

CHECK AGAINST DELIVERY

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CHAIRPERSON

**ADDRESS TO THE OPENING OF EIGHTH SESSION OF THE PERMANENT
FORUM ON INDIGENOUS ISSUES**

New York, 18 May 2009

Your Excellency, President of the General Assembly, Mr. Miguel D'Escotto Brockman,
Your Excellency, Deputy Secretary-General, Ms. Asha-Rose Migiro,
Assistant Secretary-General /DESA and Special Adviser on Gender Issues and
Advancement of Women, Ms. Rachel Mayanja,
Distinguished Members of the Permanent Forum on Indigenous Issues,
Distinguished observers from Member States, Indigenous Peoples'
Organizations, the Inter-Governmental system, non-governmental organizations,
the academia and the media, indigenous sisters and brothers, indigenous youth
and Indigenous Parliamentarians,

It gives me a great pleasure to welcome you and address you today at this eighth session of the Permanent Forum. Let me first pay my respects to the Onondaga Nation and Peoples who are the original inhabitants of this land and to thank them for having us here again.

We come together here at a time when the world is confronted with a global economic recession of unprecedented scale. This challenges us to have a more in-depth understanding of this situation and how it is affecting indigenous peoples the world over. We also need to explore what indigenous peoples can contribute as solutions to this crisis, even if they are not the ones who caused it. It is very timely and highly relevant therefore that this year, the Forum will review the implementation of its recommendations on economic and social development, indigenous women and the Second International Decade of the World's Indigenous People. There are analysis reports on these three areas which are part of the documents for this session.

What is consistent from the analysis of recommendations from previous sessions is the persistent call on Governments, United Nations agencies, international institutions and the private sector to change their paradigms and approaches in their work with indigenous peoples. This includes increased mainstreaming of indigenous peoples' issues in their work, respect for the right of free, prior and informed consent, recognition of collective rights, and increased participation from indigenous peoples in programme and policy design, implementation and monitoring.

Further, there is often a lack of awareness and understanding that current programme and policy formulas, even if they are successful in other settings, cannot be simply transposed and applied to indigenous peoples. As we know, indigenous peoples have a right to pursue their own economic, social and cultural development which means that their cultures, identities and traditional knowledge and livelihoods have to be considered in the development equation.

Thus, it is an imperative that their effective and meaningful participation in decision-making bodies at all levels is ensured. Also that equal partnerships between them and the State and the private sector are established. Racism and discrimination against indigenous peoples is still very much alive. This is why indigenous peoples fought long and hard for the UN Declaration on the Rights of Indigenous Peoples. This Declaration which interprets how International Human Rights Law should apply to the particular historical context and present circumstances of indigenous peoples is an instrument to combat racism.

I want to acknowledge the role of indigenous women who have been advocates and leaders at the United Nations since the very first year of the Working Group on Indigenous Populations, in 1982 in Geneva. Indigenous women have been active in the drafting and negotiations of the United Nations Declaration on the Rights of Indigenous Peoples, which was adopted by the General Assembly in 2007.

Attention to indigenous women's issues is increasing within the United Nations. For example, the special theme of the third session of the Permanent Forum was indigenous women. In March 2005, a resolution on Indigenous Women was adopted at the 49th Session of the Commission of the Status of the Women (CSW), which was the first ever resolution on indigenous women by this body.

Today, indigenous women participate in the Permanent Forum in great numbers and they have their regional networks and their own caucus. The rights of indigenous women should be protected at all times and by all of the provisions of the UN Declaration on the Rights of Indigenous Peoples. Article 22 calls for

particular attention to be paid to their rights and special needs, and calls upon States to take measures to ensure that indigenous women enjoy the full protection and guarantees against all forms of violence and discrimination. Violence against indigenous women is a daily reality in many countries and the elimination of this has to be one indicator for measuring the implementation of the Declaration.

The Forum will also focus on how the Permanent Forum will discharge its mandate under the article 42 of the UN Declaration on the Rights of Indigenous Peoples, which mentions the Forum explicitly as a body to follow up and promote the implementation of the Declaration. An International Expert Group Meeting on this was held in 14 – 16 January this year and the report is contained in Document E/C.19/2009/2. Please spend time to read this report as it contains recommendations which you can support or further strengthen. I would like to make special mention and congratulate the Australian Government for endorsing the United Nations Declaration on the Rights of Indigenous Peoples on 3 April this year. Also, to congratulate Mr. Mick Dodson, a Permanent Forum member who was named the 2009 Australian of the Year by the National Australia Day Council. I also congratulate the Government of Colombia for its statement on April 21, 2009 during the Durban Review Conference, expressing support for the Declaration. It is my hope that these acts will be translated into better protection and respect of the rights of indigenous peoples in these two countries.

As was agreed last year we are adopting new approaches for the Forum's work. We will have a multi-year programme in which one year will be a review year

and the next year will be a policy year. This year is a review year where we will take stock of the implementation of recommendations on socio-economic development, indigenous women and the Second International Decade of the World's Indigenous Peoples. Secondly, we will do in-depth dialogues with six United Nations entities, namely the Office of the High Commissioner on Human Rights (OHCHR); Food and Agriculture Organization (FAO); International Fund for Agricultural Development (IFAD); United Nations Development Programme (UNDP); United Nations Population Fund (UNFPA); and the Department of Economic and Social Affairs (DESA).

These dialogues will provide an opportunity for indigenous peoples, Permanent Forum members and governments to obtain a better understanding of the challenges and opportunities that each of these United Nations agencies and bodies face, as well as their progress in discharging their mandate in relation to indigenous peoples' issues. I urge you to be critical but to do this in a very constructive manner so that we can help strengthen each other's work for the sake of indigenous peoples. Always keep in mind that we are talking here as partners not as protagonists. The odds we face in getting our rights respected and our self-determined development operationalized are many. So our approach should be geared towards strengthening partnerships so that we can consolidate our strength and gains to confront these odds.

Other highlights of this year's Forum include a regional focus on indigenous peoples of the Arctic region. The discussion on the Arctic will take place on 21 May and will be launched by a panel comprised of states, regional organizations and indigenous organizations.

Today, we will also have a discussion on corporations and indigenous peoples including interventions by Permanent Forum members who were appointed by the Forum to consider this issue. A representative of the Secretary-General's Special Representative on Business and Human Rights will make a statement under this agenda item. Next week, on the morning of Wednesday 27 May, under 'Emerging Issues' we have decided to have a discussion on the impact of the global economic and financial crisis on indigenous peoples. This crisis presents serious adverse impacts on us but also opens up some opportunities. It is without any doubt that this crisis was brought about by the policies of deregulation, liberalization and privatization which are the main features of the dominant, globalized economic model. Indigenous peoples have consistently criticized this model for breeding further inequalities and for being very unsustainable. The discussion will be launched with a panel comprised of Mr. Jomo Sundaram, Assistant Secretary-General for Economic Development, a representative of Guatemala, a representative of the World Bank and myself.

Once again, during the afternoon of Wednesday 20 May, there will be a dialogue with the Special Rapporteur on the human rights and fundamental freedoms of indigenous people, Mr. James Anaya, and also with Mr. José Carlos Morales, a representative of the Expert Mechanism on the Rights of Indigenous Peoples.

Let me turn to three important processes that I was involved in this past year.

The first one was the International Expert Group Meeting on Extractive Industries, Indigenous Peoples' Rights and Corporate Social Responsibility which was held in Manila, Philippines from 27 - 29 March 2009. This Expert

Meeting was organized by Tebtebba Foundation in cooperation with the Secretariat of the Permanent Forum on Indigenous Issues.

This Expert Meeting came about because indigenous peoples have consistently expressed the need to address human rights and economic development issues in relation to extractive industries. The meeting enabled various indigenous representatives from affected communities to come together to share their experiences and to strategize on how to address common problems. I would like to thank the Norwegian Agency for Development Cooperation (NORAD) and the Christensen Fund, among others, for providing funds for this Expert Meeting and the *International Conference on Indigenous Peoples and Extractive Industries* which preceded this.

It was noted that although corporations, due to pressures and struggles from indigenous peoples, are now more willing to consult, these efforts fall far short of the standard of free, prior and informed consent. There is a major problem with the lack of full disclosure of information regarding environmental, social, cultural and human rights impacts. One frequently encountered problem was that corporations, in collusion with government authorities, selected indigenous individuals or specific communities with which to negotiate without ensuring that they represented their communities and/or the impacted area. By doing this they divide the indigenous peoples within the communities. Further, participants expressed frustration that extractive industries often treated benefit-sharing or social programs as charity, rather than a human rights issue. The report of this meeting can be found in Conference Room Paper 8.

The second meeting I want to mention is the Indigenous Peoples' Global Summit on Climate Change which was held in Anchorage, Alaska, 20-24 April, 2009. The meeting was attended by around 400 indigenous representatives from 80 countries of the Permanent Forum's seven regions (Arctic, North America, Asia, Pacific, Latin America and the Caribbean, Africa and Eastern Europe, Russian Federation, Central Asia and Transcaucasia). The UN General Assembly President, His Excellency Miguel D'Escoto Brockman, graced this Summit. The Anchorage Declaration, one of the outcomes of this meeting, can be found in Conference Room Paper 9.

This Summit was preceded by several regional summits and workshops on climate change which include the Asia Summit (Conference Room Paper 13), the Latin American Summit and the Africa Summit on Indigenous Peoples and Climate Change. These 3 regional events were held in the first quarter of 2009.

A Workshop on Climate Change Impacts and Adaptation Strategies for Arctic Indigenous Communities was also held in Sept. 2008. Without the support of the Christensen Fund, IFAD, IWGIA, the Oak Foundation, among others, these regional summits and the Global Summit could not have happened and therefore, I thank the donors with all my heart.

The Global Summit made a number of recommendations and some of these include calling upon the UNFCCC's decision-making bodies to establish formal structures and mechanisms for the full and effective participation of indigenous peoples and to recognize and respect the UN Declaration on the Rights of Indigenous Peoples in climate change decisions, policies and programmes. It

recommended that the UNFCCC organizes technical briefing sessions by indigenous peoples on traditional knowledge and climate change and that an indigenous focal point be hired to be part of the Secretariat. It was further proposed that indigenous peoples' representatives be appointed in UNFCCC funding mechanisms in consultation with indigenous peoples. In as much as indigenous peoples are already doing mitigation and adaptation measures at the local level, the Summit recommended that the UNFCCC should provide financial and technical to bolster these efforts.

A special mention should also be made that on 22 April 2009, the United Nations General Assembly adopted a unanimous resolution designating April 22 each year as International Mother Earth Day. This initiative was sponsored by Bolivia and 50 other countries. The Earth day Observance was started in 1970 in the United States and many other countries as way to bring awareness to the environmental problems facing the planet. In adopting the resolution, the General Assembly invited all member states, the U.N. system, regional bodies and NGOs to "observe and raise awareness of International Mother Earth Day, as appropriate".

The most recent task which the Forum did was the mission to the Chaco region of Bolivia and Paraguay to look into the situation of forced labour and semi-slavery of the Guarani and other indigenous peoples. This is in response to the Recommendation 156 of last year's report which expressed our concern over this issue. The Forum decided to hold a mission to look into this situation and to come up with recommendations on how to strengthen the capacities of the States of Bolivia and Paraguay to comply with their obligations to international Human

Rights Law. President Lugo of Paraguay and President Evo Morales Ayma of Bolivia sent official invitations to the Forum to visit the Chaco region.

Four members of the Forum, Lars Anders Baer, Bartolome Clavero, Carlos Mamani and myself undertook this mission from April 25-May 6, 2009. We were joined by the representatives of the ILO, FAO, UNDP and the OHCHR. We visited several villages and held meetings with indigenous persons who are victims of forced labour and servitude. We also met with members of the Cattle Ranchers Associations, with different government Ministers and officials and with the officials of the Judiciary and Legislative bodies, with NGOs and with representatives of indigenous peoples' formations not only in Bolivia and Paraguay but also from other Latin American countries. We had meetings with senior officers and staff of various UN agencies and programmes who are based in the country or in regional offices. Our report and recommendations will be presented next week and we will submit this to the relevant government and intergovernmental bodies.

In closing, I would like to reiterate my thanks to my co-members of the Permanent Forum for their hard work over the past year. Permanent Forum members have engaged with various processes at the national, regional and international level to facilitate the implementation of the Permanent Forum's recommendations and also raise awareness of the issues important for indigenous peoples. You all have been good team players, which is what is needed for us to effectively carry out our mandate. I also would like to thank our Secretariat, who has been tirelessly working not only to prepare for this session but for keeping the fire burning in between sessions.

I would also like to thank the representatives of indigenous peoples' organizations and nations, the governments, the members of the Inter-agency Support Group on Indigenous Issues and the support NGOs who, likewise, have done their share in helping implement the Permanent Forum's recommendations as well as the UN Declaration on the Rights of Indigenous Peoples.

Finally, I would like to pay tribute to the indigenous peoples of the world who continue to struggle for their rights and are trying their best to implement their own development visions and priorities. We remember those who have sacrificed their lives in these struggles. We should never forget that we are not here for ourselves but for the many who continue to suffer from racism, discrimination and oppression and who cannot be with us here. Most of you have traveled for many days and from far away places to participate in this Session. Let us all work together to make this session meaningful and worthwhile for all indigenous peoples.