

Statement by

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Statement by Denmark-Greenland on agenda item 4 (b):

**“Human rights: Dialogue with the Special Rapporteur on
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Thank you Madam Chair,

My delegation would like to thank the Special Rapporteur on the Rights of Indigenous Peoples James Anaya for his informative report to the Permanent Forum. We would like to congratulate you on your excellent work and express our appreciation for the opportunity to engage in a dialogue with you on your efforts to promote the rights of indigenous peoples.

This morning's interventions and dialogue again demonstrated the important and increasingly effective cooperation and coordination between the three UN mechanisms with specific mandates to address indigenous peoples – the Permanent Forum, the Special Rapporteur and the Expert Mechanism on the Rights of Indigenous Peoples, which have also resulted in the achievement of constructive synergies in the choice of issues facing indigenous peoples to be examined.

Mr Anaya, as always my delegation is impressed with the commitment with which you carry out your mandate, and we would like to take this opportunity to ask you a couple of questions with regard to your work.

We have noted with appreciation your work in promoting good practices with regard to cooperation between States, corporate actors and indigenous peoples. Your work on developing guidelines in relation to extractive industries working in or near indigenous territories we believe is a highly important one.

In this regard, my delegation would be particularly interested to hear your thoughts on the problem addressed in your report to the 66th session of the General Assembly (A/66/288) in which you underline the lack of understanding of key issues among all actors coupled with numerous grey conceptual and legal areas as a

major barrier to the realization of indigenous peoples' rights. You point out that an initial step towards changing this situation would be the establishment of a common understanding among indigenous peoples, government actors, business enterprises and others. What measures and what mechanisms do you think would be feasible to eliminate these barriers?

We would also like to focus on another important issue highlighted in your report, namely, the lack of consensus with regard to the extent of State's duties and obligations with respect to ensuring the protection of the rights of indigenous peoples in relation to resource extraction and development projects. In other words, what are your thoughts with regards to ensuring that states do not delegate their protective role to business enterprises in cases where the State's regulatory regimes in this regard are insufficient or non-existent? For example, would you be able to share, at this point, some good practices in this regard?

How can such concerns, in your view, best be addressed as part of efforts to implement the Guiding Principles developed by the former Special Rapporteur for Business and Human Rights and further elaborated by yourself, in particular business enterprises' duty to respect Human Rights and meeting Human Rights due diligence?

My delegation wishes to thank you for your attention and response, and looks forward to following your continued work and your dedicated efforts to advance the rights of indigenous peoples.

Thank you.