

**UN Permanent Forum on Indigenous Issues, Eighth Session
May 18-29, 2009**

Global Indigenous Women's Caucus Statement

**Agenda Item 3:
Follow Up on the Recommendations of the Permanent Forum
(a) Economic and Social Development**

Honorable Chairwoman, Members of the UN Permanent Forum, distinguished representatives of Indigenous Peoples, sisters and brothers here today,

Indigenous Women are the human embodiment of Mother Earth. Managing and protecting Earth's nurturing gifts is our responsibility. Governments, market-based approaches, finance capital, multinational corporations and extractive industries continue to endanger life for the sake of profit. The recent global economic collapse, Climate Change, water and biodiversity depletion, wars, forced displacement, militarization, and violence against women, children, and Mother Earth provide clear and unmistakable evidence that this system does not work.¹

Indigenous cultures expressed through Indigenous Women's work, lives and experiences are in peril. We re-affirm that Indigenous Women bring worldviews, deep invaluable knowledge and tools to correct the global crises—stemming directly from and caused by unsustainable economies—and to carry out their communities' self-determining development.² Furthermore, it is our basic human right to articulate our distinct views of our interconnected relationships with the world around us, including all of our relations, human and non-human. Indigenous Women, as the culture bearers and progenitors of future generations of our Peoples, possess great responsibility in the transmission of this knowledge to our children and youth.

We reiterate our fundamental role in seed conservation, food production, and preservation. Indigenous Women, as the keepers and guardians of much of the world's biodiversity, including many food and medicinal plants are alarmed by the ongoing expropriations by seed and pharmaceutical corporations—with governments' complicity—to patent the seeds, genetic material, and/or the processes used in the genetic manipulation of the plants.

Indigenous Women are deeply concerned that the Parties to the Convention on Biological Diversity (CBD) have not recognized Indigenous Peoples' rights to our traditional territories, lands and waters in the negotiations of an international regime of access and benefit-sharing due for completion by 2010. We are concerned when the Parties assert their national sovereignty over both genetic resources and associated traditional knowledge necessary to our collective well-being and has cultural value. Indigenous Women oppose all forms of patenting of any form of life. We consider genetic modification and the potential contamination of land by genetically

¹ E/C.19/2009/7, para. 27.

² E/C.19/2009/7, para. 7.

engineered technology a continuation of genocide upon Indigenous Peoples. We perceive these as both malicious and disrespectful acts towards our Mother Earth, ancestries, cultures and future generations.

With regard to the reports of the Permanent Forum on social and economic development, on women, as well as the report on extractive industries, the Global Indigenous Women's Caucus has the following recommendations:

FOOD SOVEREIGNTY

1. We recommend that all UN bodies and agencies and governments report on the implementation of Articles 26 and 31 of the UN DRIP related to the protection of Indigenous Peoples' rights to their lands and territories; and Indigenous Peoples' rights to own, control, utilize and protect all aspects of their cultural heritage, including genetic resources. This includes associated traditional knowledge and trade practices derived from their lands and territories.
2. We request that the Permanent Forum endorse the Declaration of Atitlán (Atitlán, Sololá, Guatemala, April 17-19, 2002), which states, in part, "Food Sovereignty is the right of Peoples to define their own policies and strategies for the sustainable production, distribution, and consumption of food, with respect for their own cultures and their own systems of managing natural resources." Therefore, we recommend that the Permanent Forum request the appropriate UN agencies to carry out their human rights obligations to guarantee Indigenous Peoples' right to food sovereignty.³
3. We recommend that UN fora addressing issues impacting Indigenous Peoples' right to food sovereignty, such as the FAO, IFAD and the CBD, report on their processes to protect Indigenous Peoples' rights to hunt, gather, fish, and carry out their agricultural and other traditional livelihood activities. We call on the agencies to promote capacity-building, and programs and projects by and for Indigenous Women, which focus on the recovery and revitalization of food traditions, sustainable agriculture, and seed saving and free sharing among ourselves. These programs and projects should ensure the full participation of Indigenous Women.⁴
4. We recommend that the Permanent Forum request that the Parties to the CBD recognize Indigenous Peoples' rights to our ancestral lands, territories and waters, including our genetic resources and associated Indigenous knowledge. Further, we recommend that the Permanent Forum request the Parties to recognize this ownership and right to protect and control our genetic resources and associated traditional knowledge, and Indigenous Peoples' rights to free, prior and informed consent (FPIC), in the operational text of the proposed international regime on Access and Benefit Sharing. We request further action

³ E/C.19/2009/8, Sec. II. B.

⁴ E/C.19/2009/8, Sec. II. C.; para. 15. E/C.19/2009/7, para. 18.

from the OHCHR Expert Mechanism on the Rights of Indigenous Peoples to examine the human rights implications of the current discourse on ownership of genetic resources and make recommendations to protect the rights of Indigenous Peoples.⁵

5. We urge the Permanent Forum to demand full and effective participation of the Indigenous Women in any and all UN for a affecting our rights, providing translators at all times and especially during international meetings so that participants can make recommendations based on a full understanding of each other's concerns.⁶
6. We recommend that the Permanent Forum request the appropriate UN bodies and agencies to guarantee that Indigenous Peoples' right to food sovereignty and that food security is not negatively affected by biotechnology, in particular genetically-modified organisms, genetically-modified crops, or any environmental release of genetic use restriction technologies (GURTs), commonly referred to as "terminator technology."

EXTRACTIVE INDUSTRIES

7. We support the Anchorage Declaration (Anchorage, Alaska, USA, April 24, 2009) call for phasing out fossil fuel development and a moratorium on new fossil fuel development on or near Indigenous lands and territories, without infringing on Indigenous Peoples' right to development. Furthermore, we support the Permanent Forum's conclusion that Indigenous Peoples have "the right to say no to extraction or exploration."⁷
8. We also call upon the Permanent Forum to strengthen interaction with the Special Representative of the Secretary-General on human rights and transnational corporations and other business enterprises;⁸ and to facilitate negotiating platforms with affected Indigenous Peoples, particularly in regard to extractive industries and their impacts on our ways of live, cultures and on our Mother Earth.
9. We call on the Permanent Forum to cooperate with the Special Rapporteur on the Human Rights and Fundamental Freedoms of Indigenous Peoples to carry out a broad-based, global study on the activities of extractive industries that damage Indigenous Peoples, especially Indigenous Women, and their impacts in the context of the legal frameworks under which they operate.⁹

⁵ E/C.19/2009/8, Sec., II. B, 10 (f)

⁶ E/C.19/2009/8, Sec. II. A.

⁷ E/C.19/2009/CRP.8, para. 13, see also para. 28 regarding building the capacity of Indigenous Peoples to work out what consent means to them.

⁸ E/C.19/2009/CRP.8, para. 14.

⁹ E/C.19/2009/CRP.8, para. 17-22, 30-33, 36-39, 45, 70, 85, 111.

10. We recommend a creation of an inter-regional commission of Indigenous Peoples to review the activities of the major extractive industries and to report to the UN Universal Periodic Review (UPR) for each state review.¹⁰
11. We recommend the UNPFII to nominate a Special Rapporteur to prepare a report on the impact of the activities of major extractive corporations on the health of Indigenous Women.¹¹

CULTURAL RESOURCES

12. We call upon all relevant UN bodies and agencies to end the mining and marketing of water and to recognize free access to water as a basic human right in order to preserve cultural heritage, ways of life and self-development.¹²
13. Indigenous Peoples have the right to be properly informed in our indigenous languages and to have meaningful pre-decisional consultation in any development projects. Indigenous Peoples, including Indigenous Women, have the right to appoint their own experts to survey, to evaluate, and to determine if projects impacting on our lives and cultural and natural resources can proceed. Indigenous Women must have equal participation and authority in this process. Indigenous experts' knowledge, findings and recommendations have parity with those of others and must be given priority.¹³ The free, prior and informed consent of Indigenous Peoples, including Indigenous Women, must be obtained before such projects can proceed, especially in the case of mega-projects.¹⁴
14. We request an investigation by January 1, 2010, free from conflict of interest, focusing on the negative impacts and effects of water appropriation by multinational corporations from indigenous communities; specifically the deterioration, depletion, lack of access and contamination of water.¹⁵
15. We recommend that UNESCO should take an active role in ensuring that access to sacred sites, genesis sites, and traditional cultural places be protected, and that privatization of land does not negate the right of Indigenous Women's and their families' free access to

¹⁰ E/C.19/2009/8, Sec. II. B.

¹¹ E/C.19/2009/8, para. 10 (c). E/C.19/2009/CRP.8, para. 64, 98 regarding the assignment of accountability. E/C.19/2009/CRP.8, para. 117.

¹² E/C.19/2009/8, para. 9.

¹³ E/C.19/2009/8, Sec. II. B.

¹⁴ E/C.19/2009/7, para. 9.

¹⁵ E/C.19/2009/CRP.8, para. 45, 51, 120.

these sites to practice their spirituality, religion, and cultural ways of life for social and economic development.¹⁶

16. We recommend that the Permanent Forum support the preparation of procedural access to the International Court of Justice on the question of projects impacting our lives, tangible and intangible cultural heritage and resources of Indigenous Peoples, and Mother Earth.¹⁷ This would entail the enforcement of treaties, agreements, and other constructive arrangements between Indigenous Peoples and states.¹⁸
17. We recommend that the Permanent Forum monitor with UNESCO and other cultural bodies and agencies at the international levels the implementation of Indigenous Women's rights to equal, full and effective participation and authority in all development processes that impact Indigenous Peoples, especially Indigenous Women.¹⁹

ENVIRONMENT

18. We strongly support and endorse the Anchorage Declaration (Anchorage, Alaska, USA, April 24, 2009), which especially calls for action in paragraphs 6 and 13.
 - a. Paragraph 6: "We challenge states to abandon false solutions to climate change which negatively impact Indigenous Peoples rights, lands, air, ocean, forests territories and waters. This includes nuclear energy, large-scale dams, geo-engineering techniques, 'clean coal', agro-fuels, plantations, and market based mechanisms such as carbon trading, the Clean Development Mechanism and forest offsets [REDD]. The human rights of Indigenous Peoples to protect our forests and forests livelihood must be recognized, respected and ensured."
 - b. Paragraph 13: "In order to provide the resources necessary for our collective survival in response to the climate crisis, we declare our communities waters, air, forests, oceans, sea, ice, traditional lands, and territories to be '*Food Sovereignty Areas*', defined and directed by Indigenous Peoples according to customary laws, free from extractive industries, de-forestation, chemical-bases industrial food productions systems (i.e. contaminants, agro-fuels, genetically modified organisms)."

As such,

19. We strongly recommend the full and effective participation of Indigenous Peoples, especially Indigenous Women in the planning and implementation of all strategies and

¹⁶ E/C.19/2009/8, para. 9. E/C.19/2009/CRP.8, para. 42, 120.

¹⁷ E/C.19/2009/CRP.8, para. 46.

¹⁸ E/C.19/2009/8, para. 7, 8 (a). E/C.19/2009/CRP.8, para. 101.

¹⁹ E/C.19/2009/8, Sec. II. A. E/C.19/2009/7, para. 9.

agreements related to Climate Change. The conference of the parties of the UNFCCC in Copenhagen must include the full and effective participation of the Indigenous Peoples, especially participation from Indigenous Women and Youth.²⁰

20. We recommend access to the International Court of Justice to raise our concerns, and to provide a space for Indigenous Women to denounce the abuse of the Indigenous Peoples' land, water and forest.²¹

EDUCATION

21. We request the Permanent Forum to encourage UN bodies and agencies as well as governments to take action in order to establish policies that promote and foster the access to, development and maintenance of indigenous-centered education systems and culturally relevant curricula with the full engagement of Indigenous educators and culture bearers, paying particular attention to the education needs of women and girls, allowing them education at all levels.²²
22. Pertaining to UN Millennium Development Goal #2 - *Achieving Universal Primary Education*, we highlight the need to take a rights-based approach to form true partnerships in the implementation and monitoring of strategies to ensure effective achievement of this goal.²³
23. We support the Permanent Forum's invitation to UNESCO and governments' support for a world conference on linguistic diversity, Indigenous languages, identity and education.²⁴ Furthermore, we welcome the PFII Report of the International Expert Group Meeting on Indigenous Languages and support its recommendations 40 (g) (h) (i) (j) and (k) to governments and request for follow up on these in 2010.²⁵
24. We request the Permanent Forum to urge the governments to allocate the necessary funding to support our work to revitalize our Indigenous languages. This includes developing culturally appropriate pedagogic materials and curriculum, planning, and training and certification of teachers to teach our languages from our own culturally-specific methodologies and perspectives.²⁶

²⁰ E/C.19/2009/8, Sec. II. A.

²¹ E/C.19/2009/8, para. 8 (a). E/C.19/2009/CRP.8, para. 101.

²² E/C.19/2009/8, para. 10 (g). E/C.19/2009/7, para. 11.

²³ E/C.19/2009/8, Sec. II. B. E/C.19/2009/7, para. 13, 16, 20.

²⁴ E/C.19/2008/13.

²⁵ E/C.19/2008/3.

²⁶ E/C.19/2009/7, para. 16.

25. We request the Permanent Forum to urge Indigenous Peoples to use and speak our languages freely all the time. In this regard, Indigenous language learning nests and Indigenous schools and universities should be supported to build a bridge between school, family and community to keep our languages alive and vital.

HEALTH

26. We urge the Permanent Forum to request the UN bodies and agencies and governments to take actions to guarantee Indigenous Women's full and uninhibited access to state health programs. Indigenous Women must also have unrestricted and free access to their own traditional health systems and to develop health policies in full consultation indigenous and other health experts.²⁷

27. We urge the Permanent Forum to request UN bodies and agencies and governments that traditional and Indigenous healing systems must be respected as full and complete knowledge systems in their own right. Practitioners and teachers in these systems must be accorded the equivalent status of experts as others in non-traditional or western medical and healing systems.

28. We request the Permanent Forum to request governments to guarantee Indigenous Women full access to their traditional medicines by implementing the rights to lands, territories, and natural resources established in the Declaration on the Rights of Indigenous Peoples.

Thank you.

²⁷ E/C.19/2009/7, para. 6, 11.