

Permanent Forum on Indigenous Issues
Ninth session
New York, 19-30 April 2010

Item 6: Comprehensive dialogue with six United Nations agencies and funds.

Statement on Behalf of the Pacific Caucus of Indigenous Peoples

CONVENTION ON BIOLOGICAL DIVERSITY

Mr Chairperson

Year 2010 is the International Year of Biodiversity, but to date we have not heard much about it in our indigenous communities.

In 2007 the Permanent Forum reported that it would use the International Year to highlight the important role of Indigenous Peoples as custodians of biological diversity.

We ask the Permanent Forum to strongly urge UN agencies, States and the private sector to assist us to highlight the important relationship between Indigenous Peoples, Mother Earth and the natural environment.

Mr Chairperson

The Convention on Biological Diversity is almost two decades old.

At the end of this year, at the CBD 10th Conference of Parties in Nagoya, Japan, the achievements of this Convention will be assessed.

Of course we already know that our biological diversity continues to be lost at an alarming rate, that Indigenous Peoples are still being denied rights over our lands, territories and resources, and a crisis exists over global warming.

The CBD, as part of the global initiatives from the 1992 Earth Summit, is a very important instrument for Indigenous Peoples.

In the Pacific Region, we call upon the major powers to alter their consumption of the world's natural resources and reverse the effects upon the Pacific region.

They must also provide greater assistance to dramatically increase our capacity to mitigate the impact of global warming and pollution of our natural environment.

Mr Chairperson

In the report of the Sixth Session, the Permanent Forum recommended that State Parties to the Convention on Biological Diversity seriously consider the conclusions and recommendations of the 2007 international expert group meeting on the CBD's international regime on access to genetic resources and benefit sharing and human rights.

Subsequently, in October 2007, the CBD issued an information paper which reported on the CBD's 'International Indigenous and Local Community Consultation on Access and Benefit-sharing and the Development of an International Regime'.

This paper stated the newly-adopted Declaration on the Rights of Indigenous Peoples must be viewed as integral part of the International Regime on Access and Benefit-sharing.

In particular, the paper noted that the principle of state sovereignty over natural resources cannot be invoked against Indigenous Peoples residing within the state, implying that State Sovereignty is not absolute power and is subject to international law including human rights law.

Mr Chairperson

The CBD is concluding its work on the development of an internationally-binding regime on access and benefit-sharing.

It is of great concern, at this 'eleventh hour', that the regime seems to deprive Indigenous Peoples of the rights over the genetic resources in their territories, and refused to recognise Indigenous Peoples as 'peoples' having the right to self-determination.

We therefore call upon the Permanent Forum to consider the following recommendations.

RECOMMENDATIONS

That the Permanent Forum:

- 1. Organise and undertake as soon as practicable a technical review of the proposed international regime for ABS, as recommended in Para 134 of the report on the international expert group meeting (E/C.19/2007/8).**
- 2. Recommend the Working Group on Access and Benefit Sharing consider at its next meeting, the report of the Consultation on ABS and Development of an International Regime (UNEP/CBD/WG-ABS/5/INF/9).**
- 3. Appoint a member of the PFII to participate in any future meeting of the WG ABS and COP 10.**
- 4. Update, in the report of this session comments on the rights of Indigenous Peoples to self-determination and their lands, territories and resources, as first set out in the PFII Report of the Sixth Session, Paras 14 – 17 (E/2007/43 / E/C.19/2007/12).**
- 5. Request States to contribute (either directly or via the Voluntary Fund for the Second Decade) to a) assist with an international meeting in Australia of Indigenous Peoples to discuss environmental issues including climate change and biodiversity, and b) to generate greater awareness of Indigenous Peoples rights during COP 10**

Thank you, Mr Chairperson.