roles. In closing, he said the International Union stressed the importance of gender equality in development and the need to increase indigenous women's participation in decision-making on natural resource issues.

BEVERLY JACOBS, President of the Native Women's Association of Canada, said because of the genocidal and assimilationist policies of Canada, indigenous women had to deal with the various barriers and impacts of colonization today. Indigenous women in Canada had consistently said that they came from Nations, that they wanted their homes and their communities to be safe and healthy, and that they could not separate themselves individually from their Nations. Her association recently

published a report regarding missing and murdered aboriginal women in Canada. The high rates of violence facing indigenous women in all walks of life required a systemic response. According to the report, as of 31 March, the estimated number of missing or murdered aboriginal women in Canada since 1970 was 520. Of that total, 347, or 67 per cent, had been murdered, and 126 were still missing. Forty-three per cent of the cases, or 233 women, had been missing since 2000; 150 of the 346 murder cases remained unsolved. More than half of the missing women were under the age of 30 at the time of their disappearances.

She said there was a critical need for a national plan of action to stop all forms of violence against indigenous women and girls, regardless of where they lived. Such a plan must include provisions to ensure collection and dissemination of information on the identity of indigenous victims of crime and perpetrators of crime, clear protocols and guidelines to ensure effective and appropriate response by the police and the justice system, and measures to address discrimination, poverty and low socio-economic status. A statement supporting that call had been issued at the Third Indigenous Leaders Summit of the Americas, held in February. She called on the Government of Canada to adopt a comprehensive national plan of action and provide better guidance and accountability for police, consistent and thorough collection of statistical data, and improved measures to close the gap in the standard of living between indigenous women and others in Canadian society.

JENNIFER AWINGAN, on behalf of the Global Women's Caucus and indigenous organizations of Asia, the Americas, the Pacific, Africa and the Caribbean, expressed concern over the situation of indigenous women and children who had been forced to migrate due to State violence against them. She said that they had often been forced into urban areas, which had often made them even more vulnerable to violence. She welcomed the Permanent Forum's recommendation to compile and disaggregate data on indigenous women's issues. She called on it to recommend that States and United Nations agencies, when collecting data and conducting workshops, consider the impact of armed conflict, military occupation and military activity on indigenous women.

KATHLEEN MCHUGH, Assembly of First Nations, strongly opposed legislation dealing with matrimonially-willed properties in Canada and urged that it not be sent for further consideration in legislative committee. Any proposed legislation affecting First Nations must be done in full consultation with the group. The bill did not have her organization's free prior and informed consent, and she asked Canada to reconsider moving forward on any initiative that did not have such consent. Moreover, indigenous women's rights must be promoted, protected and broadened.

Taking up the implementation of the Declaration's article 42, she emphasized support for recommendations made in paragraph 64, notably for establishing a national dialogue with indigenous peoples on human rights. First Nations also supported recommendations in paragraph 65. In the implementation of article 42, she recommended that the Forum adopt and apply gender-balanced analyses to promote full respect for the Declaration. She also urged the Secretary-General to support and promote special budgeting consideration for gender, women and youth. Both were critical to ensuring women's vital expertise in the Declaration's application.

DENIS VOLLANT, Innu Nation, said the Forum should consider the Innu as human beings. Innu meant human being in his native language. Forestry and other industries that had entered Innu lands had devastated and threatened the Innu way of life. Canada's Prime Minister had publicly apologized to the indigenous people of the country, but he had still not signed the Declaration. Indigenous people still had problems educating their children because of scant funding. That backlog in development directly affected their lives. There must be funding for a symposium on education, as only through education could indigenous people stand on their own two feet.

NAIT SID KAMIRA, Collectif des femmes du Printemps noir de Kabylie, said women in her region were "doubly repressed" in that they had to secure their legitimate rights in a predominantly Muslim culture. They were subjected to laws that made men superior. Inequality was enshrined in the culture. Although Algeria had ratified the Convention on the Elimination of all Forms of Discrimination against Women, such behaviour had solid champions in her culture. Women were repressed both symbolically and legally.

In ancient times, women were respected as wives, but today, they were relegated to a derisory status, she said. In the past, they had an important place in society, often as the head of kingdoms, including the Kabylie. When facing drought, women would call for blessings. They also had an important role negotiating peace in their tribes. Kabylie women were known for their strong character, and they continued to fight against the family code, which was inspired by Sharia law. Women had gained ground, notably in securing an amendment to the family code — indeed, it was clear it must be repealed and replaced by a truly egalitarian law. She called for autonomy of the Kabile region, and urged the Algerian Government to respect the indigenous peoples' Declaration. “We want a consensus-based future that promotes the equality of women,” she said.

TARCILA RIVERA, Enlace Continental de Mujeres Indigneas -- Región Sudamérica, said most States had only minimally implemented the Second Decade's requirements. Indigenous women were violated through discrimination and racism. She called on all Governments to comply with the Declaration and to work to create multicultural and multilingual States, and ones that respected Mother Earth. Most functioned on growth and training of children based on nature. Many indigenous women were involved in prostitution, drugs and crime, and resorted to self-destructive practices, such as suicide. Programmes were needed to combat those ills.

MAILIS IRIART, Autonomia Eraiki, said that as a young person from the Basque region, she had a duty to convey the importance of learning about her culture and values. Her people were divided between France and Spain. While France considered that it had no indigenous peoples in its territory, Basque people existed and had always called for the implementation of most of their fundamental rights. In return, they had been repressed. A lack of recognition and indigenous institutions had imperilled them in various ways. Many young people had been forced to leave their families to carry out secondary studies.

She said that the colonization of her area by affluent elderly people from France meant that no young person was able to own his own property. It was even hard to rent property. France had inflicted a policy of territorial manipulation with property developers that had very few scruples. She deplored that her peoples' cries for recognition were ignored or held against them, and that cartoon-like images of her people persisted, discrediting any independence-based claims and leaving her people as “objects of mere folklore”. She urged fighting against the criminalization of her society.

MARGARET CONNOLLY, Retrieve Foundation of Ireland, said she was bringing a message from Credo Mutwa, a spiritual leader of the Zulu Nation and South Africa, that the Zulu Nation was dying and its people and indigenous ways were being eroded. The man-made HIV virus was wiping out his African nation. Indigenous knowledge of herbal medicine was effective in curing AIDS, which he and other Sangomas had personally witnessed. Yet, those herbal medicines had been totally undermined by multinational pharmaceutical companies and fundamentalist churches. Credo Mutwa was dying from poison sent to him by a German doctor to silence his voice. To answer the question as to whom it served to keep the African nations sick, he asked the Permanent Forum to send a representative to visit him to assess the indigenous African solution to the HIV scourge.

Turning to the Sacred Rainbow prophesies, she said Credo Mutwa asked everyone throughout the world to light a sacred fire at dawn on the ninth day of the ninth month of 2009. That would fulfil the Sacred Rainbow prophesies and “heal the DNA of ancestral memory of past traumas experienced by the world through colonization, conversion and fear”. The next 19 generations would no longer carry that trauma through their DNA, and that transformation would return the collective memory to healing peace and enlightenment.

JOSEFINO MARTINEZ HERNANDEZ, Habitat Pro, said most of the 6 million indigenous women in his country lived in poverty and many were forced to migrate to cities, including Mexico City. Triqui women had reduced inheritance rights and suffered violence at the hands of their partners — most cases were never made known to the police. A national institute for women had been established, as had an institute for women of Oaxaca; however, there was no representation for indigenous women.

He said the federal work act contained measures that discriminated against women. The labour law granted some protective measures vis-à-vis employers, but domestic workers faced many

more restrictions. As such, he recommended that the Forum press Mexico to include more effective measures to protect indigenous women and apply the federal law to eliminate discrimination against them. His Government should consider representing domestic indigenous workers in national institutions. United Nations Development Fund for Women (UNIFEM) should research the working conditions of indigenous domestic workers and launch a bill in favour of women in that sector.

MARGARET LOKAWUA, a Karimjong activist from Uganda, detailed the timeline and content of much of the Forum's work and its recommendations. She supported the Forum's recommendations.

TONYA GONNELLA FRICHER, Onondaga Nation, Six Nations Iroquois Confederacy Haudenosaunee in the United States, an attorney and founding President of the American Indian Law Alliance, discussed the mass migration of indigenous women to urban areas. Removal was the correct term to use when referring to those forced migratory movements that resulted from the United States Government's Indian Reorganization Act and other legislation throughout history. That removal and displacement had led to loss of land of indigenous peoples, as well as domestic violence, HIV/AIDS, gender inequality and low standards of living, among many other social and economic ills. She called for recognizing the rights and fundamental freedom of indigenous women to live free from violence. Initiatives addressing female trafficking and forced prostitution had been developed in Asia, which several States were still in the process of ratifying. She strongly supported their continued ratification.

ARMAND MCKENZIE, Innu Nation, reminded Canada of its human rights obligations and duty to act honourably by endorsing the Declaration. The impacts of Canadian mining companies were felt most by indigenous peoples. Indeed, Canada was a "mining super-Power", with 75 per cent of the world's mining exploration companies. Around the world, those companies were contaminating land, air, wildlife and people, and impacting traditional cultures. In Guatemala, indigenous Mayan communities had protested against their presence. In Papua New Guinea, a Canadian mining company was causing massive impacts by dumping into a valley. The realities overseas were well known to the Government.

He went on to describe a report that recommended that the Government prevent continued abuses that contravened international codes and standards. In response, the Government launched a round table, which he had attended. He had advised the Government to enact standards to make Canadian companies more accountable. It had taken two years for those recommendations to be implemented. In April, an opposition member had introduced a bill on the corporate accountability of mining corporations in developing countries. He urged Parliament to pass it.

RICKY TRAN, Khmers Kampuchea-Krom Federation, Montagnard Foundation, said the Government of Viet Nam had yet to take steps to recognize the Khmer Krom and Montagnard as indigenous peoples of the Mekong Delta and the Central Highlands, respectively. It had supported the Declaration, but its lack of recognition of those two peoples was a major barrier to enabling those indigenous groups to become actively involved in decision-making. She reaffirmed the need for Viet Nam's Government to work with the Khmer Krom, the Montagnard and the Forum to start developing a partnership based on mutual respect so that the Khmer Krom and the Montagnard could fully participate in achieving the Millennium Development Goals. She called on Governments around the world and on Forum members to urge Viet Nam to recognize those two indigenous groups.

She called on Viet Nam to provide a detailed summary of specific current policies and programmes, or proposals, for indigenous people, under the economic and social development strategy for 2001-2010. She called on the Forum to set up a dialogue with the Vietnamese Government. Viet Nam needed to discuss specific economic and social development issues relating to indigenous peoples rather than give generalized statements about its national achievements. As part of the Vision 2020 for achieving the Millennium Development Goals, Viet Nam should incorporate the needs of the Khmer Krom people in aspects of poverty reduction, higher education and training reform. She also called for aid from the Food and Agriculture Organization (FAO), ILO and the Vietnamese Government

to help create employment opportunities for many local Khmer Krom people, who were currently landless, due to land confiscation by corporations and the Government itself.

WINDEL BOLINGET, Cordillera People's Alliance, urged the Forum to incorporate recommendations of the Manila Declaration into its plans. Corporations actually benefited from serious environmental violations. Such behaviour required nothing less than strict punishment. The Manila Declaration called for a moratorium on such operations until safeguards were in place, and he welcomed that call. He also endorsed an end to State subsidies and the financing of projects that violated indigenous rights. Indeed, it was unacceptable that international financial institutions, including the World Bank, spoke out against climate change but continued to invest in coal, oil and gas projects that caused the problem. He recommended creating a special rapporteur to focus on rights violations and environmental damage caused by industry.

WILTON LITTLECHILD, International Organization of Indigenous Resource Development, said the management of diabetes in the indigenous population required a coherent integrated approach promoting effective diabetes care and management to ensure optimal quality of life and to prevent or delay costly and devastating complications. As a chronic condition, diabetes was costly to the health system, and care of the disease must be geared towards effective disease management before complications developed and health-care costs skyrocketed.

He thus recommended that the International Diabetes Federation reinstate the Indigenous Task Force to address the emerging diabetes epidemic, which was now affecting indigenous children. The Permanent Forum should also include in its report on the current session a recommendation for Governments to improve the determinants of health for indigenous peoples, including increasing access to healthy food and recreational programmes. Governments should also provide funding for culturally-relevant diabetes-related programmes and services; in Canada, that should include input from indigenous peoples in renewing the Aboriginal Diabetes Initiative. Governments should also make diabetes medication and treatment available to all indigenous peoples, regardless of their status, residence and socio-economic position.

CHRISTIANA SAITI LOUWA, El Molo Forum, said she was from northern Kenya and speaking on behalf of a confederation of indigenous women from Bolivia, including the national Guarani. "Indigenous women are the glue that holds our societies together," she said, adding that any improvements that the Forum achieved would improve their situation. She urged the Forum to encourage all States that had not yet adopted the Declaration to do so immediately.

In addition, she called on the Forum to assist States in implementing the Declaration and conducting regular follow-up; set aside funding in the United Nations Development Programme (UNDP) and the United Nations Development Fund for Women (UNIFEM) to support indigenous women's programmes; include indigenous women in the staff of United Nations agencies; and ensure that States were fulfilling their responsibility to protect indigenous women against rape and human trafficking. To adapt to climate change, she urged States absolutely and substantially to reduce carbon emissions. "We must stop the pollution of our shared environment," she warned.

RUSSELL DIABO, Indigenous Network on Economics and Trade, speaking on behalf of Wolf Lake First Nation, said that working within domestic forums was often frustrating and presented serious limitations for indigenous peoples, owing to Government imperatives to protect their own political sovereignty and territorial integrity. Governments tended to maintain entrenched economic interests, thus denying the rights and interests of indigenous peoples. That was certainly the case of the Wolf Lake First Nation, which faced barriers to social and economic development in light of the one-sided policies of the governments of Quebec and Canada, particularly the latter's land claims policy. While section 35 of Canada's Constitution "recognizes and affirms" the Aboriginal and treaty rights of indigenous peoples, its Comprehensive Land Claims Policy set out the terms for negotiating Aboriginal Title, which were inconsistent with articles 10, 26, 27, 28 and 32 of the United Nations indigenous peoples' Declaration and Canadian case law.

He said that under Canada's Comprehensive Land Claims Policy the lands and resources of indigenous peoples were taken away even while negotiations were ongoing and even though a final agreement might take decades to reach. Quebec's provincial government benefited from the national policy because it allowed provincial governments to give the lands and resources of indigenous peoples to third parties during negotiations. Even though recent Supreme Court cases, such as Haida, Taku River and Mikisew, required those governments to consult with indigenous peoples when making decisions that affected the land and resources in their traditional territories, those governments had unilaterally developed "interim consultation guidelines", which were designed to provide minimal consultations and to avoid any accommodation of indigenous peoples' rights and interests. On that basis, he recommended that the Permanent Forum undertake a study of Canada's land claims and consultation policies in relation to the articles of the indigenous peoples' Declaration.

Mr. BALKASSM, Forum member from Morocco, noted some improvement in women's participation in political and cultural life around the world. But that positive development had not been replicated among indigenous women, notably in the areas of education and health. Most indigenous women were deprived of participation in political and cultural life, and States were duty-bound under international human rights conventions to bridge that gap. Organizations and other relevant bodies must also shoulder that obligation. As for an International Year for Indigenous Women, he wondered whether it could address indigenous migrant women. He asked Chile and other countries how many women were able to express their cultural and political potential. Moreover, capacity-building projects were tiny, and, meanwhile, mining operations were destroying indigenous women's lives.

MÁRCIO AUGUSTO FREITAS DE MEIRA, President of the Brazilian National Foundation for Indigenous Issues, said the Government's national policy to promote indigenous education was crucial for enabling indigenous people to develop their autonomy and promote traditional values. State and municipal authorities were responsible for coordinating national policy. Data from the 2006 school census showed that between 2002 and 2006, the school enrolment rate of indigenous children rose 48.7 per cent to 174,255 students. A total 716 new schools were created from 2002 to 2006, and 164,000 indigenous children were enrolled in primary and secondary education. Some 7,000 indigenous children were enrolled in universities.

He said that the Government was developing affirmative action programmes to help them and to foster participation in education of indigenous and minority communities. It had spent \$9 million in 2006 to build and renovate indigenous schools. During the past 10 years, some 9,000 indigenous teachers were trained or they were in process of being trained. The right to health care for indigenous peoples was also part of Brazilian policy. The Government had set up a sub-system for comprehensive health care for indigenous peoples, based on respect for their traditional health care systems. The 2009 budget for health care for indigenous peoples was \$250 million.

STEDMAN FAGOTH Nicaragua said his country had a law that "claimed" the rights of women, according to which there was a 50-50 division of power and representation at all political, social and economic levels. A regional health care system prioritized women, and that arrangement was a perfect fit for indigenous peoples. Nicaragua's national resource legislation clearly outlined indigenous peoples' ownership of gold mines and fishing banks. He urged States that had not yet done so to adopt the indigenous peoples' Declaration. "Natural resources should belong to those who had settled there for thousands of years," he said, noting that those resources belonged to them under a common law system.

KOWI ARIRUMA (Ecuador) said that his country's Constitution promoted the "interculturalization" of public institutions. Describing national efforts, he said the Government was implementing linguistic policies that contributed to the use and development of indigenous languages. Other policies "decolonized" the memory of the population and strengthened its cultural and linguistic origins. The Government was also producing dictionaries of ancestral languages. He urged the Forum to draft a declaration that gave greater priority to financial support for indigenous languages to prevent their deterioration.

JITPAL KIRAT, Vice-President, National Foundation for Development of Indigenous Nationalities of Nepal, said that 59 ethnic groups in his country had been recognized as indigenous

nationalities, comprising over 37 per cent of Nepal's population. Recently, the Government had taken significant steps to ameliorate the situation of the indigenous peoples. ILO Convention No. 169, which Nepal had ratified in August 2007, guaranteed the rights of indigenous peoples over land and natural resources, as well as to education in their mother tongue and their participation in the processes that affected them. The Government had also prepared a comprehensive action plan for the Convention's implementation and was committed to implementing the indigenous peoples' Declaration. At the invitation of the Government, the Special Rapporteur on Indigenous Peoples had visited Nepal in November 2008 to assess the current situation. His final report on his visit was due to come out soon.

He went on to describe the "inclusive development" theme of the Government's plan for 2007-2010, which sought to promote the economic and cultural development of indigenous peoples, as well as the social security scheme for indigenous peoples, which had been identified as endangered groups. The National Foundation for Development of Indigenous Nationalities was also implementing several projects for the socio-economic development of marginalized indigenous peoples. The country's interim Constitution defined Nepal as a multi-ethnic, multilingual, multireligious and multicultural society. Last year's historical transformation, including the declaration of Nepal as a federal democratic republic, had created new opportunities for the country's indigenous peoples. Nepal's Constituent Assembly was one of the most inclusive assemblies in the world, with 219 of its 601 members coming from indigenous communities. He hoped that the new constitution would have significant provisions with regard to the rights of indigenous peoples and disadvantaged groups and communities.

Right of Reply

Speaking in exercise of the right of reply, Colombia's representative said all Colombians, including indigenous people, had suffered from violence due to the activities of drug traffickers in the country. The Government had programmes for social cohesion and democracy. It had been able to boost the presence of the State and it had reduced trafficking in illegal substances and the number of kidnappings. A new law had led to the reduction of violence and crime. Colombia had specific programmes and was investing \$500 million annually to help displaced persons. It had special measures and plans for indigenous peoples that were covered by a national consultation bureau created in 2006.

He said the Government had also set up specific programmes for indigenous people in emergency situations, including medical and education programmes. Terrorist groups tried to convert isolated areas into murder rings. Unfortunately, some of those areas were home to indigenous peoples. He supported the Declaration. Although it was not a binding agreement, its application in Colombia was established in the Constitution. A total of 3.5 per cent of the Colombian population was indigenous. It was wrong to claim that land rights of indigenous peoples were not recognized. Colombia had legal institutions, such as an Ombudsman and a Constitutional Court that had boasted the legal framework of the rights of indigenous communities.

The representative of Spain, also speaking in exercise of the right of reply, said her country's Constitution established Spain as a democracy governed by the rule of law. It favoured political pluralism. Spain's respect for human rights was a linchpin in its fight against terrorism. She expressed concern at attempts to "de-nature" the meeting -- from being a forum for indigenous peoples to one that introduced politics.

Also speaking in right of reply, the representative of Viet Nam said she objected to the presence at the Forum of a federation that was based outside her country. How could it represent Vietnamese indigenous people? She reiterated her Government's policy of mutual respect for all peoples and anti-discrimination. That policy was bolstered by other economic development and poverty reduction programmes. In addition, preferential policies, including subsidies and interest-free loans, had been introduced, while infrastructure in remote areas had been improved considerably. Diseases, such as tuberculosis, had been prevented. Citing those as just some examples, she reaffirmed Viet Nam's policies to ensure full enjoyment of human rights for the people of her country.

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