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on behalf of participants of Indigenous Peoples prep. mtg

INTERVENTION TO THE 10TH SESSION OF THE UNITED NATIONS
PERMANENT FORUM ON INDIGENOUS ISSUES

PF/11/5/10/10

Read Tuesday, May 17, 2011

Intervention on Item 3(b) Environment

Thank you Madame Chair and Members of the Permanent Forum. Indigenous peoples' lands, territories and resources have always been the target of governments and multinational companies who aim to profit by developing mining, dams, logging, large scale plantations and many other infrastructure developments. Indigenous peoples' land and territories in many parts of the world, thus, have suffered intense environmental degradation and human rights violations of indigenous peoples as a result of rampant aggressive development projects and industrialization.

The following recommendations aim to strengthen the participation of indigenous peoples in relevant UN processes and mechanisms; identify key issues and positions relating to the environment; and ensure the implementation of the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) in matters of the environment:

- 1) We call upon the UNPFII to renew recommendations made in past sessions that UN processes provide mechanisms and procedures for Indigenous Peoples' full and effective participation, and a meaningful role in decision-making and policy development. These processes include, inter alia, the UN Framework Convention on Climate Change (UNFCCC) Conference of the Parties (COPs), the Stockholm Convention on Persistent Organic Pollutants, the Convention on Biological Diversity (CBD), the World Intellectual Property Organization (WIPO), the International Maritime Organization (IMO) and negotiations for a new Global Treaty to eliminate mercury contamination.
- 2) We recommend the UNPFII appoint a member of the Permanent Forum as Special Rapporteur to conduct a study, utilizing indigenous experts from around the world, on existing and potential violations of the human rights of Indigenous Peoples affected by carbon markets, the Clean Development Mechanism and REDD-type projects (Reducing Emissions from Deforestation and Degradation), and to report thereon to the Forum at its eleventh session, in 2012.
- 3) We support the Cochabamba Peoples' Agreement and the Declaration on the Rights of Mother Earth. Furthermore, we commit to discussing how to implement the rights of Mother Earth in a way that is in line with our traditional teachings.
- 4) We recognize the report of the first International Indigenous Women's Environmental Toxics and Reproductive Health Symposium held June 30 – July 1, 2010 in Alamo, California. Furthermore, we reiterate the recommendation presented in our closing statement to UNPFII-9 calling on the UNPFII to organize an expert group meeting on Indigenous women, reproductive health and environmental toxins, and requests that this EGM be held in 2012 before UNPFII-11.

5) The Fukushima disaster should prompt us to stop, assess the real dangers and costs of nuclear energy, and make the necessary transition to the development of safe, clean, renewable energy sources. This is something indigenous peoples throughout the world have been demanding for a long time. Therefore, we call on all governments to undertake a concerted global response to the Secretary General's 5 Point Plan on negotiating a Nuclear Weapons Abolition Treaty. We further call on all governments to remove all subsidies to produce nuclear fuel and financially compensate affected communities.

6) We are concerned by the recent adoption of language in the CBD's Nagoya Protocol and the UNFCCC's "Cancun Agreements" which diminish our right of free, prior, and informed consent. Any attempt to diminish Indigenous Peoples' right to an uncompromised standard of FPIC is unacceptable. Additionally, we are concerned the Nagoya Protocol recognizes only national law. We recommend the UNPFII incorporates the UNDRIP and ILO 169 in the implementation of the Nagoya Protocol.

7) Recalling UNPFII-9 recommendation: "The Permanent Forum called upon those States which have granted leases, concessions and licenses on Indigenous Peoples' territories for projects related to logging, minerals, oil, gas and water without proper consultation and without respecting the free, prior and informed consent of the Indigenous Peoples concerned to review those arrangements and to address the complaints raised by Indigenous Peoples in those territories." We request the UNPFII provide a report to Indigenous peoples on the implementation of this recommendation and any proposed further action.

We respectfully request that our recommendations be incorporated into the final report and thank you for your time and consideration.