



Collective Statement of Pacific Caucus
Agenda Item 4(a) : Economic & Social Development

Agreeing Organizations :

Rapa Nui Parliament
Aotearoa Indigenous Rights Trust
Na Koa Ikaika o Ka Lahui Hawai'i
The Koani Foundation
Dewan Adat Papua
Foundation for Aboriginal and Island Research Action (FAIRA)
Aboriginal and Torres Strait Islander Commission (ATSIC)
Pacific Concerns Resource Center (PCRC)
Nuclear Free & Independent Pacific (NFIP)
Waikiki Hawaiian Civic Club

Presented by : Le'a Malia Kanehe

Thank you, Mr. Chairman, for the opportunity to address the honorable members of the Permanent Forum. This collective intervention is presented on behalf of the Pacific Caucus, including ten organizations and several individuals from the Pacific Basin, representing the Maohi peoples of Rapa Nui (Chile), the Maori peoples of Aotearoa (New Zealand), the Kanaka Maoli peoples of Hawai'i (USA), the numerous indigenous tribes of West Papua (Indonesia), and the Aboriginal and Torres Strait Islanders (Australia).

Many of us in the Pacific are under the asserted jurisdiction of colonial powers who drive the World economy. Others of us are from small island nations, often recently politically independent and vulnerable to foreign economic control. Most of us are small players within the global economy and depend on the dominant players who are making decisions steering us in a direction that threatens our Pacific values and economic and resource security. Collectively we face globalization - the newest form of colonization to attack our shores. We view the World Bank, other international financiers, the World Trade Organization and other global efforts to push unsustainable development and the myth of free trade on us without our free, prior informed consent with great concern. Constructive means to integrate our perspectives, hear our concerns and recognize our rights are needed.

I. Recommendations

The Pacific Caucus recommends that:

1. Re : World Bank

- a. the Permanent Forum should urge the World Bank to continue global consultations with Indigenous Peoples toward the development of a new Indigenous Peoples Policy (OP/BP 4.10) that will address issues that are currently outstanding.
- b. the World Bank should specifically seek advice and input on the Indigenous Peoples Policy from the Permanent Forum as the highest

level expert body within the UN system regarding Indigenous Peoples.

2. Re : Free Prior Informed Consent

- a. the Permanent Forum renew its request from the First Session that Eco-Soc create a three-year working group on free prior informed consent (FPIC) and participatory research guidelines (PRG) with funding from the regular budget.

II. Discussion

1. Re : World Bank Policy on Indigenous Peoples

We would like to acknowledge the progress made by representatives of Indigenous Peoples and the World Bank who have met in recent months to address the Bank's draft Indigenous Peoples Policy (OP/BP 4.10). We congratulate those in attendance for developing a more sound policy to 'assure that development projects financed by the Bank do not cause adverse impacts for indigenous peoples, and that they receive culturally compatible social and economic benefits.' We are thankful for representation of Pacific Basin interests by the ambassador for the traditional government of the peoples of West Papua, Ambassador Viktor Kaisiepo. We are also thankful to Mr. Navin Rai, the Bank's Indigenous Peoples focal point for his leadership and efforts to comprehensively address Indigenous concerns and needs as well as the commitment of Vice-President for Environmental and Socially Sustainable Development, Mr. Ian Johnson.

Despite these acknowledgements, however, we do note with some concern that there remain certain very contentious issues that have not been resolved. These outstanding areas of contention include :

- 1) Bank implementation of international customary laws and standards, including instruments on human rights
- 2) Full recognition of customary land and resource rights of Indigenous Peoples
- 3) Recognition of the right of free, prior and informed consent of Indigenous Peoples regarding development projects that affect them
- 4) Prohibition of the involuntary resettlement of Indigenous Peoples

These outstanding issues are critical and need to be incorporated into the Bank's Indigenous Peoples' Policy.

2. Re : Free Prior Informed Consent & Participatory Research Guidelines

The International Human Rights covenants recognize that all peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development. Therefore, for Indigenous Peoples to meaningfully develop our economic and social resources, we must be granted an unqualified right to self-determination. The unqualified right of self-determination must mean the right to make decision over matters that directly affect our peoples.

Indigenous Peoples are more than stakeholders ; We are rights holders. This means we have vested property rights and with it the right to control what happens within our territories. We also have the right to say no, especially where development threatens our culture, homes.

health, environment and our own economic development. Free and prior informed consent remains contentious.

As discussed with regards to the World Bank recommendations, FPIC is one of the outstanding contentious issues. FPIC must be a high priority of the Permanent Forum because neglect of the issue has resulted in major disruption of economic development projects. To avoid further conflict and violence, we need an alternative framework for stakeholders and rights holders to work in a connected way to address this issue. We are pleased to hear the report of the UNDP's work with the interagency group to prepare as partners for global consultations, but, as yet, there is no forum for this much needed work.

Last year, during the first Permanent Forum session, issues of informed consent were raised across several thematic areas, including socio-economic development and the policies of the World Bank. Therefore Indigenous Peoples requested that the Permanent Forum establish a working group on this issue. Hearing our concerns, the Permanent Forum requested the same of the Eco-Soc, but this request was not approved. Therefore, we would like to renew this recommendation that the Permanent Forum request of the Eco-Soc to approve creation and funding of a working group on Free and Prior Informed Consent and Participatory Research Guidelines. The work scope for this working group should include all thematic areas where informed consent is an issue. This working group should meet twice annually and should be comprised of members of the World Bank, the Permanent Forum, the World Health Organization, the indigenous peoples health caucus, indigenous peoples organizations engaged in work on sustainable development and combating biopiracy, other specialized agencies and states in order to study and propose mechanisms and standardized approaches to ensure that Indigenous Peoples' right of informed consent is protected.