Madame Chairperson,

Distinguished Members of the Permanent Forum, Representatives of Indigenous Peoples and Representatives of Member States,

Ladies and Gentlemen,

I would like to start by congratulation you, Madame Chair, on your election as the Chairperson of the Forum, and by thanking the Permanent Forum on indigenous Issues for inviting the OHCHR to take part in this important in-depth dialogue.

We believe that this is an excellent initiative that will undoubtedly enable us to strengthen further our partnership, enhance awareness about activities of UN agencies and open up new opportunities for the Forum to provide input to our activities and help us further develop our work. All this will take us towards our common goal of ensuring promotion and protection of the rights of indigenous peoples.

As you all know, the OHCHR has a long and distinguished record in advancing the rights of indigenous. We have supported standard-setting, monitoring and implementation of the rights of indigenous peoples, through different means. The Office has, for example, serviced the Working Group on Indigenous Population (and now the Expert Mechanism on the Rights of Indigenous Peoples), the inter-sessional working group on the draft declaration, assisted the Special Rapporteur on Human Rights and Fundamental Freedoms of Indigenous People, supported a range of human rights treaty bodies, trained indigenous fellows and, of course, implemented
numerous concrete country-specific activities benefiting indigenous peoples through our field presences.

UNDRIP

While we are proud of this record, the Office is committed to making our work in this field even stronger, and it has this year been able to somewhat increase resources devoted to the protection of indigenous peoples. In terms of the focus of the Office, we have, just like many of our partners here, entered a new era, brought about, of course, by the adoption of the UN Declaration on the Rights of Indigenous Peoples in September 2007. This landmark achievement is having a major impact on the design and focus of the work the Office pursues in this field. While the adoption per se was and is rightly celebrated, there is no scope for complacency – we all know that, as we speak here today, human rights of indigenous peoples are being violated in may parts of the world. With this in mind, we need to strengthen further our activities on indigenous peoples to make sure that the adoption of the Declaration yields concrete positive results for indigenous peoples and the rights stipulated in the Declaration move from paper to practice.

Indeed, since its adoption, the Declaration has rapidly become our key tool and reference for the work devoted to indigenous peoples, in line with Articles 41 and 42 of the Declaration. Our written report submitted to this session of the Forum contains details as to what this means in the practical work of the office, but let me highlight some examples of our activities that are inspired, and firmly rooted in, the Declaration.

First of all, the office is playing an important role in the promotion of the Declaration through the production of the awareness raising materials, guides and brochures and through translation of relevant documents into indigenous languages. In addition, the Office, often through its regional and country presences, has provided hands-on training not only for, and with, indigenous representatives and governmental representatives, but also for the UN staff and mechanisms. For example, we have organized staff training for UN staff working in the field in Asia, Africa and Latin America, but more work of this type is needed in order to ensure that the principles contained in the Declaration are consistently operationalized at the country level. We have also briefed human rights treaty bodies on the content of the Declaration. While CERD and other treaty bodies have for many years played close attention to indigenous peoples, the Declaration can be a
valuable additional reference in their work. This was recently demonstrated by the Committee on the Rights of the Child, which explicitly referred to the Declaration in its General Comment No. 11 on the rights of indigenous children, adopted in January 2009.

The Office also draws upon the Declaration as it provides technical assistance to member States. This has been the case, for example, in our contributions to the drafting a law relating to indigenous peoples in the Republic of Congo.

We are also highlighting the relevance of the Declaration in work carried out in related fields. As an example, I would like to mention that the Office organized a specific side event on the Declaration in the context of the Durban Review Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and, in her contribution to the Review Conference, the High Commissioner for Human Rights hailed the adoption of the Declaration on the Rights of Indigenous Peoples as a major achievement. I would also like to mention that we seek to step up our support for national human rights institutions and to promote the use of the Declaration in their important work.

Many of our activities pertaining to the Declaration are organized in cooperation with partner agencies. For example, we partnered with the UNDP to organize a regional dialogue on the Declaration earlier this year in Bangkok, and next month our regional office is organizing, together with a number of partner agencies, a workshop on the Declaration for Central America in Nicaragua.

NEW MECHANISMS

In addition to having the Declaration as a new instrument to guide and inspire our work, there have been significant institutional developments that directly impact on our work and help us advance the rights of indigenous peoples. These include, notably, the launch of the Expert Mechanism on the Rights of Indigenous Peoples, as a subsidiary body of the Human Rights Council in October last year. As explained yesterday by its Vice-Chair Jose Carlos Morales Morales, the Expert Mechanism is now working on its first study, devoted to the indigenous peoples’ right to education, to be submitted to the Human Rights Council later this year. The work of the Expert Mechanism will focus mainly on studies and research-based advice, and it
thereby complements the very important work carried out by the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous peoples, Professor James Anaya, who introduced his current work to you yesterday.

The OHCHR is committed not only to ensuring full support to the Expert Mechanism and the Special Rapporteur, but also to facilitating excellent cooperation between various UN bodies dealing with indigenous peoples, including, of course, the Permanent Forum. We have already seen this cooperation developing in practice, with examples ranging from the Forum’s and Special Rapporteur’s active participation in the first session of the Expert Mechanism to the recent joint statement of the three mandates, welcoming Australia’s endorsement of the Declaration on the Rights of Indigenous Peoples. With our colleagues in the Secretariat of the Permanent Forum, we stand ready to convene joint meetings between representatives of these bodies to further facilitate close contacts and co-operation.

The Human Rights Council, with the support of OHCHR, also launched last year its Universal Periodic Review (UPR) process. UPR involves a review of the human rights records of all 192 UN Member States, once every four years, and it is important that the indigenous peoples are actively using this mechanism both in terms of providing input to it and in making sure that the resulting recommendations are followed up. Some of the indigenous representatives present here have already contributed to this process, helping to highlight indigenous concerns. A number of resulting recommendations call for specific measures to advance rights of indigenous people, and there are some explicit references to the Declaration on the Rights of Indigenous Peoples.

There are also other new human rights tools that, while not devoted exclusively to indigenous peoples, are highly relevant in this context. These include the complaint mechanism contained in the new optional protocol to the Covenant on Economic, Social and Cultural Rights, adopted by the General Assembly in December, which has substantial potential for indigenous peoples.

COOPERATION WITH THE UNPFII

Madame Chair, let me now say a few word about the OHCHR’s cooperation and contacts with the Permanent Forum. All recommendations that
the Forum addresses to the Office are considered very seriously, and they have in many cases prompted concrete thematic and other activities that remain part of our agenda today. As a way of example, the Office has carried out substantial work on the issue of indigenous peoples in voluntary isolation, in line with a recommendation made by the Forum. This on-going work, carried our in co-operation with partner organizations and with active input from the governments concerned, is producing substantial guidance on the protection of the rights isolated peoples, and we were pleased that many you attended the side event devoted to the issue earlier today. Our work on extractive industries is another theme that follows earlier recommendations by the Forum, and in this area the latest event was a workshop “on natural resource companies, indigenous peoples, and human rights: setting a framework for consultation, benefit sharing and dispute resolution”, organized in Moscow in December, with a view to producing guidelines on the issue.

Bearing in mind that the Permanent Forum has strong expertise on these themes, it is important that we co-operate in the implementation of our activities, and I am pleased to note that, in both processes I mentioned, members of the Forum have made substantial contributions, for which we are grateful.

Another substantial means of interacting with the Forum is the Voluntary Fund which the OHCHR administers, under guidance from its Board. As you know, the fund provides travel grants that allowed more than 60 indigenous representatives to attend the present session of the forum. As mentioned by the Chair of the Board yesterday, while the number of applications has continued to grow, our challenge is to stop the current trend of decreases in voluntary contributions, in order to enable the fund to continue to provide support for many of the committed applicants.

At the Secretariat level, we are of course actively co-operation with our colleagues in the Secretariat of the Permanent Forum. This happens regularly in the context of the Inter-Agency Support Group of Indigenous Peoples, but we are also in frequent bilateral contact with the Secretariat of the Forum, exchanging information on our plans for activities and providing substantial input to each other. The OHCHR is committed to further strengthening this excellent co-operation with our colleagues, and I know that the same commitment is there also in the Secretariat of the Forum. We
all have limited resources, and through joint efforts we can maximize our combined impact.

INDIGENOUS PEOPLES PARTICIPATION

Let me finally say a few words about the participation of indigenous peoples in our activities. While we are constantly stressing to the governments the importance of ensuring participation of indigenous peoples in decision-making, it is equally important that we “practice what we preach” and see to it that our processes and activities involve substantial participation of indigenous peoples. With regard to certain key bodies, such as the Expert Mechanism and the Board of the Voluntary Fund, this participation is ensured through their indigenous membership. In addition to activities in Geneva, we are also taking measures to ensure that there is continues dialogue with indigenous peoples at the country and regional level, and are supporting mechanisms to help us achieve this. We also seek to ensure that our own capacity-building efforts contribute to the participation of indigenous peoples in our activities. In this respect I would like to highlight our indigenous fellowship programme, which has not only bolstered human rights expertise of indigenous activists but also resulted in a wide alumna network of indigenous activists that now guides the OHCHR, for example, in the selection of new indigenous fellows.

CONCLUSIONS

I would like to conclude by emphasizing that the OHCHR remains strongly committed to the advancement of the rights of indigenous peoples and looks forward to expanding and strengthening its activities further, including in terms of helping to ensure concrete follow-up to recommendations and advice that result from the work of the Special Rapporteur, treaty bodies, UPR, Expert Mechanisms and other key bodies, including the Permanent Forum. I look forward to your comments and proposals on how we can together pursue this goal and take further decisive steps in our common efforts to ensure full protection of the rights of indigenous peoples.

Thank you for your attention.