

8th Session of the Expert Mechanism on the Rights of Indigenous Peoples
Geneva, 23 July 2015
United Nations Declaration on the Rights of Indigenous Peoples
German Statement

Germany welcomes the outcome document of the **World Conference on Indigenous Peoples** and its commitment to achieving the goals of the **UN Declaration on the Rights of Indigenous Peoples (UNDRIP)**. Germany supports the development of an **EU policy on indigenous peoples** as an integral part of the new EU Action Plan on Human Rights and Democracy.

Human rights are a **guiding principle** for German development policy. This is laid down in our binding human rights strategy of 2011. Indigenous peoples' rights are explicitly included, with reference to UNDRIP. Indigenous peoples' rights, including the right to free prior and informed consent, are also included in binding Guidelines, which require all programmes and projects implemented as part of **Germany's official bilateral development cooperation** to be appraised with regard to their human rights impacts and potential risks before they are commissioned, and to identify ways to avoid those risks and strengthen human rights.

Access to, and the use of ancestral lands and natural resources are constitutive elements of indigenous peoples' identities, traditions and ways of life. Their **secure access to land and resources** needs to be protected in order to ensure their survival and preserve their particular knowledge and skills. The **FAO Voluntary Guidelines** on the responsible governance of tenure are an important reference in securing land tenure also for indigenous peoples, and their implementation is a key priority of German development policy.

As **regional human rights (protection) systems** play an important role in this context, Germany, through its bilateral programmes, supports both the African Court on Human and Peoples' Rights and the Inter-American Court of Human Rights. In addition, we recognise the important role of regional networks in advocating for indigenous peoples' rights.

National Human Rights Institutions are crucial for the empowerment of indigenous peoples, for example with regard to awareness raising, advocacy and the investigation of human rights violations. In German development cooperation we support a number of human rights institutions in **Latin America and Africa**, as well as regional cooperation among those institutions. The cooperation with the Ibero-American Federation of Ombudspersons (FIO - Federación Iberoamericana del Ombudsman), for example, focuses on the rights of indigenous peoples.

German development policy seeks to empower rights holders, including indigenous peoples, and to develop the capacities of civil society organisations. Measures to protect **human rights defenders** and to improve the legal framework for civil society engagement are therefore crucial.

Indigenous peoples' rights are often infringed by private business activities. Therefore, awareness raising and capacity building for both private businesses and representatives of indigenous peoples are important. **The UN Guiding Principles on Business and Human Rights** are a key reference document in this regard. Germany welcomes that the Business and Human Rights Forum in December last year again underlined the **link between indigenous peoples' rights and private sector engagements**, as did EMRIP's item 4 last Tuesday. Germany encourages the independent Experts of EMRIP as well as of the UN Working Group on the issue of human rights and transnational corporations and other business enterprises to follow up on this.