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**4th Session of the Permanent Forum on
Indigenous Issues**

Statement by Louise Arbour

High Commissioner for Human Rights

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Ladies and gentlemen,

It gives me great pleasure to be with you on the occasion of the fourth annual session of the Permanent Forum on Indigenous Issues, together with such a variety of representation from States, representatives of organizations and specialized agencies of the United Nations system, non-governmental organizations, and importantly indigenous peoples. Congratulations also to Chairperson Ms. Tauli-Corpuz on her election.

This morning you start your discussions of the Millennium Development Goals and in particular MDG 1 that commits States to the reduction of poverty by 50 per cent by the year 2015. I believe that the Forum has chosen a useful format by focusing attention during its next sessions on the MDGs. They are cross-cutting concerns that involve the entire UN system. Furthermore, Heads of State and Government are formally committed to achieving the goals. The Forum can usefully contribute to the fulfilment of this historic commitment by providing indigenous peoples' perspectives and priorities so that they can be fully taken into account in the implementation of programmes aimed at attaining the goals.

Ladies and gentlemen,

Poverty is a denial of human rights. It is the denial of virtually all the basic rights that every human being should be entitled to and should be equipped to claim. It is a denial of the right to food, of the right to adequate housing and of the right to fairly remunerated work. It is the denial of opportunity, and the denial of the respect and dignity of the human person. Poor people are deprived of access to education and health and of effective participation in the political, social, economic and cultural life of society. Since many poor people often belong to vulnerable groups, they are also subject to discrimination.

Poverty is inherited and passed on to future generations. And although there are many celebrated examples of individuals who succeed in breaking out of the cycle of poverty, there can be no doubt that whole generations of children born into poverty will continue to suffer deprivation throughout their lives, unless the profound changes that are implicit in MDG 1 are realized. This is perhaps the most disturbing feature of poverty: it effectively results in an intergenerational denial of human rights.

Poverty may therefore be the greatest human rights challenge we face. It is a central concern of the Office of the High Commissioner for Human Rights and will remain high on my agenda as High Commissioner.

Ladies and gentlemen,

Indigenous peoples are one of the groups most severely affected by poverty. This is confirmed in the reports of the Commission on Human Rights' Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people, as well as in reports by inter-governmental organisations, testimonies provided to the Working Group on Indigenous Populations and, in many cases, by studies made by Governments themselves. It is timely therefore that indigenous peoples consider how the MDG commitment to reduce poverty will impact upon their lives and their futures.

Allow me to set out the perspective of my Office. OHCHR fully supports the attainment of the MDGs and will contribute to the worldwide efforts to reach the goals set out

by Heads of State. Importantly, we believe that the programmes and strategies to achieve the MDGs should be rooted in human rights. While goals are a valuable means of establishing targets and measuring progress, rights, including those that ensure that all human beings enjoy a basic standard of living, are obligations that States must implement.

I wish to make four comments with respect to MDG 1, indigenous peoples and human rights.

First, the programmes that are developed to achieve MDG 1 must be inclusive and not lead to exclusion. There is a legitimate concern that the 2015 goal may be achieved by a statistical formula that lifts numerically significant groups out of poverty but leaves smaller groups untouched. Careful attention needs to be given to ensuring that the benefits that accrue from MDG 1 initiatives reach all groups, including indigenous peoples. They should not be marginalized in the planning, implementation, monitoring and evaluation of programmes aimed at benefiting the poorest. This implies that a key principle of the right to development is recognized, namely the right of indigenous peoples to participate fully in country programmes to reduce poverty.

Secondly, the programmes and strategies designed to reduce poverty should not be undertaken at the expense of indigenous peoples. This point is also made in the joint paper presented to the Forum by the Inter-agency Support Group. Programmes to reduce poverty should not, for example, lead to losses of indigenous peoples' lands and resource bases, require them to leave their homelands or give up their ways of life. In the past such policies have contributed to the impoverishment of indigenous peoples and it would be a sad irony if, in the effort to reduce global poverty, progress for some was achieved through injustice for others. We must be especially vigilant in this regard.

Thirdly, it will be important for indigenous peoples to make their own contribution to the understanding of the concept of poverty. Economists produce numerical descriptions of poverty - dollars/euros and cents - but numbers hardly capture the cultural dimension. Is an indigenous community that has lost its ancestral lands lifted out of poverty because some of its members have found temporary work and get a wage? Is an indigenous community poor because there is little money circulating when its members can fish, hunt and farm and use local resources for housing and other basic necessities? Common article 1 of the human rights covenants declares that no people may be deprived of its own means of subsistence. To deprive indigenous peoples of their resources for survival is in practice to condemn them to poverty and dependence; conversely to protect indigenous peoples' rights to lands and resources is to contribute to the reduction of poverty. Indigenous peoples will reduce their own poverty if provided with the enabling environment to do so.

Fourthly and finally, it is important to understand the MDG commitments as not just about producing progress and development but about implementing rights. I concede that what matters most to a poor family is direct and immediate assistance - schools, health clinics, jobs and so on - rather than the knowledge that the right to these basic necessities of life is enshrined in a UN Convention or a national statute. But ultimately, the best form of assistance is the one that empowers the poor to assert and claim their rights. In the case of indigenous peoples, unless we recognize their rights both internationally and nationally there can be no sustainable reduction of poverty. Reducing poverty in indigenous communities is about national policy priorities, with obligations attached to their implementation.

Ladies and gentlemen,

As I can only be with you briefly, I hope you will now give me the opportunity to address a number of other matters.

At the last session of the Commission on Human Rights, it was decided to hold a further session of the working group on the draft United Nations declaration on the rights of indigenous peoples. It was agreed that, subject to the availability of resources, an additional five working days would be added to the session in order to advance and perhaps complete the discussions on the declaration. I can now confirm that the working group will meet for two weeks in October/November and a further week during December. The Government of Mexico has also offered to host an informal workshop that is intended to help further understanding of some of the critical issues contained in the draft declaration.

When I took up my responsibilities as High Commissioner in July 2004, I stated my firm belief that the priority then was the rapid completion of a strong declaration that has the support of States and indigenous peoples. While many have noted the disappointing result of the last session of the working group, I noted the cautious optimism among many States and some indigenous peoples at the Commission's last session that a good consensus document can be produced within a short time span. There appears to be considerable good will on all sides and a willingness to try new and perhaps more productive working methods. We all look forward to a real breakthrough in the months ahead and I have pledged that my office will contribute in any way possible to a successful outcome.

The International Decade of the World's Indigenous People ended in December 2004 and, as you know, a second Decade has been proclaimed by the General Assembly. A number of reports evaluating the first Decade have been presented to the legislative bodies of the UN including the General Assembly, the Economic and Social Council and the Commission on Human Rights. These reports detail the activities carried out by the UN system, States and indigenous organisations, which are considerable. They also provide an assessment of the impact of the Decade.

While it is regrettable that one of the goals of the Decade - the adoption of the declaration on the rights of indigenous peoples - was not achieved within the ten-year framework, there were many other objectives of the programme of action that were accomplished due to the efforts of indigenous peoples, States and UN organisations. But I would like to single out one particular advance that I believe characterizes the first Decade. I refer to the considerable work and cooperation on indigenous issues that has been undertaken during that period by UN organisations and specialized agencies. To a large extent, the opening up of the UN system to indigenous concerns can be attributed to indigenous organisations themselves. But credit is also due, I believe, to the efforts of the UN to respond to the call for international cooperation of the first Decade and to build partnerships with indigenous peoples. The culmination and institutionalisation of that relationship is the establishment of this body - the Permanent Forum - mandated to strengthen the dialogue between indigenous peoples and the United Nations.

Where should we be going next? The programme of activities of the second Decade will be prepared by the coordinator, the Under-Secretary-General for Economic and Social Affairs. My office will make some proposals for possible activities in the human rights area and I have requested input from the Special Rapporteur on indigenous people and the

Working Group on Indigenous Populations that will meet in July. Both are expert human rights mechanisms with considerable contact with indigenous peoples.

Decade or not, there should be no doubt that the protection and promotion of the human rights of indigenous peoples will remain, as it has since the 1980s, a high priority for the Office of the High Commissioner for Human Rights. The UN does not yet recognize the rights of indigenous peoples although I pay tribute to the ILO for being the pioneer in adopting a binding instrument - ILO Convention 169 on indigenous and tribal peoples. In my view the adoption of the declaration is still a core objective of the new Decade but I also believe that, having achieved this, it would be important to consider, as I noted in my report to the Commission this year, whether a legally binding instrument might not eventually afford greater protection.

Notwithstanding the importance of standard-setting both in relation to the declaration and as part of the mandate of the Working Group on Indigenous Populations, my Office's work will include a greater focus on national implementation in the future. In the case of our programme on indigenous peoples, we are already moving in this direction. We have received, for example, comprehensive reports from the Special Rapporteur on indigenous people on the countries he has visited with recommendations drawn from governmental officials in the country, UN country teams and indigenous communities. At the invitation of governments, we are now undertaking follow-up activities in the countries concerned. This kind of country engagement will be a core component of the new agenda of OHCHR. Our objective will be not only to facilitate international dialogue on policy issues and rights but also to support improvements directly impacting the communities.

It is sometimes said that there are good laws in place but not enough application on the ground. In line with the direction given by the Secretary-General, I believe that we must focus a greater part of our efforts on strengthening national protection. This is particularly the case for indigenous peoples who, during the last decade, have benefited from some legislative and even constitutional changes, but are often still waiting to feel the differences in their communities.

Ladies and gentlemen,

I hope when I see you again, probably for many of you in July when you attend the Working Group on Indigenous Populations, I shall have an opportunity to provide further information about the work of OHCHR and of any possible reform initiatives. As you are aware, there are many proposals for change in the UN as a whole and in the area of human rights in particular. I would like to assure you that whatever the developments, indigenous peoples will continue to have full opportunities for participation in human rights activities and bodies. In fact, I understand that over the last years, you have met with the Special Rapporteur on indigenous people and the Chairperson of the Working Group on Indigenous Populations and have had fruitful discussions. They will both be with you on Monday next week.

I think it is essential that indigenous peoples use to their full extent the existing human rights mechanisms including the Special Procedures, as we call them - that is to say the different thematic and country rapporteurs or independent experts - and the treaty bodies, the committees established to monitor the compliance of States with their treaty obligations.

You also have, in the Working Group on Indigenous Populations, a body that can and should be used to elaborate commentaries, guidelines and legal or human rights studies that could be useful in clarifying concepts and principles. I encourage indigenous peoples to make use of these Geneva-based mechanisms and consider them as the relevant entry points on human rights. In my view, we need to underline the complementarity of all existing institutions. Indigenous peoples need the full commitment and engagement of all of the bodies, organisations and specialized agencies of the UN system.

I would like to express my commitment to work with all of you in bringing about improvements in the lives of indigenous peoples. This, I believe, is our collective responsibility.

Thank you.