

**Human Rights Council 15<sup>th</sup> Session. Item 3: Interactive dialogue with the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people  
Statement by Norway, 20 September 2009.**

Chair,

Norway appreciates and supports the work of the Special Rapporteur, including his active approach in responding to alleged violations of the human rights of indigenous peoples and his emphasis on the promotion of good practices.

The Special Rapporteur devotes much of his report (A/HRC/15/37) to corporate responsibility with respect to indigenous peoples' rights and he puts forward several concrete recommendations to corporations and states. Norway agrees with the Special Rapporteur that the governance gap in this area is the source of numerous abuses worldwide. This is clearly relevant for his work. Many indigenous communities are affected adversely by corporate activities, which can cause conflicts. States do have the obligation to protect against human rights abuses committed by third parties, and bear the main responsibility to conduct consultations with indigenous peoples, according to both the ILO-convention 169 and the UN Declaration on the Rights of Indigenous Peoples. However, third parties do have the responsibility to respect the rights of indigenous peoples, and corporations must ensure that they do not contribute to violations of those rights. In this regard we believe the recommendations in the report on the exercise of due diligence by corporations are particularly useful.

Exercising due diligence is not only essential to corporations responsibility to respect indigenous rights, but also in the corporations' self-interest, as a means to prevent conflicts and avoid reputational risk. **What is the assessment of the Special Rapporteur regarding the awareness in corporations that a strong stance on corporate responsibility and indigenous rights can be "good for business"?**

We appreciate that the Special Rapporteur cooperates with the Special Representative of the Secretary-General on business and human rights, professor Ruggie. Norway is a main sponsor of this mandate, aiming precisely at bridging the governance gap with regard to corporate abuses of human rights.

There is a growing awareness about corporate involvement in human rights violations. Later this week, during the UNGA in New York, a Norwegian sponsored Trygve Lie Symposium will be arranged with Special Representative Ruggie. During the Symposium a select group of

ministers, representatives of the business sector, and civil society organizations, will discuss ways to advance the implementation of the Ruggie mandate.

**We would like the Special Rapporteur to elaborate on possible synergies between his work and the work of Special Representative Ruggie with regards to the rights of indigenous peoples, and to give his views on the capacity of the UN system in advising corporations on this issue.**

Norway recognizes the number of indigenous representatives present in the room. We hope that more time will be devoted to indigenous issues in future sessions of the Council.

In conclusion, Norway commends and supports the particular emphasis the Special Rapporteur places on developing a regular, cooperative dialogue with states and other relevant actors.