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Permanent Forum on Indigenous Issues

Tenth Session

15th & 16th Meetings (AM & PM)

Concluding Session, Permanent Forum Stresses Need for Equal, Direct Participation of Indigenous Communities at All Stages of Preparation for 2014 World Conference

Adopts Report, Including 8 Consensus Texts on Broad Range of Issues Discussed;

Chair Says: 'Our Challenge' Now to Continue Session's Dialogue 'in Our Countries'

Concluding its tenth anniversary session today with the adoption of a draft report on that session, the Permanent Forum on Indigenous Issues looked to its future work, welcoming the opportunity and full responsibility in playing a central role in preparations for the 2014 World Conference on Indigenous Peoples and underlining the need for the equal, direct and meaningful participation of indigenous communities during all stages of that landmark meeting.

The Forum's draft report, adopted as orally amended, was composed of eight texts approved by consensus and based on the 16-member expert body's discussions during its 2011 session, which opened on 16 May. Meeting without a special theme this year, the Forum conducted follow-up reviews of a number of its recommendations on economic and social development, the environment and free, prior and informed consent, as well as human rights. The human rights review focused on implementation of the 2007 Declaration on the Rights of Indigenous Peoples, which, the Forum concluded, remained a big challenge in most regions around the world.

In closing remarks, Forum Chairperson, Mirna Cuningham of Nicaragua recalled the positive note on which the tenth session started when Secretary-General Ban Ki-moon said, “Raise your voices at this Forum and beyond. I will urge the world to listen.” Outlining other highlights from the two-week session, she called attention to important insights resulting from various presentations and dialogues, including an interactive dialogue with the United Nations Children’s Fund (UNICEF), which underscored the urgent need for a strategic approach to address gaps between the world’s richest and poorest children, particularly indigenous children.

“We need to continue with the dialogue in our countries. That’s our challenge... be better prepared for 2012,” she said, stressing that, as participants returned to their countries, organizations and communities, their collective task would not end, but must continue as they worked in alliance with Governments and United Nations agencies, as well as each other. “We have to keep looking to the future to ensure that this Forum truly becomes ours.”

Affirming that the United Nations Declaration on the Rights of Indigenous Peoples was the primary guide for its collective work, the Forum underscored that text’s relevancy to the forthcoming World Conference in an orally revised draft text related to its future work (document E/C.19/2011/L.9). It further expressed the views that all stages of the preparatory process for the 2014 World Conference should be conducted in equal partnership between Member States and indigenous peoples, and that the most feasible time to have a broad-based, interactive dialogue between those constituencies would be during, after or before its forthcoming annual sessions.

Further by that text, the Permanent Forum acknowledged and supported the strong appeal made by indigenous peoples’ representatives to Member States, United Nations agencies, in particular the Voluntary Fund for Indigenous Populations, under the Office of the United Nations High Commissioner for Human Rights, and others to secure funding for the participation of indigenous peoples in the preparatory process and the World Conference itself.

In other areas of its future work, the Permanent Forum welcomed the forthcoming United Nations Conference on Sustainable Development (Rio+20) as the prime opportunity for the world community to reaffirm the role of all key segments of humanity, including indigenous peoples, and to strengthen their roles in achieving sustainable development. It called upon Member States to ensure equal, direct, meaningful and substantive indigenous participation at Rio+20 by including indigenous peoples’ representatives in official delegations to the Conference and in the preparatory regional implementation meetings.

In other action, the Forum recommended that the Economic and Social Council decide that the Forum’s eleventh session be held in New York, from 7 to 18 May 2012 and authorize a three-day international expert group meeting on the theme “Combating violence against indigenous women and girls: Article 22 of the United Nations Declaration on the Rights of Indigenous Peoples”. By other terms of that text (document E/C.19/2011/L.8), the Forum recommended that the Council approve the provisional agenda for its eleventh session.

The Forum also adopted an orally revised draft report on matters brought to the attention of the Economic and Social Council regarding follow-up to its recommendations on economic and social development, environment and free, prior and informed consent (document E/C.19/2011/L.2). By that

text, the Forum requested that the Food and Agriculture Organization (FAO) involve it in the development of voluntary guidelines on the responsible governance of tenure of land, fisheries and forests. It also requested to participate in the Committee on World Food Security and to gain membership in the Committee's advisory group.

Further to that text, the Permanent Forum recommended that the International Labour Organization (ILO), the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the secretariat of the Forum continue to work with the Inter-Agency Support Group on Indigenous Peoples' Issues to develop a common framework for monitoring the situation and well-being of indigenous peoples and the implementation of the Declaration, including through the identification of indigenous-appropriate indicators, possible data sources and linkages to relevant mechanisms. It further recommended that the Inter-Agency Support Group compile a database on case studies showing the progress made by Member States and organizations regarding indigenous youth rights in implementing the Declaration.

In matters related to the environment, the Forum decided, among other things, to appoint Kanyinke Sena, Mirna Cuningham, and Bertie Xavier to conduct a study on indigenous peoples' rights and safeguards in projects related to reducing emissions from deforestation and forest degradation, also due at its twelfth session. It called on the United Nations Framework Convention on Climate Change and States parties thereto to develop mechanisms to promote the participation of indigenous peoples in all aspects of the international dialogue on climate change.

Emphatically rejecting any attempt to undermine the right of indigenous peoples to free, prior and informed consent, the Forum affirmed that the right of indigenous peoples to such consent can never be replaced by or undermined through the notion of "consultation". Further deciding to prioritize free, prior and informed consent, the Forum said it would explore the potential for the development of guidelines on the implementation of free, prior and informed consent in collaboration with the Expert Mechanism on the Rights of Indigenous Peoples and the Special Rapporteur on the rights of indigenous peoples. It also recommended that States and international financial and aid institutions systematically monitor, evaluate, assess and report on how that right has or has not been recognized and applied.

Drawing attention to serious implementation gaps regarding the Declaration on the Rights of Indigenous Peoples, the Permanent Forum, in a set of orally revised recommendations on human rights matters (document E/C.19/2011/L.3), called upon States, in conjunction with indigenous peoples, to establish national initiatives, programmes and plans of work to implement the Declaration with clear timelines and priorities. It also called upon indigenous parliamentarians to promote necessary legislative reforms for the Declaration's implementation.

Also by that text, the Forum thanked the Government of Colombia for its support during the Forum's mission to that country and requested that the Government, the United Nations country team and the United Nations agencies involved in the mission implement the recommendations contained in the mission report. In that context, it expressed its intention to assess that implementation at its eleventh session, in 2013.

The Forum adopted a set of recommendations related to its special focus region, Latin America and the Caribbean (document E/C.19/2011/L.5). Among those, it recommended that Member

States implement precautionary measures provided by the Forum, the Inter-American Commission on Human Rights and the Special Rapporteur on the rights of indigenous peoples to prevent irreparable harm to indigenous peoples, their authorities and indigenous organizations. Reiterating a recommendation from its second session related to the sale of children, child prostitution and child pornography, the Forum invited OHCHR to report on the situation of indigenous children at its eleventh session.

Also by that text, the Permanent Forum decided to appoint Forum member Saúl Vicente Vásquez to conduct a study on extractive industries in Mexico and the situation of indigenous peoples in the territories where those industries were located. It further recommended that States take measures to advance indigenous women's right to intercultural health.

Noting that indigenous people had a profound relationship with their environment — including a distinct right to water — the Forum urged States to guarantee those rights, ensuring access to safe, clean, affordable water for personal, domestic and community use in a text related to its half-day discussion on the right to water (document E/C.19/2011/L.6). It recognized treaty rights, including associated rights to water, as a key element in the discussion of indigenous peoples' understanding and interpretation of treaties, agreements and constructive arrangements with States.

In that vein, the Forum urged States to recognize and protect indigenous peoples' right to water and related resources. It urged them to include indigenous peoples in all decision-making processes related to water management, and to increase the provision of funding to indigenous peoples for water and wastewater systems.

The Forum made various recommendations to UNICEF emerging from its interactive dialogue with that agency (document E/C.19/2011/L.7). Recognizing UNICEF's equity policy and its development of a strategic framework on indigenous peoples, the Forum requested that it operationalize and implement that framework and report to the Forum in 2012 on measures undertaken to that end. It further urged the Fund to include indigenous youth as it completed the framework's design.

In support of the agency's country-level programming, the Forum asked UNICEF and the United Nations Population Fund (UNFPA) to undertake a study on the social, cultural, legal and spiritual institutions of indigenous peoples and how those affected the rights of women and children in local, regional and global frameworks. It also requested UNICEF to prepare a report on the state of the world's children, with a thematic focus on indigenous children, giving special attention to how States were implementing the Declaration and general comment No. 11 of the Convention on the Rights of the Child. Among additional recommendations, the Forum said that UNICEF should establish a particular budget to strengthen programmes and projects for indigenous children and youth.

Also today, the Forum adopted the draft report, as orally revised, of its tenth session (document E/C.19/2011/L.4), which contains a procedural summary that will be adjusted to reflect today's action on recommendations and decisions.

The Secretary informed the Forum that its decisions and recommendations did not entail financial implications for the programme budget for the biennium 2010-2011 and the proposed programme budget for the biennium 2012-2013. She pointed out that, while its three-day international expert group meeting on violence against women and girls would carry additional costs of \$64,500, efforts would be made by the secretariat to absorb those costs. Further, it was expected that funding for the implementation of recommendations made by the Forum would be met through voluntary contributions.

Today's draft texts were introduced by the Forum's Rapporteur, Paimaneh Hasteh, who made oral corrections.

Following its tradition, the Forum closed with a prayer of thanksgiving, which was delivered this year by Kenneth Deer, of the Mohawk Nation of Canada. The closing song, which told of the reindeer — who, like indigenous peoples, know no borders — was performed by Niko Valkeapaa, of the Saami Council.

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