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Permanent Forum on Indigenous Issues

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INDIGENOUS GROUPS CALL FOR HALT BY FOREIGN COMPANIES TO LAND USE FOR OIL, MINING,

WITHOUT THEIR PRIOR KNOWLEDGE, CONSENT, AS PERMANENT FORUM CONTINUES

As Stewards of Environment, 'Indigenous People Cannot Be Sacrificed On the Altar of Climate Change', Forum Hears as It Turns to Arctic Region

The Permanent Forum on Indigenous Issues continued its discussion of human rights today amid calls for Governments to strictly carry out their obligations under international human rights accords, notably in the Amazon where protests by native inhabitants recently erupted after moves to open the region to oil and mining by foreign companies without their consultation.

In spirited morning debate, indigenous delegates from various parts of Latin and Central America pressed Governments -- including the United States and Canada -- to adopt provisions of the Declaration on the Rights of Indigenous Peoples, named by one speaker as the first real challenge to the "colonial doctrines of discovery". Others urged them to heed their obligations under the International Labour Organization (ILO) Convention No. 169, which safeguards indigenous rights in natural resource use and explicitly outlines State behaviour for relocating native peoples when considered necessary as an exceptional measure.

The delegate from the Organización Nacional Indígena de Colombia said no such consultations had been held before military bases had been set up on their territories. Some 70,000 indigenous peoples had been displaced and 75 per cent of children were suffering from malnutrition. Forced displacement and murder statistics surpassed those of last year.

A parliamentarian from Colombia representing the Movimiento de Autoridades Indígenas de Colombia y el Parlamento Indígena de América, added that several laws and strategies in Colombia -- including the Forestry Law -- negated indigenous peoples' right to free, prior and informed consent, and other rights outlined in both the Constitution and ILO Convention No. 169.

In response, Governments acknowledged the need for improvements and highlighted positive developments. The Director for Indigenous Issues, Ministry of the Interior of Colombia, said the legislature's actions were constantly overseen. All legislation was reviewed by the constitutional court to ensure that rulings were in line with the Constitution. While recognizing multiculturalism, he said Colombia, through its security policy, controlled national territory, including lands inhabited by indigenous peoples, who themselves were being attacked by terrorists and drug traffickers.

The representative of Peru said that, just yesterday, the Government had set up a multisectoral commission between the State and the inter-ethnic association of the Peruvian forest to deal with indigenous problems in the Amazon. Such bureaux for dialogue boosted long-term development, particularly vis-à-vis mining in areas inhabited by indigenous peoples.

When the Forum next turned its attention to issues in the Arctic -- chosen for the Forum's annual half-day discussion on a world region -- Patricia Cochran, President of the Inuit Circumpolar Council, reinforced her area's connection to native peoples around the world, saying: "Arctic peoples have experiences to share with all indigenous peoples."

She said industry, shipping countries and tourism operators were eyeing its seas and other natural resources. Heavy metals, mercury and others were in the air, water and food chain. Persistent Organic Pollutants (POPS) were being transported to the Arctic and becoming trapped in the cold. In addition, States were causing problems: the European Union import ban on seal skin products impacted the Inuit, who survived on those exports.

Despite that, she reminded the Forum that Inuit were a pragmatic people. Her people would work with States to achieve an international agreement on black carbon and on mercury, and she called for the Forum's support in those efforts. They would work to ensure that industries sought the consent of indigenous people prior to undertaking activities that affected them, and reach out to former colonizers. "We are optimistic and we will overcome", she concluded.

In ensuing debate, several delegations praised the Arctic Council -- an intergovernmental forum of Arctic Governments and indigenous peoples -- as a model for international cooperation issues important for the region.

The President of the Saami Council pointed out, while the Arctic Council's role was strengthening, its workload was increasing and the capacity of indigenous peoples to participate was at a standstill. To maintain it as a model for joint decision-making, States had to provide more resources. States and extractive industries must respect that oil, gas and mining resources were situated on, and/or could only be accessed from, indigenous peoples' territories. That called for agreements to be made with all parties before any resources were tapped. "Indigenous people cannot be sacrificed on the altar of climate change."

Also making statements on the Arctic region were: Louis Tapardjuk, Minister of Culture, Language, Elders and Youth, Minister of Education, Minister of Languages and Minister of Aboriginal Affairs, Nunavut, Canada; and Innuuteq Holm Olsen, Deputy Minister for Foreign Affairs, Home Rule Government of Greenland, and Chairman of the Arctic Council, speaking on behalf of Denmark, Greenland and the Faroe Islands.

Forum members from Bolivia, United States, Spain, Morocco and the Russian Federation also made statements.

James Anaya, the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous peoples, also made a statement today.

Also speaking were State members represented by observers from Australia, France, Congo, Norway, Bolivia, Mexico, Guatemala, United States, Russian Federation, Canada, Finland and Denmark.

The representative of Chile spoke in exercise of the right of reply.

The Permanent Observer for the Holy See also spoke, as did a representative of the European Commission.

A representative of the Expert Mechanism on the Rights of Indigenous Peoples also spoke, as did a representative of the Office of Legal Affairs and the Law of the Sea of the United Nations Division for Ocean Affairs and the Law of the Sea.

A representative of the United Nations Educational, Scientific and Cultural Organization (UNESCO) also made a statement.

Representatives of the following caucuses, umbrella organizations and indigenous groups also delivered statements: Caucus Francophon, Parlamento de Indígena de América, Alianza Mundial de los Pueblos Indígenas y Tribales de los Bosques Tropicales, Confederación Nacional de Organizaciones Campesinas y Negras del Ecuador, Fondo Indígena, Feine, Winnemem Wintu Tribe, Latin America Caucus, North America Caucus, Nomad Touareg Caucus, Centro de Cultura Pueblo Nación Mapuche Pelonxaru, Voluntary Fund for Indigenous Populations, Indigenous Youth Caucus, Indigenous Peoples of the Pacific Caucus, African Caucus, Assembly of First Nations of Quebec and Labrador, Indigenous Youth Caucus, Inuit Circumpolar Council, Coordinadora de Organizaciones Indígenas-Campesinas de Bolivia, National Council of Ayllus and Markas of Qullasuyu, and the Pacific Caucus. \

The Forum will reconvene at 10 a.m. on Friday, 22 May, to continue its session.

Background

The Permanent Forum on Indigenous Issues met today to continue its discussion of human rights and implementation of the United Nations Declaration on the Rights of Indigenous Peoples, and to begin discussion on the Arctic region. (For additional information on the current session, see Press Release [HR/4979](#).)

Statements

HANDAINE MOHAMED, Caucus Francophon, said the situation of indigenous people in the French-speaking world continued to worsen, with serious insufficiencies in the teaching of their language. While recognizing efforts made by Morocco, he said in Algeria, there was “cultural genocide” against the Amazigh people. The non-application by both countries of the Declaration showed their attitude. In Libya and Tunisia, indigenous peoples did not have the right to sing in their languages. In the Sahel, there was no access to education or health care. In Central Africa, other peoples were discriminated against, while in Polynesia, the Franco-Polynesian treaty had not been recognized. French justice should provide the necessary means for the Earth not be held hostage by 80 per cent of the population. France voted in favour of the Declaration and was starting to make efforts vis-à-vis the environment, but indigenous peoples saw the exploitation of the environment. In closing, he urged Canada to adopt the Declaration, and other States to both recognize indigenous languages and support their use.

TOMASA YAURI, Parlamento de Indígena de América, saying that she was a senator of Bolivia, expressed hope to see a more balanced parliamentary representation of women in her country. In many countries, it was important to increase the representation of women in parliaments. Indigenous women needed a higher profile. She was concerned at human rights violations in Bolivia, particularly of indigenous women, and encouraged indigenous women to work towards a common goal — of coexisting under the name of “indigenous peoples”, rather than trying to humiliate one group or another. Bolivia was working hard in those efforts. As an indigenous woman and senate member, she was the first indigenous minister in the history of Bolivia and hoped to see more women in such positions.

GONZALO GUTIEREZ (Peru) said that, in line with human rights instruments and International Labour Organization Convention No. 169, Peru continued to promote the rights of indigenous peoples. His Government was committed to developing strategies for ethnic plurality. Proof of that was Peru’s lead in drafting the Declaration for 11 years. The country today was working towards an integrated Peruvian nation that respected heritage and cultural diversity. Yesterday, the Government had set up a multisectoral commission between the State and the inter-ethnic association of the Peruvian forest to deal with indigenous problems in the Amazon. Such bureaux for dialogue boosted long-term development, particularly vis-à-vis mining in areas inhabited by indigenous peoples. Peru also had rules that guaranteed information and consultation with indigenous peoples for hydrocarbon activities, and a legal framework to protect the rights of those living in voluntary isolation. Finally, there was a supreme decree that acknowledged the need to work together on sectoral policies of Andean, African and Afro-Peruvian peoples, while an equal-opportunities law promoted indigenous peoples’ inclusion in decision-making.

BERNIE YATES, Deputy Secretary, Department of Families, Housing, Community Services and Indigenous Affairs, speaking as an observer on behalf of the Government of Australia, the Australian Human Rights Commission and the Aboriginal and Torres Strait Islander organizations, said in the past 18 months there had been a resetting of relationships in Australia. That had begun with a national apology to Australia's Aboriginal and Torres Strait Islander peoples. On 3 April, the Australian Minister for Indigenous Affairs supported the Declaration, marking an important step in building trust and moving forward. That statement reversed the Australian Government's previous position, reflecting a change of values and a renewed willingness to build relationships at home and internationally. Since 2006, the Australian Human Rights Commission had led the "Close the Gap" coalition, calling on Governments to implement a human rights-based approach to addressing aboriginal and Torres Strait Islander health inequality.

In an unprecedented step, local, state and national Governments had created targets to close the gap between aboriginal and Torres Strait Islander peoples and other Australians in life expectancy, child mortality, early childhood education, literacy and numeracy, and high-school completion, and employment with specified time frames, he said. Governments had announced some 6 billion Australian dollars in new funding for indigenous-specific initiatives to support those commitments. The Government had committed to support the creation of a national indigenous representative body to engage with indigenous people at the highest level on issues of importance to them. Consultations, coordinated and chaired by the Australian Human Rights Commission and at arm's length from the Government, were under way, and an independent committee formed by the Commission would propose a model to the Government in July. The aim was to have a new body operating by year's end. The Government had committed to introducing legislation in October so that the 1975 Racial Discrimination Act would apply to the emergency response in affected indigenous communities in the northern territory and that current provisions, excluding the operation of the Act, were removed.

ANAYS ARIAS, Alianza Mundial de los Pueblos Indígenas y Tribales de los Bosques Tropicales, said women still suffered from discrimination. They had an important role to play and an important contribution to make to culture and development. Still, indigenous women continued to suffer from violence and pain. The key points put forward by indigenous women must be taken into account by the Forum. Governments were aware of the pain and discrimination suffered by indigenous women, but they were not taking steps to address them. Women had the same intellectual capacity as men.

LUIS ANDRANGO, Confederación Nacional de Organizaciones Campesinas y Negras del Ecuador, said indigenous people worldwide had experienced similar situations of abuse and discrimination. The Forum should include indigenous peoples' voices and views, particularly in discussions on how to address climate change. Indigenous people had much to contribute to that discussion in terms of sustainable consumption and production patterns.

EMMANNUEL LEBRUN-DAMIENS, First Secretary, Human Rights and Humanitarian Issues, France, said the country had supported the Declaration when it was adopted by the General Assembly in 2007, and it had supported creation of the Expert Mechanism of the Human Rights Council. Last year, France responded to the Special Rapporteur's request for information on the Kanak people in New Caledonia. For a long time, France had incorporated the practices, uses and customs of traditional populations overseas. Human rights were constitutionally guaranteed by the French State. France had an active policy of promoting regional languages and it had provided full-fledged support for those languages in the grade school curricula. Parity in bilingual teaching had been established.

VALENTINE MAVOUNGOU, observer for the Congo, said his Government was committed to the cardinal principles in the defence of human rights. The Constitution included the spirit of the Universal Declaration on Human Rights, and the Government spared no effort in promoting and protecting them. He recalled that, at the first session of the Human Rights Council in June 2006, the Declaration on the Rights of Indigenous Peoples had been challenged by many States, but the Congo was among the few to call for unconditional adoption of the text -- and thereby end the denial of rights to part of any country's population. Since 2004, the Congo had been working on an indigenous rights bill which was before the Council of Ministers for adoption by the Parliament. It was the first of its kind in Africa. "Let it be followed by others", he said. Indigenous peoples had rights like any other community. The time for them to bend before other citizens, or give up their rights, was long gone.

Indeed, the Declaration had marked the death knell of such behaviour, and he called on the Forum to be more thoroughly involved in pushing efforts forward.

LUIS EVELIS ANDRADE, Fondo Indígena, recalling the Forum's recommendations, said his organization held a workshop to make indigenous issues more visible. Participants acknowledged efforts made to identify indigenous peoples in databases and censuses. With that, he stressed the importance of the next round of regional censuses and disseminating the results for the formulation of public policies. He urged States, through their national statistical institutes, to guarantee the full participation of indigenous peoples on equal footing in the development and coordination of policy. He also urged the United Nations and other cooperation organizations to enhance specialized agencies' ability to provide financial support to indigenous peoples, which would help foster their participation in 2010 regional censuses.

WILLIAM CHELA, Feine, saying he spoke on behalf of evangelical and other religious schools, including in Ecuador and Bolivia, alluded to constant grievances of evangelical churches. Those churches recognized the right to life, not only for people, but for the Earth, because "we are never separated from our profound spiritual inspiration". He recommended that the Forum support the Declaration's implementation "right up to the very last peoples in the world". It should also recommend, to States and United Nations agencies, that they recognize indigenous churches. They should also recognize Mother Earth as a legal entity and urge that the right to life be extended to it. He also supported women's organizations on human rights issues.

RAIMO VALLE, Ministry of Labour and Social Inclusion of Norway, speaking on Sami policy, said that in May 2008 the Government submitted to the Norwegian Parliament a white paper that focused on how all levels of public administration implemented the Sami perspective in policy-making. Agencies working within different areas were obliged to "systematic planning" regarding Sami rights, and to report on actual implementation. At the regional level, there were voluntary agreements on cooperation between the Sami Parliament and the country councils. The duty to consult the Sami Parliament was important in the discussion of implementation of Sami rights. In 2008, the Government and the Sami Parliament held several consultations on the Nature Diversity Act and both were satisfied with the result: the Sami Parliament gained acceptance for many of its claims. After those talks, two Sami newspapers were created, one in the Sami language.

He said it had not been possible to reach agreement on a new mineral act. Talks that took place between 2007 and 2008 among the Government, the Sami Parliament and the Sami Reindeer Herders' Association had been concluded. However, a proposition that reflected the Sami Parliament's view was submitted to the Norwegian Parliament earlier this spring.

FREDDY MAMANI MACHACA, observer for Bolivia, said his country had gone through a dramatic change to recognize indigenous peoples' rights, beginning with the passage of a new Constitution on 26 January, which had led to economic, social, political and cultural reforms in support of indigenous peoples' rights and the Declaration. Since taking office three years ago, President Evo Morales had instituted significant advances, among them, nationalization of natural resources, better education and health care, the creation of three indigenous universities, and literacy programmes supported by the Governments of Cuba and Venezuela. In December 2008, Bolivia had become the third country in Latin America to be recognized by the United Nations Children's Fund (UNICEF) as having wiped out illiteracy. It had also instituted mass-scale agricultural reform, redistributing communal lands to indigenous people who lacked sufficient land.

He said that the Declaration could amend a series of historical errors that discriminated against indigenous culture, science, medicine and practices, including the prohibition of the sale and use of the coca leaf. The coca leaf, in its natural state, did not damage a person's health; it was not cocaine. Indigenous people did not believe in drug trafficking. In fact, they were fighting it. He recommended that the United Nations remove the coca leaf from article 49 of the 1961 United Nations Single Convention on Narcotic Drugs. Bolivia had recognized 22 April as Mother Earth Day. The last century had been the century for human rights. The current one must be the century for the rights of Mother Earth.

CALEEN SISK-FRANCO, Winnemem Wintu Tribe, speaking on behalf of several groups, noted that indigenous peoples sat on prime land and natural resources historically desired by

Governments and corporations for profit and expansionist agendas. As a result, they had been forcefully relocated, removed or pushed into a diaspora across the hemispheres, creating global migration and displacement of indigenous peoples. The situation was affecting indigenous peoples on every continent. A panel of indigenous women leaders had identified common conditions resulting from that colonial legacy, and produced a collective statement on that subject at a side event held on 18 May during the meeting of the Permanent Forum.

She said that the statement urged the Forum to create a task force on “unrepresented” and “unrecognized” indigenous peoples, and to designate a rapporteur to undertake a study of the conditions under which they lived, including but not limited to migrant peoples and their families born outside their traditional territories. The statement would further draw attention to the United States Government’s continuing efforts to suppress the rights of the Winnemem Wintu Tribe in California, who were defending their historical territories and watersheds. It would draw attention to the case of Flor Crisostomo, referred to in the La Red Xicana Indígena statement on urban and migrant indigenous issues in 2007. Ms. Crisostomo was currently in sanctuary in Chicago, Illinois, having resisted deportation.

The text would draw special attention to the condition of Alifuru women and youth, incarcerated by the Indonesian Government and prosecuted for treason for presenting their traditional dances publicly. It would also draw attention to the La Cuenca Amazonia and encourage the Forum to urge the United Nations and the Bolivian Government to promote the preservation of their right to self-determination and territory. Finally, it would highlight the excessive militarization caused by the construction of the United States-Mexico wall, which was restricting access to traditional foods, ceremonial sites and was contaminating water and riverbanks on the Lipan-Apache territory, which straddled the United States and Mexican border.

ERNESTO RAMIRO ESTACIO, a parliamentarian from Colombia representing Movimiento de Autoridades Indígenas de Colombia y el Parlamento Indígena de América, said indigenous communities were not only fighting for their rights, but also for the conservation of their cultures, restoration of their territories and land, and guarantees for their children’s future. Events and action, including armed attacks that were threatening the very existence of many indigenous communities’ cultures, land, territories and customs, had been denounced by the Constitutional Court, indigenous organizations and other groups. He pointed to several laws and national strategies, such as the Forestry Law, the Statute of Rural Development and the 2006-2010 National Development Plan, that negated the rights of indigenous people to free, prior and informed consent and other rights stated in the Colombian Constitution and ILO Convention No. 169. He urged all indigenous organizations to support the call to the Colombian Government to endorse the Declaration and incorporate it into domestic law.

GABRIELA GARDUZA ESTRADA, observer for Mexico, said that, since the Declaration’s adoption by the General Assembly, her Government had disseminated information on it -- including its substantive articles -- through an indigenous system and the United Nations Information Centre network. On 15 December 2008, as part of the Second International Decade, the National Commission for Development of Indigenous Peoples and the National Institute for Indigenous Languages, alongside the United Nations Development Programme (UNDP) and the United Nations Office of the High Commissioner for Human Rights, had held a press conference to present the Declaration’s translation in two indigenous languages. Those translations had been delivered to the Forum’s secretariat to be published electronically. Mexico hoped to translate them into the 20 most widely used indigenous languages. She suggested continuing meetings of expert groups through regional meetings. In that way, the Forum could compile best practices in a basic implementation handbook that would help guide its work.

PEDRO POSADA, Director for Indigenous Issues, Ministry of the Interior of Colombia, said his country was a “unitary republic” with three branches of power. The legislature’s actions were constantly overseen. All legislative acts and bills must be reviewed by the constitutional court to ensure that rulings were in line with the Constitution. Recognizing the principles of multiculturalism, he said democratic security was an issue of priority, which had come to the fore following a massacre of indigenous peoples belonging to one group. Colombia pledged to control and defend the rights of the Colombian people, as there were terrorists and drug traffickers on its territory. Colombian people

had chosen a security policy put forward by the President to control the national territory, including the indigenous peoples, who were being attacked by those groups. Human rights progress had been made, but it was a challenge that needed to be tackled.

SAMUEL CARPINTERO, Latin America Caucus, said human rights violations against indigenous peoples included the non-application of free, prior and informed consent and the way the judiciary dealt with crimes against indigenous groups. Some States had resisted the adoption of human rights instruments, including Panama, which was reluctant to ratify ILO Convention No. 169. “We need a paradigm shift that respects human dignity”, he said. With that, he urged the Forum to support the freedom of expression of delegations attending the Forum, as one participant had been expelled. He also urged the Forum to constantly monitor indigenous peoples at risk of extinction in Colombia. In addition, it should urge States to demilitarize indigenous territories and implement the Declaration. Finally, he called on the Special Rapporteur of Freedom of Expression to monitor and document problems in Latin America.

ART MANUAL, North America Caucus, said the Declaration was the first decision to challenge the “colonial doctrines of discovery”. He was greatly concerned that the United States and Canada had voted against it and continued to oppose it. His peoples posed a great human rights challenge to those Governments. Article 42 stated that United Nations bodies must promote respect for the Declaration. As such, he recommended the Forum to apply all relevant provisions in its work; establish involvement with the Office of the High Commissioner on Human Rights; apply the Declaration to the Forum’s mandates, themes and activities; and create a task team to promote and report on the application of the Declaration. Key areas to be addressed in the application of article 42 included self-determination and the principle of free, prior and informed consent.

MARCO ANTONIO CURRUCHICH, Commissioner of the Presidential Commission on the Fight against Racism and Discrimination of Guatemala, described national efforts to respect indigenous rights. The Presidential Commission, through the holding of local, regional and national consultations, was a follow-up mechanism for the Declaration. It involved a range of actors. In terms of economic and social development, there was a programme to monitor the implementation of labour rights in the fields of health, security and social assistance. Through the Guatemalan Housing Fund, the Government sought to provide for poor families. The programme included a subsidy provided by the State and a loan provided by a financial body.

Regarding access to health, he said changes had been made to address the health needs of indigenous peoples, including by fostering use of traditional medicine. The General Directorate for the health system must guarantee the population care without restrictions.

SHANE CHRISTENSEN, observer for the United States, said his country wanted to collaborate with the Forum on concrete proposals that would directly and sustainably help indigenous peoples everywhere. President Barack Obama had taken several steps. On Wednesday, he had confirmed Larry Echohawk, a member of the Pawnee Tribe, as Assistant Secretary for Indian Affairs, whose work would be dedicated to empowering American Indian and Alaska Native communities. Yvette Roubideaux, a member of the Rosebud Sioux Tribe, had been confirmed as Director of the Indian Health Service, the main federal health-care advocate and provider for American Indians and Alaska natives. President Obama would also appoint a high-level adviser to serve as a liaison between Native Americans and the Government on issues such as sovereignty, health care and education. He had also provided for hundreds of millions of dollars for housing, education, economic development, health and public safety programmes related to the recently enacted Recovery Act. The Government had a special relationship with the country’s 562 federally recognized tribes that spoke many different languages, which President Obama had pledged to uphold.

KURIAKOSE BHARANIKULANGARA, observer for the Holy See, reiterated his support for the Declaration and for greater cooperation and understanding of the needs of indigenous peoples. He noted the recent historic meeting of Pope Benedict XVI in the Vatican with the National Chief of the Assembly of the First Nations and representatives of the First Nations of Canada. He expressed hope that fundamental human rights of indigenous people everywhere would be completely respected. The fundamental right to exist should be guaranteed for all people and communities. He expressed deep sadness over the growing number of murders of indigenous people, especially women and girls,

as well as the inhumane conditions in which they lived, their forced labour and trafficking. The right to property ownership and respect for the identity and culture of indigenous people should be promoted. Plans of extractive industries and multinational corporations should not come at the expense of the rights of indigenous peoples to their lands, territories and resources. The Holy See had published a document titled “Towards a better distribution of land: the challenge of agrarian reform”, which addressed the expropriation of indigenous peoples’ land.

SAOUDATA WALET ABOUBACRINE, Nomad Touareg Caucus, said that, within the framework of the Declaration, it was necessary to pay due attention to regional human rights standards, particularly as they related to mechanisms and resources for indigenous people in the Sahel region and other areas of Africa. Although the Governments of Mali and the Niger had approved the Declaration, they were not implementing its provisions. The Niger Government had clearly expressed that it did not recognize the existence of people considered as indigenous and that it did not have a mandate to promote their rights. Some United Nations agencies, including the UNDP, were not implementing the Declaration or ILO Convention No. 169 in Africa. Those agencies, however, were supporting programmes for indigenous peoples’ rights in certain Asian States. Implementation should be universal in all countries. She recommended that United Nations agencies organize regional indigenous forums aimed at promoting and protecting the rights of indigenous people in Africa.

GUIDO CONEJEROS MELIMAN, Centro de Cultura Pueblo Nación Mapuche Pelonxaru, said the Mapuche and other indigenous peoples in Chile used herbs and plants for traditional medicines. The rights of indigenous people were endangered by new liberal State policies. Privatization projects negated the rights of indigenous peoples and were an attack on Mother Nature. More than 90 per cent of the Mapuche’s ancestral territories had been usurped, affecting 70 per cent of the Mapuche population. The Chilean Government was trying to institute constitutional reform based on recognition, but it only covered the cultural identity of indigenous peoples, not their human rights or right to land. The Chilean Government still aimed to give concessions to mining companies and extractive industries. In Chile, the UNDP had managed projects on behalf of indigenous people without ever consulting them beforehand. The United Nations had an obligation to fulfil the Declaration and ILO Convention No. 169. It was unacceptable that the Organization was violating its own rules.

DALEE SAMBO DOROUGH, Chairperson, Board of Trustees, Voluntary Fund for Indigenous Populations, said the Fund’s mandate was to assist representatives of indigenous peoples’ organizations and communities to participate in the Forum and the Expert Mechanism. At its twenty-second session in March, the Board of Trustees considered 686 applications for travel grants. Due to resources, it could recommend the allocation of only 76 travel grants for participation in the current session, and 36 for attendance in the Expert Mechanism -- amounting to a total of \$412,000. That meant that the Fund had only been able to support 15 per cent of the total number of requests received.

However, she said, since its inception, the Fund had been a voice for indigenous peoples. It had supported more than 1,200 grantees, many of whom directly engaged in the preparation of the Declaration. Further, the Fund provided individuals with opportunities to raise concerns internationally, network with Governments and other indigenous groups, and dialogue with United Nations bodies. Such activities had led to an increase in indigenous leadership capacity, and, in some cases, to solutions through direct dialogue with Government delegations.

The Board stressed the importance of providing direct assistance to indigenous peoples, which would allow them to participate in the Forum’s sessions, she said. Indeed, adoption of the Declaration had marked the start of a new era in which indigenous peoples should be provided with increased means to make their voices heard. She thanked the numerous States that had contributed to the Fund and appealed to all Governments, organizations and private donors to consider participating, especially in light of the unfortunate trend towards an increasing number of applications and decreasing donations.

GENE HENRY, Indigenous Youth Caucus, said that indigenous peoples continued to become refugees due to colonization, death threats imposed by their Governments, and the search for employment, for which they suffered inhumane conditions. To counter forced displacement, he called on the Forum to urge countries which had not yet done so to endorse the Declaration and related

conventions of the International Labour Organization (ILO), and to implement their relevant provisions. In particular, he called for the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

He said that cultural genocide was stripping indigenous peoples of their heritage, and he called for the recognition of the right to learn cultural beliefs and customs, free from persecution. He also called on Governments to recognize the right to health and self-determination, and to stop militarization and other violations in indigenous areas. In addition, he urged the end of the sterilization of indigenous women. Saying that Mother Earth was being raped to feed consumerism, neo-slavery and servitude, he called on the Forum to recognize that the carbon market was a false solution to climate change and would only help perpetuate the “commodification” and destruction of the natural world. He called for more emphasis on the right of indigenous peoples to the Earth. Finally, he called on States, United Nations agencies and non-governmental organizations to support the full participation of indigenous youth in all decision-making processes affecting indigenous peoples.

CATHERINE DAVIS, Indigenous Peoples of the Pacific Caucus, observed that there remained only three Member States opposed to the Declaration. Among them were the United States and New Zealand, while Australia had recently made moves to endorse it. She then described the situation facing five groups of indigenous peoples in the Pacific -- the Maori, Hawaii, Tahiti, Alifuru and Papua, and Torres Straits -- and made several requests of the Permanent Forum on issues relating to those groups. In New Zealand, she said the Permanent Forum should invite the Government to implement a recommendation recently made by a local commission to give the Maori people three of the 23 seats on the Auckland “Super-City” Council (Auckland was home to the largest urban Maori population in the world). The New Zealand Government was currently ignoring that recommendation.

In Hawaii, she noted that the University of Hawaii had approved the teaching of Hawaiian language and culture, in line with the Declaration, and was providing \$5 million in scholarships to poor native Hawaiians. She asked the Permanent Forum to call on all universities around the world to establish indigenous language and culture study centres, provide permanent teaching positions for indigenous peoples and free tuition for all indigenous people. On a separate subject, she noted that the Governor of Hawaii was attempting to appeal a Supreme Court decision to uphold native Hawaiian legal claims to trust lands controlled by the State, which she asked the Permanent Forum to study.

In French Polynesia, she asked for a visit by the Special Rapporteur, because Polynesian law had been declared inferior to French law. The Permanent Forum should provide funding for a seminar to educate indigenous peoples on their rights. In Alifuru and Papua, she asked the Forum to support a call by the United Nations Working Group on Arbitrary Detention and Amnesty International for the immediate release of prisoners who had been detained for performing dances to show the “national aspirations of our cultural heritage”.

She also asked the Forum to acknowledge the commitment of the New Zealand Government to review its stance on the Declaration, and to remind that Government that the document contained minimum standards of indigenous rights protections and was compatible with the historical Treaty of Waitangi. The Forum should also undertake an international consultative process with indigenous peoples to consider ways to engage effectively with them. The Human Rights Council should undertake a study to explain how the principle of self-determination in article 3 could be implemented in accordance with the principle of national sovereignty contained in article 46. The Forum should engage with the UNDP, which should also contribute to that discussion.

LEGBORSI SARO PYAGBARA, African Caucus, recognized the achievement behind the Declaration’s adoption. Indeed, it was a landmark in the evolution of human dignity. Drawing attention to the African Charter on Human Rights, he said the African Commission had adopted a report, which noted, among other important issues, that indigenous women in Africa were being discriminated against. They had the right to protect their human rights and dignity. It was important that the Forum and the Human Rights Council cooperate with the African Commission to follow up on the Declaration’s implementation. Positive developments included Burundi’s recognition of indigenous peoples in its Constitution. Progress also had been made on indigenous languages in Morocco and Cameroon, among other nations. He recommended that United Nations agencies organize training programmes for human rights commissions. There should also be training for

parliamentarians on indigenous peoples in Africa. He also called on the Forum and the Council to send a Special Rapporteur to the Niger, the Niger Delta and the Congo to report on the human rights situations in those areas.

ANA MANUELA OCHOA, Organización Nacional Indígena de Colombia, said her peoples' rights had not been restored by Colombia. No consultations had been held before military bases had been set up on their territories. Some 70,000 indigenous peoples had been displaced. About 75 per cent of children were suffering from malnutrition. Forced displacement and murder statistics surpassed those of last year. Such realities had forced the constitutional court to declare that indigenous peoples ran the risk of extinction, and safeguards must be put in place for them. In Colombia, more than 130 indigenous women had been killed, and there were repeated cases of sexual abuse. She urged Colombia to investigate the grave human rights situation, report to the Forum on that investigation and draw up a policy on free, prior and informed consent.

GHISLAIN PICARD, Chief, Assembly of First Nations of Quebec and Labrador, described the situation of aboriginal peoples living in Canada, saying that 500 years of colonialism had seen a variety of tactics used to extinguish the indigenous peoples of that region. Tens of millions of dollars had been taken away from economic development programmes for indigenous peoples in the areas of housing, education and health. The economic stimulus package was providing an opportunity to establish standards to raise indigenous communities out of poverty, but the Government of Canada had chosen to carry out initiatives that provided a small percentage of the needed basic infrastructure. The Canadian Government had not assumed its fiduciary obligations in numerous matters, including its fiduciary responsibility to protect the lands and rights of indigenous peoples. The justice system continued to display a lack of concern for the more than 500 aboriginal women who disappeared or were murdered.

He transmitted requests from the Assembly of First Nations to the Permanent Forum to urge appropriate United Nations bodies to study the effects of long-term chronic under-funding of First Nations in Canada. The Assembly had also asked for a visit by the Special Rapporteur to Quebec, to examine the living conditions of indigenous peoples and the relationship between the First Nations leadership and the Governments of Quebec and Canada. United Nations bodies were asked to network with First Nations in Canada and non-governmental organizations to develop strategies to educate the Canadian public and all Governments on the Declaration.

CARLOS MAMANI CONDORI, Forum member from Bolivia, said that, although indigenous people had gained rights and achieved real progress, it was a matter of concern that in Peru their rights were being gravely violated. The Peruvian Government was preventing indigenous people in the Peruvian Amazon to defend themselves against the actions of oil companies and extractive industries. The Government had created a series of legal loopholes to allow multinational corporations to obtain free, prior and informed consent without adhering to the provisions of ILO Convention No. 169, which had led to the establishment of mining operations in indigenous peoples' territories, which poisoned those people. How could one understand a situation in which Peru's leadership had recognized adoption of the Declaration, but, at the same time, had failed to comply with the ILO Convention? It was clearly established that the Peruvian Government was not complying with the Convention, even though it had a legal ombudsman.

TONYA GONNELLA FRICHER, Forum member from the United States, said indigenous people had been excluded from the human rights agenda for decades. Nothing had changed for indigenous peoples, as indicated in speech after speech during the Forum's session. Indigenous people were still fighting for their human rights.

BARTOLOME CLAVERO SALVADOR, Forum member from Spain, said Peru's Government had failed to comply with ILO Convention No. 169, as well as the consultation mechanisms. It has also dismantled the series of already-established consultations. He asked the Peruvian Government to inform the Forum about when it would respond to the ILO's Committee of Experts. He was dismayed that Peru's representative had not referred in his statement to the grave situation that had begun on 10 May in Peru when the Government had militarized the Peruvian Amazon and suspended the personal freedoms of indigenous people living there. The Government had

done that without consulting the indigenous communities. The dialogue mechanism was not operational, nor was there any follow-up to the agreement reached on Wednesday. When was the state of emergency going to be lifted, and when would personal freedom for indigenous people in the Amazon be restored?

HASSAN ID BALKASSM, Forum member from Morocco, said most speeches noted that no visible progress had been made in the past year, despite efforts to implement the Declaration and Forum recommendations. France's representative had indicated that the French Constitution recognized the rights of populations that lived in overseas areas belonging to France and that individual rights were above all rights. Indigenous people, however, had a system of collective ownership, in which an individual had rights within a group. In not recognizing collective rights, the Government of France was denying indigenous individuals the right to ownership. Bearing that in mind, how did the Constitution of France comply with the rights of indigenous peoples?

He also noted that the Republic of Congo's representative had discussed great efforts on a draft law concerning indigenous peoples. Had that Government consulted any indigenous peoples' representatives on adoption of that legislation? Had it submitted the final draft text of that legislation to indigenous communities?

Concerning the Bolivian Government's slogan of "Partnership for Justice", he asked how that was being carried out in terms of resource allocation.

Right of Reply

The representative of Chile, speaking in exercise of the right of reply, rejected the accusation of "genocide" towards indigenous peoples. Chile, under no pretext, supported acts that violated human rights for any citizen. As a country that had seen past violation of human rights and the rule of law, it was vital to uphold principles in the main treaties and instruments to which it was party. As he had said previously, all acts of violence would be investigated by the courts, and the Government would ensure the proper administration of justice. The social covenant recognized the Government's commitment to implement public policies vis-à-vis indigenous peoples. In that context, the Government was implementing a system of consultations tailored to international standards. Moreover, Chile was in the final stages of enhancing its code of conduct, bringing it in line with ILO Convention No. 169, for which it had to consult with indigenous communities.

Taking the floor next, JOSE CARLOS MORALES (Costa Rica) of the Expert Mechanism on the Rights of Indigenous Peoples, said issues related to land, territory and resources were among the crucial topics to be before the Expert Mechanism at its next session. It was recommended that, by 15 July, his Office receive a written text setting forth the various situations of indigenous peoples.

The Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous peoples, JAMES ANAYA, responding to a query from yesterday, said that any group, regardless of its relationship with a victim of an alleged violation, could submit information to him. As he had explained, he had created a brochure on how to do that, and he encouraged indigenous groups to use the communications procedure attached to his mandate. That could lead to a communication by him to a Government, or perhaps an information exchange, that would resolve or address a situation. As to how to find his reports, he said "that's something I'm working on", and he asked for flexibility with that. They would be available on his website, which was attached to the Office of the United Nations High Commissioner for Human Rights.

He said statements of support for the Declaration, such as Australia's, inspired hope, especially when accompanied by concrete initiatives. However, one could not help but feel sad when hearing about the extinction of human beings. Along with that frustration, indigenous peoples faced numerous impediments, keeping them from accomplishing their goals. Understandably, they felt a sense of anger that was rooted in years — even centuries — of oppression. That would continue until real progress was made.

Recalling a comment made to him by a Forum participant that “the wind is behind our backs”, he said that statement captured the overall sentiment that animated the Forum’s work. While indigenous peoples still faced many difficult challenges and had anger to overcome, the wind was behind them in their efforts.

Arctic Region

Launching the Forum’s discussion on the Arctic Region, PATRICIA COCHRAN, President of the Inuit Circumpolar Council, said that what happened in the Arctic affected the rest of the world. Indigenous peoples often lived in marginalized areas around the globe and were more affected than most by rising sea levels. “Arctic peoples have experiences to share with all indigenous peoples”, she said.

A focus on the Arctic was necessary because industry, shipping countries, tourism operators and Western academics, among others, were eyeing its seas and other natural resources, she continued. The Arctic was unique in that it had witnessed the environmental effects of various technologies. Heavy metals, mercury and others were in the air, water and food chain. The ozone above the North Pole was thinning due to activities elsewhere. Persistent Organic Pollutants (POPS), such as DDT (dichlorodiphenyltrichloroethane) and toxaphene, were being transported to the Arctic and becoming trapped in the cold. As a result, indigenous women found themselves with a high concentration of such chemicals in their breast milk -- several times above those found in women in New York City, for example. Inuit had the highest lung cancer rates in the world, and life expectancy was much lower than in other populations.

In addition, she said States were causing problems: the European Union import ban on seal skin products impacted the Inuit, who survived on those exports. Canada supported Inuit on that matter, but refused to endorse the Declaration. She hoped that Canada and the Russian Federation would soon reverse that position. Having Arctic States on the outside of those efforts was not conducive to building a constructive relationship. Climate change had caused Alaskan and Canadian villages to tumble into the sea. It was thinning the routes of hunters, while “black carbon” fell on the snow and ice. What Inuit saw as devastating, industry saw as opportunity -- quicker shipping routes.

Despite that, she reminded the Forum that Inuit were a pragmatic people. They had not thrown up their hands and walked away. Last year, they had convened at a leaders’ summit in response being left out of the Arctic sovereignty debate. Last month, they had adopted a text that asserted their rights under international law. Last month, they had invited people from around the world to attend the Indigenous Peoples Global Summit on Climate Change.

“We look forward to being resilient and to adapt”, she said. Her people would work with States to achieve an international agreement on black carbon and on mercury, and she called for the Forum’s support in those efforts. They would work with industries to ensure they sought the prior consent of indigenous people prior to undertaking activities that affected them, and reach out to former colonizers. “We are optimistic and we will overcome”, she concluded.

MATTIAS AHREN, President of the Saami Council, said the most imminent threat to Saami culture and way of life was climate change brought about by the increased industrial activities. It was sometimes impossible to adapt to those changes. Without reindeer herding, hunting and fishing grounds, the Saami culture and the Saami as a distinct people would die out. It was of great concern that climate change and retreating sea ice were creating a different Arctic, as vast areas, previously inaccessible, were now opening up possibilities for shipping and further exploitation of natural resources. The High North had been relatively undeveloped for energy production. But climate change had altered that. The drive for such resources had resulted in a “race to the Arctic” among northern States and international corporations, who laid claim to the oil, gas and minerals in territories that constituted the traditional land of indigenous people.

He said that developments in international law, recently affirmed by the Declaration, implied that States were obligated to reach agreements with the indigenous people on whose territory they laid claim. “We will no longer accept, nor will international law, that while the wealth of these activities flows south, we are left with the environmental, social and cultural impacts of the exploration,

construction and shipping activities. We will no longer accept outsiders coming to the Arctic, taking out the resources and degrading our land, without even having the common courtesy to ask”, he said. “We have to enter a new phase where Governments and multinational corporations stop doing the wrong things, and start doing the right.”

But the efforts to mitigate climate change caused almost as great a problem to the Saami people as climate change itself, he said. The exploding interest in renewable resources, such as windmills and hydroelectric dams, intensified pressure on Saami lands like never before. The Saami had contributed little to climate change, but they were already suffering disproportionately from its effect. In terms of adaptation to climate change, traditional knowledge was the best. He stressed the importance of traditional knowledge in reindeer-herding communities, which had been developed over centuries of close observation of reindeer and nature. Knowledge grew roots where it was developed and used. Indigenous people must have the right to develop their own adaptation strategies, and that went hand in hand with the right to develop their own knowledge and research institutions. Use of traditional knowledge must occur alongside scientific knowledge of governance, public plans and industrial projects.

The Arctic Council was often referred to as a good model for international cooperation, and, while its role was strengthened internationally, its workload was increasing and the capacity of indigenous peoples to participate was at a standstill, he said. To maintain the Council as a model for joint decision-making between States and indigenous peoples, States had to provide the indigenous organ with considerably more resources. States and extractive industries, such as oil, gas and mining, in the Arctic region must respect that those resources were situated on, and/or could only be accessed from, indigenous peoples’ territories. That implied that not only States, but indigenous people too, had claims to those resources. That called for agreements between the State or industry and indigenous peoples before any resources were tapped. “Indigenous people could not be sacrificed on the altar of climate change.” Renewable industrial activities aimed at combating climate change must respect indigenous peoples’ rights. Indigenous communities must be able to adapt to climate change. To do that, further encroachment of their territories must cease and their traditional knowledge must be respected. They must also be able to participate in the decision-making of the Arctic Council in reality, and not just in theory.

LOUIS TAPARDJUK, Minister of Culture, Language, Elders and Youth, Minister of Education, Minister of Languages and Minister of Aboriginal Affairs, Nunavut, Canada, said negotiations between Inuit and the Government had culminated in the signing of one of the most comprehensive land claim agreements entered into by an indigenous people in Canada. Inuit was the first and preferred language spoken by a majority of Nunavummiut, and for many, the only language they knew. It was inspiring to know that Kalaallisut, a Greenlandic variety of the Inuit language, was bound to become the official language of Greenland exactly one month from today.

He said that, while experts believed the Inuit language would likely survive the next century, data showed disturbing trends, with its use as a home language in rapid decline and its quality eroding. In Nunavut and other parts of the country, the language was endangered, as a result of past assimilation policies, attitudes towards the culture as inferior and dominance of English. While federal resources earmarked for maintaining French and English-speaking minority communities were touted as “indispensable”, there was a persistent lack of resources dedicated to ensuring that Inuit speakers enjoyed equal education and other services.

“This concern is not to be taken lightly”, he said. Inuit culture and language deserved respect. Among his policy recommendations, he said acknowledgement of the eroding Inuit culture must drive cooperation among Inuit, international and national bodies to prevent the loss of culture and language. States with Inuit populations must allocate resources to achieve equality between Inuit speakers and those using national languages. They should also help raise the national prestige and promote public acceptance of the language by figuring it into nation-building strategies for the Arctic. Finally, the Forum should encourage greater interregional, international and intergovernmental cooperation to strengthen the use of Inuit across the Arctic.

INNUUTEQ HOLM OLSEN, Deputy Minister for Foreign Affairs, Home Rule Government of Greenland, and Chairman of the Arctic Council, speaking on behalf of Denmark, Greenland and the

Faroe Islands, said the Arctic Council was a unique international forum comprised of States and indigenous peoples' organizations. It worked on a consensus basis to advance sustainable development and livelihood of the peoples of the Arctic, as well as to preserve the environment and biodiversity. The rights of the people of the Arctic would be a priority during his chairmanship. Commercial developments in the Arctic, as well as the rapid changes that were being felt, must be addressed in a holistic way. That included issues of environmental protection, human health, the sustainable use of resources, as well as serving society's needs in terms of environmental, social, economic and cultural development. The effects in the Arctic were felt more than anywhere else because the ice there was melting at an unprecedented rate. That had global consequences.

He said that an Arctic Council project addressing snow, water, ice and permafrost in the Arctic would be finalized in 2011. The Council would present a preliminary report on the Greenland ice sheet to the Climate Change Conference in December in Copenhagen. As part of the International Polar Year, there had been increased scientific research on Arctic issues. That work must not be shelved. He would work to secure the legacy of the Year to further strengthen data collection and scientific cooperation, and to enable scientists, policymakers and indigenous peoples to continue to work together to address and understand issues important to them. The human dimension, including safeguarding the inherent cultural, economic and political rights of Arctic peoples and nations, must remain at the forefront of the Council's work. The state of human health, in particular, must be addressed. Life expectancy of Arctic people in many places was well below national averages, owing to changes in lifestyle, which had resulted in increasing incidences of obesity, diabetes and cancer. There was also a high suicide rate among Arctic youth.

As maritime traffic, especially of cruise ships, increased in the Arctic, there was a corresponding need to respond to emergencies and disasters, he said. The Council would continue to support operational cooperation between the Arctic States on preparedness and prevention. It would work within existing frameworks and with other countries in the International Maritime Organization (IMO) to make regulations for shipping in the Arctic mandatory. Such regulations would address issues like ship safety, requirements for ship construction, equipment and training, and pollution prevention. In 2010, during the International Year of Biodiversity, Greenland would produce an Arctic highlight report.

As climate change affected biodiversity, it was important to secure long-term monitoring, which would provide valuable information on status and trends, he said. While welcoming involvement from other countries and international bodies, he stressed that those who wanted to engage the Council more closely would have to respect the Arctic peoples' roots and help them promote sustainable development, rather than create obstacles to their cultural and economic survival, such as the recent ban on seal product imports into the European Union.

Statements

GENNADI D. OLEYNIK, Chairman of the Committee of the Council of Federation for Northern Affairs and Indigenous Peoples, Russian Federation, said that ensuring indigenous peoples' legal and political situation was a national priority. Last year, the Government approved a policy for the Arctic for "2020 and beyond", which included initiatives to improve the quality of life for indigenous peoples and preserve their language. The Russian Federation welcomed international cooperation through the Arctic Council. Aside from the eight participating Arctic countries, other organizations participated, marking a unique partnership between Government and indigenous peoples. There was no need for new Arctic treaties. Moreover, marine treaties should be carried out in line with the Law of the Sea.

He said that, at the Arctic Council's last session in April, his Government had proposed that work start on the drafting of pan-Arctic electronic encyclopaedia, which would set aside a prominent place for indigenous peoples. The Government had improved its concept of sustainable development for indigenous peoples in Siberia, the north-east and other areas, for the period up to 2020. It was necessary to enshrine in law indigenous peoples rights vis-à-vis mining operations, and address compensation for damage caused to their habitat, which resulted in the loss of traditional economic activities.

Regarding the Declaration, he said the General Assembly considered it a gold standard to be followed in the spirit of partnership. It also recognized that indigenous peoples' situation varied from region to region and historical backgrounds must be taken into consideration. In 2006 and 2007, his Government considered that issue in parliamentary hearings, which had concluded that discrepancies between the Declaration and national law were caused by socio-economic characteristics of each State. All problems must be resolved in the process of improving legislation. Though not binding, most of the Declaration's provisions had been enshrined in national legislation.

JOHN KRIS, Torres Strait Regional Authority (TSRA) of Australia, said global warming was directly affecting the Torres Strait Islands. More than 9,000 people lived on the islands and the impact of annual events, such as storm surges and tidal inundation, was projected to increase over the next 90 years. Approximately 27 per cent of island communities were already affected by climate change and the rising sea level. In January, water depths in some communities rose by a metre in height, due to strong winds and high tides, impacting people, infrastructure, cultural sites, ecosystems and traditional gardens. Changes to rainfall patterns, hotter weather and the spread of disease might significantly impact Torres Strait Island communities. To address those issues, the Regional Authority had formed a partnership of government agencies to address coastal management by identifying long-term sustainable solutions and ways to secure funding to implement them.

Funds, however, to protect threatened infrastructure had been limited and were hard to secure, he said. Torres Strait Islanders did not want to leave their ancestral lands and the sea that surrounded them, as those were inseparable from their physical and spiritual identity. However, the day might come when they were forced to make very hard decisions. He lauded the Australian Government's decision to officially endorse the Declaration and commended the Australian and Queensland Governments for their commitment to partner with the Torres Strait Islanders to try to scope out the size of the challenge ahead. The Regional Authority was partnering with the Government to raise awareness about short-term erosion and long-term inundation, extensive land use planning and ways to use scientific and traditional knowledge to address environmental challenges. Short-term fixes would not work. Only a genuine attempt to chip away at the problem itself over an extended period of time would make a real difference.

MELISSA MATHESON, Indigenous Youth Caucus, speaking on behalf of the indigenous peoples of the Arctic, said the loss of land in the region was stressful and affected the quality of peoples' lives. Land exploitation was related to climate change and indigenous peoples' mental, physical and spiritual health. Lands occupied by porcupine and caribou were targeted for industrial growth, endangering the livelihood of indigenous peoples. Moreover, they were excluded from decisions affecting their lives, and she called on States to involve them as equal partners in that regard. That partnership must be based on the principle of self-determination. Food security was a concern, as indigenous people depended on the land for subsistence. Due to resource extractions, her peoples were increasingly dependent on Western foods. Indigenous youth often migrated into urban areas to gain a proper education, and traditional knowledge must be integrated into those institutions. The rate of suicide was staggering, and she beseeched the Forum to commit to a solution that would heal her peoples. She also urged the Forum to support indigenous intuitions.

DUANE SMITH, Canada Office, Inuit Circumpolar Council, also speaking on behalf of Aqqaluk Lyngø, President of the Inuit Council's Greenland Office, expressed concern, not only over the thinning ice that stopped hunters from accessing food or about the melting of ice caps of Greenland, but about the health problems brought from the outside, such as tuberculosis. They were facing language loss in parts of the Arctic, theft of their resources and serious environmental threats, unique to the Arctic. Ships were increasing in number and pollutants, such as mercury and DDT, continued to get trapped in the Arctic. Black carbon fell on the snow and ice. There were many economic development challenges, and standards of living disparities were great between Inuit and those living farther south in Canada, the Russian Federation, the United States and Denmark.

He said that Canada had spoken out strongly to support Inuit in their hope that the European Union would reverse its decision on the recent seal product import ban. That had been a positive development, but Canada had rejected an Inuit Council proposal to work together before the vote on the ban. It was also disconcerting that Canada and the United States had voted against the Declaration and that the Russian Federation had abstained. Those were countries where the Inuit lived. He called

on them to adopt the Declaration. Inuit leaders had recently drafted the Circumpolar Inuit Declaration on Sovereignty in the Arctic, which stated that the Inuit's rights under international and local laws must never be forgotten. He called on Member States to work with Inuit to develop an international agreement on black carbon and another one on mercury, and on the European Union to reverse its seal import ban, which threatened the Inuit's livelihood. He also called on the Forum to stress to Member States that international negotiations on Arctic sovereignty must include Inuit in a direct and meaningful way.

MICHAEL SHEWCHUK, United Nations Division for Ocean Affairs and the Law of the Sea, Office of Legal Affairs and the Law of the Sea, focused on the sustainable use of oceans. Studies had shown that the climate systems were changing and there was a significant risk of abrupt climate shifts. In the Arctic, they would be pronounced and seen in the reduction of layers of ice sheets, sea ice and permafrost. Ecosystems were vulnerable, while changes in ice and snow conditions were expected to detrimentally impact indigenous populations.

He noted that the General Assembly expressed concern at effects of climate change on marine biodiversity, adding that new studies showed that Arctic sea ice had shrunk and that the overall volume in 2008 was less than in any other year. Some researchers had predicted that Arctic summer would be ice-free by 2013. Ecosystems and livelihoods were being damaged, a situation that demanded adaptation measures to prevent the decline of marine species.

The Arctic seas fell under the United Nations Convention on the Law of the Sea, which established the obligation of all States to protect the environment, he said. It also contained a section on ice-covered areas. Other provisions related to conservation and the sustainable use of marine resources, which had been developed by other international instruments. They needed to be fully implemented. Cooperation between Arctic States was essential, particularly with regard to climate change adaptation. In closing, he said the United Nations was coordinating action on climate change, which was among the era's defining issues.

DOUGLAS NAKASHIMA, United Nations Educational, Scientific and Cultural Organization (UNESCO), said UNESCO had hosted a four-day international experts' meeting, entitled "Climate Change and Arctic Sustainable Development: scientific, social, cultural and educational challenges", in early March in Monaco. That meeting had brought together 42 experts from 13 countries, as well as from the Arctic Council, the United Nations Environment Programme (UNEP) and the World Meteorological Organization (WMO), and circumpolar indigenous peoples working with the Russian Association of Indigenous Peoples of the North (RAIPON), the Inuit Circumpolar Council and the Saami Parliament. The issue of Arctic climate change was creating a sense of urgency. Rapid change in cryospheric, terrestrial, oceanic and atmospheric systems was currently outpacing climate model predictions.

He said that an ice-free "blue" Arctic Ocean could become a seasonal reality much sooner than projected. That would engender profound changes in arctic ecosystems and the culture and livelihoods of indigenous peoples. It also had profound implications for economic activities in the Arctic, including increased exploration and exploitation of petroleum and mineral resources, as well as heightened marine shipping access across an increasingly ice-free zone. Climate change adaptation and response had become an unavoidable necessity. But adaptation could not be addressed piecemeal; it required a broad interdisciplinary approach. Scientific monitoring and assessment must be combined with social, economic and cultural concerns. To ensure that climate change adaptation measures were tailored to the needs of Arctic people, indigenous people must be full partners in international climate change debates, and indigenous knowledge and practice must be recognized as essential to a successful response.

The experts had made a series of recommendations, taking into account the concerns and priorities of indigenous people, on education, cultural heritage, well-being and health, economic development, resource management, research and monitoring systems, Arctic governance and policy and decision-making support, he said. They included setting up a working advisory group to develop dialogue and strategies on the challenges of climate change for circumpolar indigenous peoples, including safeguarding intangible heritage and building synergies between indigenous and scientific knowledge. Other objectives ranged from promoting employment opportunities by conserving

traditional forms of circumpolar indigenous peoples' activities, to ensuring access for the international scientific research community to all areas of the Arctic Ocean.

DANIELLE LABONTE, Director General, Northern Strategic Policy Branch, Indian and Northern Affairs of Canada, said climate change impacted the entire Arctic region and pollution from distant sources accumulated in the area, affecting the food chain, notably for the Northern indigenous peoples. Canada was actively engaged in cleaning up past development activities that had contaminated Northern lands and waters. Canada recognized the need for effective stewardship practices to ensure that future development was sustainable in a way that respected the traditions of First Nation and Inuit communities. Arctic peoples' concerns, and those of States, must be fully taken into account when making policies. In that context, she noted the Northern Strategy, which had four pillars: social and economic development; environmental protection; improving and developing governance; and exercising Arctic sovereignty.

She said the global economic crisis impacted the North, but the long-term economic outlook was positive. Canada would continue to work with indigenous and territorial governments and industry to ensure Northerners were full partners in economic development and derived maximum benefits. Canada supported Inuit representatives who made it clear that the proposed European Union ban on seal products would damage their communities, and called on the Forum to address that issue. Indigenous peoples had developed traditional knowledge, and Canada's approach to scientific research increasingly combined that with modern science. Canada's task of nation-building continued, but the need remained to also build strong Northern governments. There were two aspects to that: strengthening indigenous governance and building the capacity of territorial public governments. Canada was negotiating outstanding land claims and self-government agreements, and continued to advance the devolution of responsibilities to the territories.

In closing, she said that Canada's future was intimately tied to the future, and it recognized its responsibility to protect its rich Northern heritage.

IRJA SEURUJÄRVI-KARI (Finland), who is also Acting President of the Sami Parliament in Finland, explained that the Sami Parliament was an elected body with autonomous decision-making functions on issues that concerned the cultural self-government of the Sami people in Finland. Another forum involving indigenous representation, and which was of importance to Finland, was the Arctic Council. That body was the first intergovernmental organization in which indigenous peoples had the right to participate actively at all levels and in all meetings. Decisions taken by Arctic States on the Council were done by consensus, in full consultation with the organizations of Arctic indigenous peoples. However, garnering effective indigenous participation was still a challenge, as the Finnish Foreign Minister had pointed out at a meeting of the Council last month. All Arctic Governments must do their utmost to tackle that issue.

She said indigenous peoples were on the frontline when it came to climate change, particularly for its effect on their traditional livelihood, on which their cultures was based. The impact of climate change on the entire culture of indigenous peoples and languages could be "massive". In many ways, climate change was becoming evident in the north, with the increase in southern animal species and the decline of traditional species like the Arctic fox, which were well adapted to cold conditions but did not survive well alongside the competition. At the moment, there were several long-standing issues relating to land rights and the livelihood of Sami people in Finland that needed resolving. Finland was currently laying the groundwork for legislative solutions. At a recent Arctic Council meeting, ministers had acknowledged the leading role played by indigenous peoples in using traditional and scientific knowledge to help understand and adapt to climate change and promote human rights. She asked that gender and age issues also be brought into the discussion of indigenous rights, since achieving gender equality was a challenge in the Sami community.

LUCIEN WABANONIK, Assembly of First Nations of Quebec and Labrador, said climate change was having far-reaching consequences on the indigenous people of the North. "We are part of our creation, not superior to it", he said, and respect for all beings was held in high regard. He called on the United Nations to assume its role as protector of those less capable of being heard. Canada contented itself with short-term agreements that were devoid of any respect for Northern indigenous peoples. Indigenous peoples of Quebec were concerned with the Northern development plan of the

Quebec Government, which was content with short-term agreements intended to reduce negative reactions from indigenous peoples. Quebec did not keep records of the impacts of the mining industry and used the absence of negative data as way to attract multinational corporations. Many indigenous peoples did not have treaties and, according to article 26 of the Declaration, Governments must recognize their rights. He recommended, in line with article 42 of the Declaration, that the Forum call on the United Nations to promote the adoption, respect and full application of its provisions in Canada.

MILAN BERNA, Coordinadora de Organizaciones Indígenas-Campesinas de Bolivia (COINCABOL), said if indigenous people did not take new action to combat climate change, then they would be complicit in the assault on Mother Earth. Now was the time, not only to make speeches, but to actually implement decisions and recommendations. Otherwise, climate change would impede food security. There was a crisis of political will.

EMANUELE GIAUFRET, Counsellor, European Commission, said the Commission had proposed a new policy for the Arctic region, an area that was under threat from advancing climate change. The first goal of the proposed policy was to contribute to the Arctic's preservation and to involve its peoples in a discussion of its future. Regarding the ban on seal products in the European Union, discussed by many delegations, he clarified that on 5 May, the European Parliament had adopted the ban -- the goal of which was to ban seals hunted for commercial purposes. However, trade would be allowed for those seals derived from hunts from the Inuit community.

MIKHAIL POGODAEV, Russian Indigenous Caucus, speaking on behalf of several indigenous territories in nine countries, said his association had been set up in 2007. Russia was the largest Arctic State and global warming was making the region increasingly accessible to industry. He highlighted the important role of the Arctic Council, which had established dialogue between indigenous peoples and States. The Russian Federation had good cooperation with indigenous peoples, with positive developments seen in the extractive industries. He commented on a recent congress in which indigenous peoples had expressed their concern at what had happened in Kamchatka. That region's apportionment of land had been conducted through auctions of land plots. That was not allowed and forbade indigenous peoples from maintaining their priority access to them. As a result, they were compelled to become poachers on their own land.

Mr. MAMANI MACHACA, observer for Bolivia, said scientific reports showed that ice cap in the Arctic could break up by the end of the century. Some said it could happen as early as five years from now. The right to life meant the right to exist. No river or lake should be eliminated due to human irresponsibility. Mother Earth must be able to regenerate its own bio-capacity. Development could not be infinite. Right to clean life meant to right to life without pollution. The Forum should create an expert group to work on the rights of Mother Earth and its resources.

MARIANNE LYKKE THOMSEN, observer for Denmark, said Denmark and Greenland were cooperating closely to implement key provisions of the Declaration by taking the Greenland self-government, exercised for the past 30 years with Greenland Home Rule, a step further. The Danish Parliament had just passed the Greenland Home Rule Act on 19 May. It would come into force on 21 June -- Greenland's National Day. Greenland's ice sheet continued to be a focus of many research activities. She expressed concern about the impact of climate change on the arctic flora and fauna, and on the livelihood of Arctic peoples. Denmark and Greenland had jointly established a Centre for Climate Research at the Greenland Institute of Natural Resources, which had opened on 1 May.

Denmark was preparing to host the Copenhagen Climate Change Conference later this year, she said. Denmark had already responded to a request from the Greenland Home Rule Government to support the participation of indigenous peoples in that effort by providing funds for preparatory meetings, such as the recent Indigenous Global Summit in Anchorage hosted by the Inuit Circumpolar Council. Greenland and the Faroe Islands was the new chair of the Arctic Council. It was of major importance for the Council to safeguard the inherent cultural, economic and political rights of the Arctic people. The human dimension was at the core of the Council's work. Greenland would chair the Arctic Council Sustainable Development Working Group and a seminar on suicide prevention sponsored by the newly established Arctic Human Health Expert Group.

TOMAS HUANACU TITO, National Council of Ayllus and Markas of Qullasuyu (Conamaq), said he hoped to have a half-day discussion on events in his region. There were a growing number of illnesses, the soil was arid, and minerals were being extracted. Indigenous peoples had unified to combat capitalists, the killers of “the great house of Mother Earth”. Thanks to southern countries, northern countries had grown rich. Indigenous peoples asked for education and a curriculum that was indigenous-based to change the mindset of communities, so that their children in the future would be able to handle phenomenon of climate change.

TAFUE LUSAMA, Pacific Caucus, noted that the United Nations Population Fund (UNFPA) had visited his region last year. While tropical atolls of the Pacific might seem quite different from the vast Arctic, climate change had impacted its cultural survival. As more ice melted, lives in his region would be impacted. Pacific seas would rise. Two human rights studies had been conducted on peoples threatened with extinction, owing to environmental reasons. He called for finding answers and not to abandon the sinking States of the Arctic and the Pacific. While those States were the last to contribute greenhouse gases to the atmosphere, they were most vulnerable to their impacts. “We can mobilize all our voices in a way that allows for the flourishing of our cultures”, he said, proposing an international day of “climate justice” with the Pacific islands Governments.

EVAN BLOOM, observer for the United States, said his country was a member of the Arctic Council, a key aspect of which was its inclusion of indigenous groups. He greatly valued dialogue, both in the Council and its working groups. Climate change created key challenges and there would be significant impacts on indigenous Arctic communities. Dramatic melt in the Arctic reminded all of the effects of global warming. The costs of inadequate action were unacceptable.

He said that the United States was committed to reaching a strong commitment at the Climate Change Convention, leading to a dramatic drop in greenhouse gas emissions. Short-lived climate “forcers”, like black carbon, contributed to glacier melt, which should be urgently addressed.

Noting that indigenous communities had taken the lead in Council projects, which provided models for future engagements, he said the United States had recently supported a project on caribou population decline and had also provided financial support to the Bearing Sea Sub-network to identify changes in the ecosystem resulting from climate change. Turning to the Arctic climate impact assessment, he said researchers had held meetings in indigenous communities to hear views on Arctic shipping. The sustainable development working group would boost efforts on health issues related to indigenous concerns. The United States had been involved in the formation of human health experts group. To preserve indigenous languages, the United States had been pleased with a symposium held in October 2008 and was open to follow-up activities.

Mr. VALLE, Ministry of Labour and Social Inclusion of Norway, expressed sincere hope that Norway, Finland and Sweden, and their three Sami parliaments, would agree this year on how to proceed with negotiations on a Nordic Sami convention, which would recognize the Sami as one indigenous people residing across national borders and entitled to a uniform set of rights. Another important issue for his Government was the creation of a strategy for the development of the Norwegian High North, which focused on protecting the environment, responding to climate change and ethical matters concerning development in indigenous areas.

In addition, he said that the High North strategy aimed to foster understanding between the peoples of the region through joint work, sport and volunteer activities. The establishment of a transnational knowledge programme and a programme for indigenous industrial development based on indigenous culture and traditional knowledge had recently been proposed. He stressed that profound changes were occurring in the Arctic due to climate change, bringing new challenges to the traditional way of life to the region’s indigenous peoples. It was important to respect and utilize their knowledge and experience in adapting to the dynamic situation.

PAVEL SULYANDZIGA, Forum member from the Russian Federation, pointed to three federal laws adopted in the Russian Federation and increases in subsidies to support indigenous peoples. There would be a seminar on the indigenous languages of indigenous people living in the Russian Arctic region. The Arctic Council was the first body in which the Government and indigenous representatives sat on an equal footing. The rapidly changing legislation in the Russian Federation was

effectively eroding the rights of indigenous people there. He pointed to emerging trends in which fisheries, forests and lakes were being taken away from indigenous people. Leases were being given to private landholders for 15 to 20 years. The Government was auctioning lands in indigenous peoples' territory. There was no specific Government body to address issues of indigenous people. There was just one Government person working on indigenous issues, who could not keep pace with all the work involved.

Closing Remarks

Responding to the interventions, Ms. COCHRAN said it was time for everyone to unite and be supportive of one another.

Wrapping up the day's discussion, Mr. AHREN said it was unique to Arctic indigenous people that there were such drastic changes in their living conditions due to climate change. To adapt, they could not lose more land. As pointed out by many delegations today, they were entitled to outside support for measures to meet those challenges. As for the Arctic Council, many delegations were looking to it for answers. As such, they must have the opportunity to participate in negotiations. He wished to see the Forum undertake a study on indigenous peoples' right to lands, territory and resources in the Arctic.

Mr. TAPARDJUK said his department promoted good living. Indigenous peoples had to live according to traditional values. To do that, "we need to regain pride in our culture", he said. Militarizing the Arctic was not the answer to countering global warming. He encouraged open dialogue in which Inuit participated fully.

In his closing remarks, Mr. OLSEN said "we are experiencing the most challenging times", and there was much work to be done to address them.

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