

presented by Peter Smith

United Nations

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## Economic and Social Council

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### Permanent Forum on Indigenous Issues

Fifth Session

New York, 15-26 May 2006

Item 4(a) of the Agenda: Discussion of the analytical paper, with a concise compilation of the recommendations of the first three sessions of the Forum and the status of their implementation

#### JOINT STATEMENT ON BEHALF OF:

Aboriginal Legal Rights Movement (ALRM)

Australian Indigenous Doctor's Association (AIDA)

Foundation for Aboriginal and Islander Research Action (FAIRA)

Human Rights and Equal Opportunity Commission (HREOC)

Menzies School of Health Research (MSHR)

National Aboriginal Community Controlled Health Organisations (NACCHO)

National Network of Indigenous Women's Legal Services (NNIWLS)

New South Wales Aboriginal Land Council (NSWALC)

World Council of Churches (Australia) (WCC)

### Implementation of the recommendations of the Permanent Forum

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Thank you Madam Chairperson.

This is a joint statement on behalf of the Indigenous Peoples Organizations from Australia represented at this session of the Forum.

Madame Chair, we refer to the papers prepared for this session on the current practices and methods of work of the Forum, and the analysis of implementation of recommendations of the Forum. We support the conclusions and recommendations of these two papers.

We wish to make the following suggestions relating to the issues discussed in these papers.

First, Madam Chair, we see an integral connection between the implementation of the recommendations and the Permanent Forum's function to 'raise awareness and promote the integration and coordination of activities relating to indigenous issues within the UN' and to 'prepare and disseminate information on indigenous issues'.

We see that the Forum and its Secretariat has a role to play to facilitate improved engagement between the UN agencies and indigenous peoples. There have been many developments which assist this over the first four years of the Forum's operations.

However, it remains difficult for Indigenous peoples to identify which agencies may be relevant to a particular situation that they face; the contact point for pursuing this and the relevant policies of the agencies.

**To this end, we recommend that the Permanent Forum request its Secretariat, guided by the Inter-Agency Support Group, to prepare a compilation document which lists basic information about each UN agency – such as its indigenous focal point, relevant policies and an overview of its core business. This document should be presented to the Forum at its sixth session and be available online at the Permanent Forum's website.** Availability in this way would also enable the Forum to create links directly to the web information of each agency.

Second, Madam Chair, we note the comments in paragraph 30 of the paper on implementation of recommendations which refers to 'the importance of awareness-raising and capacity-building of Indigenous peoples, UN staff, senior management and governing bodies, government officials and politicians on indigenous peoples rights'.

We note that to date in the Forum's deliberations there has been limited engagement by and with national human rights institutions. General Assembly resolution 48/134 of 1993 sets down criteria for the establishment and operation of national institutions to ensure that they are sufficiently robust and independent of governments. Such institutions play a vital role in monitoring the compliance of their governments on human rights issues. They form a vital link between the international and domestic systems in the countries in which they exist. This is increasingly being recognised through the human rights system, including in the recent resolution A/60/L.48 of the General Assembly establishing the Human Rights Council.

In this session we have heard of the importance attached to the role of national human rights institutions in Latin America, for example by the government of Mexico. We have also heard of the value of partnerships between national human rights institutions and the Permanent Forum, as demonstrated by the workshop *Engaging the Marginalised*, conducted in Brisbane Australia by the Permanent Forum Secretariat and the Australian Human Rights and Equal Opportunity Commission.

**Accordingly, Madam Chair, we recommend that the Permanent Forum consider directing some of its recommendations towards national human rights institutions. This is particularly in relation to monitoring the recommendations of the Forum at the country level, and on the basis of consultations and partnerships with civil society, non-government organisations and Indigenous Peoples Organisations.**

**We also recommend that the Permanent Forum invite the International Coordinating Committee of National Human Rights Institutions to submit a paper to the Forum for the sixth session indicating the activities of national institutions on indigenous issues and activities undertaken by such institutions to implement the recommendations of the Forum arising from all sessions to date.**

Thank you Madam Chair.