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H.E. Ms. Tine Mørch Smith  
Ambassador  
Deputy Permanent Representative

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Chair,

Norway commends the work of the Special Rapporteur on the rights for indigenous peoples. We support the particular emphasis which the Special Rapporteur has placed on the issue of business activities and respect for the human rights of indigenous peoples during the last years. He has addressed the situation for indigenous communities that are seriously affected by corporate activities.

Governance gaps lie at the core of the human rights and business challenge. This is a particular concern for persons and groups living in vulnerable situations. Indigenous peoples are disproportionately negatively affected by business-related activities, such as natural resource extraction and infrastructure development.

We are aware that attempts to close the governance gaps with respect to business and human rights are gaining ground. The UN Guiding Principles on Business and Human Rights play a key role in this development.

Less than a year after their unanimous endorsement by the Human Rights Council, the Guiding Principles have already been incorporated into a number of leading international standards and initiatives, and several governments and business enterprises are undertaking efforts for implementing the principles. Business-related human rights impact on indigenous communities is one of the issues that need to be addressed by States and companies in their operationalization of business activities.

(Check against delivery)

States do have the obligation to *protect* against human rights abuses committed by third parties, and bear the main responsibility to conduct consultations with indigenous peoples. However - third parties, including business enterprises, do have the responsibility to *respect* the rights of indigenous peoples, and corporations must ensure that they do not contribute to violations of those rights.

The Special Rapporteur has been advocating to explore opportunities for establishing sustainable and *just partnerships* between business enterprises and indigenous communities. This approach is interesting, and should be further developed.

In September, together with the *Working Group on Indigenous Peoples in the Barents Euro-Arctic Council*, the Norwegian Government is planning to arrange a conference focusing on experiences with mining activities in indigenous peoples' communities in the Barents region. We expect this conference to be a welcome arena of contact between governments, indigenous peoples and commercial enterprises in this region.

Chair,

During the 18<sup>th</sup> session of the Human Rights Council in September 2011, the Special Rapporteur presented a report on the situation of the Sami people in the Sápmi region of Finland, Sweden and Norway. The report was based on a visit in 2010. In his report, the Special Rapporteur presented several recommendations to each of the countries. The Norwegian government takes all input and recommendations from Special Rapporteur seriously. Therefore, the concerned government ministers will prepare a paper summarizing relevant information regarding each of these recommendations and, where relevant, how the government will follow up the recommendations. The paper will be completed in September 2012, and updated annually.

Several of the Special Rapporteur's recommendations to Norway touch upon ongoing processes regarding proposals from the independent Sami Rights committee on recognition of specific indigenous land rights and general rules for land management in traditional Sami areas. There is already a thorough process under way in the ministries to evaluate the proposed legislation. Our aim is now that a document from the ministries, to serve as a starting point for the consultations with the Sami Parliament, will be ready by the end of June.

Thank you.