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1. EDITORIAL

The UN General Assembly (GA) Third Committee, which is dedicated to social, humanitarian and cultural affairs, has decided to postpone its study and decision on the Declaration on the Rights of Indigenous Peoples until the end of the present session of the GA in September of 2007. By so doing, the Committee adopted a resolution, proposed by Namibia and supported by a majority of the African States, who specifically assert that they consider the Declaration that was adopted by the Human Rights Council (HRC) to be in contravention of their national constitutions. It is still not clear how the consultation process would be carried out from here on, and at this point, no mechanism for the participation of indigenous peoples is foreseen.

This negates an experience unique in the United Nations system: something that could move the UN processes in the direction of democratisation, with affected peoples obtaining appropriate status, and considered on an equal basis, sitting side by side with member States.

In the view of the Indigenous Peoples’ Caucus, the UN has discredited itself by politicising a human rights issue; meanwhile, for the Inuit Circumpolar Conference, the Saami Council, and the Russian Association of the Indigenous Peoples of the North (RAIPON), African States have been “helped” by Canada, Australia, New Zealand and the United States – States that have been criticized by the Treaty Bodies for their policies on indigenous peoples. The Indigenous Peoples of Africa Co-ordinating Committee (IPACC) recall that the issues raised by African States have already been solved at the level of the African Commission on Human and Peoples’ Rights; for seven major NGO’s active in the discussions, “the UN affirms that indigenous peoples are not equal to other peoples,” and Forum Asia and the Centre for Organisation Research and Education (CORE) conclude that all human rights defenders in Asia must, without reservation, join forces with indigenous peoples. In spite of this situation, it is clear that no diminution whatsoever of the rights of indigenous peoples, as guaranteed in the text adopted by the HRC, is foreseen.

This attack on the rights of indigenous peoples is also a blow against one of the three pillars of the UN, that of human rights. It bodes ill for the democratic process of reform in the UN system, and is a considerably humiliating development for the HRC, as it shows contempt for the second decision ever made by the Council.

In Geneva, the Human Rights Council continues to work on the development of its institutions, but without much success. No fixed agenda has been adopted, and the Working Group charged with creating one, as well as an annual program of work and working methods, will reconvene in January. The Working Group on the review of mechanisms and mandates, upon which the creation of an “indigenous peoples” body specifically depends, will reconvene in February. The seven statements by indigenous delegates, reiterating the position of the Indigenous Caucus regarding the position of indigenous peoples in the HRC, were assented to by Switzerland alone. This means that indigenous peoples ought to thoroughly plan out their time in Geneva, if they do not want to miss out on their admittance to the HRC. Working together with the major human rights NGOs could also be considered; these organisations might then advocate in the Working Groups and in intersessionnal consultations.

*   *   *
2. FUTURE OF THE WORKING GROUP ON INDIGENOUS POPULATIONS


Communication of the IPs’ Caucus to the President of the Human Rights Council on future UN mechanisms to protect and promote the human rights of IPs

The Indigenous Peoples’ Caucus, meeting on the occasion of the 24th session of the Working Group on Indigenous Populations (WGIP), wishes to communicate to the Human Rights Council its initial proposals for future mechanisms to protect and promote the human rights of indigenous peoples (IPs). The IPs’ Caucus is also eager to contribute further details to its proposal at a later time, when the Human Rights Council has advanced its consideration of various options for restructuring its overall work.

1. The IPs’ Caucus warmly congratulates the Human Rights Council for the successful conclusion of its first session, and its resolution 2006/2 adopting the UN Declaration on the Rights of the Indigenous Peoples, which it recommended to the General Assembly (GA) for final adoption.

2. A necessary next step in support of these positive developments is for the Human Rights Council to affirm that the human rights of IPs will continue to be a distinct and ongoing thematic area of its work and that it lay to rest any insecurities among IPs that the UN reform process and ongoing reorganization of the UN human rights structures could lead to the diminution or disappearance of existing positive functions which are central to the advancement of the rights of IPs.

3. The GA, in its resolution 60/251 of 15 March 2006, mandated the Human Rights Council, inter alia, to:
   (a) Promote human rights education and learning as well as advisory services, technical assistance and capacity-building, to be provided in consultation with and with the consent of Member States concerned;
   (b) Serve as a forum for dialogue on thematic issues on all human rights;
   (c) Make recommendations to the GA for the further development of international law in the field of human rights;
   (d) Promote the full implementation of human rights obligations undertaken by States and follow-up to the goals and commitments related to the promotion and protection of human rights emanating from UN conferences and summits;
   (e) Undertake a universal periodic review, based on objective and reliable information, of the fulfilment by each State of its human rights obligations and commitments in a manner which ensures universality of coverage and equal treatment with respect to all States; the review shall be a cooperative mechanism, based on an interactive dialogue, with the full involvement of the country concerned and with consideration given to its capacity-building needs; such a mechanism shall complement and not duplicate the work of treaty bodies; the Council shall develop the modalities and necessary time allocation for the universal periodic review mechanism within one year after the holding of its first session;
   (f) Contribute, through dialogue and cooperation, towards the prevention of human rights violations and respond promptly to human rights emergencies;
   (g) Assume the role and responsibilities of the Commission on Human Rights relating to the work of the Office of the UN High Commissioner for Human Rights, as decided by the GA in its resolution 48/141 of 20 December 1993;
   (h) Work in close cooperation in the field of human rights with Governments, regional organizations, national human rights institutions and civil society;
   (i) Make recommendations with regard to the promotion and protection of human rights;
   (j) Submit an annual report to the GA.

The IPs’ Caucus considers all the above areas of work highly desirable and directly applicable towards addressing the concrete human rights situations of IPs.

4. The newly established Human Rights Council can best fulfil its mandate for the effective protection and promotion of the rights of IPs by considering how each of its mandated areas of work could be applied to the situation of IPs. The Indigenous Caucus recommends that the Human Rights Council establish an appropriate subsidiary body of the Council on IPs, in fulfilment of all areas of its mandate. In doing so, the Human Rights Council should draw on the advice and assistance of human rights experts, including the growing number of experts among IPs.
5. The IPs’ Caucus expresses its appreciation for the existing UN arrangements for IPs and their differentiated functions, underscoring that these have complementary mandates which do not duplicate each other. Any future arrangements should enhance and not diminish the existing functions provided by the WGIP, the Special Rapporteur on the human rights and fundamental freedoms of IPs and the UN Permanent Forum on Indigenous Issues. The GA has included indigenous issues as an agenda item in its work, as evidenced by its report on the programme of activities for the first International Decade of the World’s Indigenous People (A59/500) and its resolution 59/174 of 20 December 2004.

6. The adoption of the UN Declaration on the Rights of Indigenous Peoples means that the Human Rights Council could undertake useful work to promote its implementation, e.g. by providing guidelines for the implementation of specific articles or rights within the Declaration. The Declaration warrants the continuation and enhancement of appropriate mechanisms within the UN human rights system with the necessary focus and expertise on the rights of IPs. Moreover, the Second International Decade of the World’s Indigenous Peoples (2005-2014) enjoins all UN bodies and Governments to work closely in partnership with IPs on an equal footing, in furtherance of the goals of the Second Decade, including in the field of human rights.

7. The IPs’ Caucus has identified a number of areas in which further standard-setting and/or review of developments on IPs’ rights is needed, including:
   ● Guidelines for the implementation of free, prior and informed consent of IPs to policies, programmes and projects affecting their rights, lands and welfare, drawing on concrete experiences from around the world;
   ● The human rights of indigenous women and children and youth;
   ● Indigenous health, housing, education and other economic, social and cultural rights, including reviews of the enjoyment of indigenous rights within different global regions;
   ● Examining international standards applicable to development programmes and projects affecting IPs, and their adequacy for protecting and promoting their human rights;
   ● The human rights impacts on IPs in relation to the production, export and unregulated use of banned toxics and pesticides;
   ● The impacts of militarization on the human rights of IPs, remediation and compensation;
   ● The ongoing human rights impacts of colonial laws and policies on IPs and possible remedies;
   ● The marginalization of IPs in the negotiation and implementation of peace accords and agreements between Governments and armed groups, and their impacts on the human rights of IPs;
   ● Administration of justice for IPs.

8. The IPs’ Caucus strongly supports the strengthening of research activities carried out through research partnerships between UN experts and indigenous experts and organizations on the above topics and others to be identified.

9. Access to all future mechanisms should be open to all IPs’ organizations, and fostering their full and effective participation through written and oral interventions. IPs’ attendance and full participation at these meetings should continue to be supported by the UN Voluntary Fund for Indigenous Populations, and that the mandate of the Voluntary Fund be amended to enable this to happen.

10. The Human Rights Council should take the necessary steps to enhance IPs’ knowledge, access and use of all human rights bodies within the UN, including the Office of the UN High Commissioner on Human Rights and the UN treaty-monitoring bodies.

11. The IPs’ Caucus reiterates its desire and intention to make further contributions at a later time, when the Human Rights Council has considered the various options for restructuring its overall work.

We thank you for your attention.

Indigenous Peoples and the Human Rights Council

Further information on the Human Rights Council and indigenous peoples is available on our website www.docip.org. There are in particular statements by the Indigenous Caucus or by indigenous organizations that attended the 3rd session of the Council, held in Geneva from November 27 to December 8, 2006.

The 4th session will take place from March 12 to April 6, 2007 and will, undoubtedly, be crucial regarding the participation of IPs in the framework of the Council.
The Declaration at the UN General Assembly

The vote at the Third Committee of the UN General Assembly took place in two steps:

1. **Vote on Namibia’s amendments** (A/C.3/61/L.57/Rev.): approved with 82 countries in favour, 67 against and 25 abstentions; 18 countries were not present during the vote. **In favour:** Afghanistan, Algeria, Angola, Australia, Bahamas, Bahrain, Belarus, Benin, Botswana, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, Central African Republic, Colombia, Comoros, the Congo, Côte d’Ivoire, Djibouti, Egypt, Eritrea, Ethiopia, Gabon, Gambia, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Indonesia, Iraq, Jamaica, Kazakhstan, Kenya, Kiribati, Kuwait, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malawi, Mali, Mauritania, Mauritius, Micronesia (Federated States of), Morocco, Mozambique, Myanmar, Namibia, New Zealand, Niger, Nigeria, Oman, Qatar, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Senegal, Sierra Leone, Singapore, South Africa, the Sudan, Suriname, Swaziland, Syria, Thailand, Togo, Tunisia, Turkey, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Uzbekistan, Yemen, Zambia, Zimbabwe.

   **Against:** Albania, Andorra, Argentina, Armenia, Austria, Belgium, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Chile, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Dominica, Dominican Republic, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Germany, Greece, Guatemala, Haiti, Honduras, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Moldova, Monaco, Montenegro, Nauru, Netherlands, Nicaragua, Norway, Palau, Panama, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Romania, San Marino, Serbia, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, The former Yugoslav Republic of Macedonia, Timor-Leste, United Kingdom, Uruguay.

   **Abstentions:** Antigua and Barbuda, Azerbaijan, Bangladesh, Barbados, Bhutan, China, Georgia, India, Israel, Japan, Jordan, Malaysia, Mongolia, Nepal, Pakistan, Philippines, Republic of Korea, Saudi Arabia, Sri Lanka, Tonga, Trinidad and Tobago, Ukraine, United States, Vanuatu, Venezuela.

   **Not present:** Belize, Cambodia, Chad, Democratic People’s Republic of Korea, Democratic Republic of the Congo, Equatorial Guinea, Iran, Kyrgyzstan, Lao People’s Democratic Republic, Maldives, Marshall Islands, Saint Kitts and Nevis, Sao Tome and Principe, Seychelles, Somalia, Tajikistan, Tuvalu, Viet Nam.

2. **Vote on the draft resolution, as amended, on the Declaration on the Rights of IPs** (document A/C.3/61/L.18/Rev.1): approved with 82 countries in favour and 91 abstentions; 18 countries were not present during the vote. **In favour:** Afghanistan, Algeria, Angola, Antigua and Barbuda, Australia, Bahamas, Bahrain, Barbados, Belarus, Benin, Bhutan, Botswana, Brunei Darussalam, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, Central African Republic, Colombia, Comoros, the Congo, Côte d’Ivoire, Democratic Republic of the Congo, Djibouti, Egypt, Eritrea, Gabon, Gambia, Ghana, Grenada, Guinea, Guinea-Bissau, Guyana, Indonesia, Iraq, Jamaica, Kazakhstan, Kenya, Kiribati, Kuwait, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malawi, Mali, Mauritania, Mauritius, Micronesia (Federated States of), Mongolia, Morocco, Mozambique, Myanmar, Namibia, New Zealand, Niger, Nigeria, Russian Federation, Rwanda, Saint Vincent and the Grenadines, Sierra Leone, Singapore, South Africa, the Sudan, Suriname, Swaziland, Syria, Thailand, Togo, Tunisia, Turkey, Turkmenistan, Uganda, United Arab Emirates, United Republic of Tanzania, Uzbekistan, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

   **Against:** None.

   **Abstentions:** Albania, Andorra, Argentina, Armenia, Austria, Azerbaijan, Bangladesh, Belgium, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Chile, China, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Dominica, Dominican Republic, Ecuador, El Salvador, Estonia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Haiti, Honduras, Hungary, Iceland, India, Ireland, Israel, Italy, Japan, Jordan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malaysia, Malta, Marshall Islands, Mexico, Moldova, Monaco, Montenegro, Nauru, Nepal, Netherlands, Nicaragua, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Slovakia, Slovenia, Solomon Islands, Spain, Sri Lanka, Sweden, Switzerland, The former Yugoslav Republic of Macedonia, Tonga, Trinidad and Tobago, Ukraine, United Kingdom, United States, Uruguay, Vanuatu.

   **Not present:** Belize, Cambodia, Chad, Democratic People’s Republic of Korea, Equatorial Guinea, Iran, Kiribati, Kyrgyzstan, Lao People’s Democratic Republic, Maldives, Saint Kitts and Nevis, Saint Lucia, Sao Tome and Principe, Seychelles, Somalia, Tajikistan, Timor-Leste, Tuvalu.

Further information is available on the IPs’ Caucus website [www.ipcaucus.net](http://www.ipcaucus.net).
Recommendations of the WGIP

1. The WGIP recommends the Sub-Commission on the Promotion and Protection of Human Rights to take into account the following comments when preparing the documents requested by the Human Rights Council.

2. Pursuant to paragraph 6 of General Assembly resolution 60/251 of 15 March 2006, the Human Rights Council is required to undertake a two-stage process. First, it must review all mandates, mechanisms, functions and responsibilities of the Commission. On the basis of that review, which should be completed by the spring of 2007, the Council may improve and rationalize the mandates, mechanisms, etc. Any modification to existing practices and procedures must maintain a system of special procedures, expert advice and a complaint procedure and requires a specific decision of the Council. In other words, where no such decision has been taken, the existing system will remain in place.

3. The Human Rights Council in its decision 2006/102 requested the Sub-Commission to produce a paper giving its own vision and recommendations for future expert advice to the Council and a list indicating the status of ongoing studies and an overall review of activities.

4. This document relates specifically to expert advice in the field of indigenous issues.

5. It is essential to ensure that, through its future institutional arrangements, the Human Rights Council will continue to provide means and mechanisms to address effectively the struggle for the eradication of societal alienation, the “legal” deprivation of rights, the ethnic/national discrimination and the social exclusion that continue to afflict IPs throughout the world. This means, first and foremost, that the item “Indigenous issues” should be automatically included in the agenda of all the substantive sessions of the Council as a separate agenda item, as was the case of the annual regular sessions of the Commission on Human Rights since 1996.

A. Recommendations for future expert advice

6. The Human Rights Council, and the UN more generally, needs the following types of advice with regard to the rights of IPs:

- Advice directly from indigenous experts. At a general level, that occurs in the Permanent Forum on Indigenous Issues (PF), but the representatives of the IPs are appointed by the President of the Economic and Social Council (ECOSOC resolution 2002/22, para. 1). There are supposed to be mechanisms in place to enable consultation with indigenous organizations, but that does not, in fact, appear to be the case in every UN-recognized region. It might be useful if mechanisms permitting them to be nominated by indigenous groups themselves were created in every region. The present system allows only for the indirect representation of the concerns of particular indigenous groups. The PF is not an expert human rights body.

- Advice on the implementation in practice of the norms applicable to indigenous groups. This is principally the role of the Special Rapporteur (SR) on the situation of human rights and fundamental freedoms of IPs. Whilst all Special Rapporteurs and treaty-monitoring bodies have been requested to include, with regard to every issue under their respective consideration, the situation of the IPs, that does not occur systematically, as should be the case.

- Advice on recent developments. An expert body may receive information from a variety of sources, which suggests the need to bring a matter to the attention of the Human Rights Council, where there has not yet been a study of the issue. The expert body needs to deal with current developments in as dynamic a way as possible, including by means of interactive exchanges.

- Action-oriented in-depth studies of specific issues affecting the rights of IPs. Such studies explore what is needed to achieve full legal recognition and implementation in practice of the rights of IPs. The reports contain conclusions and recommendations which are submitted to a superior body for discussion and action. This is not within the mandate and/or the current practice of the PF or the SR.

- The WGIP has identified issues which still require to be studied in depth (see E/CN.4/Sub.2/AC.4/2003/4), and new issues are arising all the time. Possible issues for further study, based on suggestions from both members of the Working Group and from indigenous representatives, include: the impact of the activities of transnational corporations and other business enterprises on the rights of IPs; the rights of IPs and private sector activities; the concept of property and ownership in an indigenous context; a global mapping exercise on the occupation of indigenous lands for military purposes; obligations of international financial institutions with regard to IPs; the meaning of self-determination in the context of IPs; the definition of IPs in an urban environment; indigenous medicine; IPs and the media (including access to and coverage by); the impact of landmines on IPs; the protection of the rights of indigenous children; the participation of IPs in international sports and games; constructive elements for the cooperation between States and IPs; the structural prevention of violence between and against IPs; best practices regarding affirmative action for IPs; the use and application of democracy to IPs; dispute settlement mechanisms and IPs; the impact of

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globalization on IPs; and the effective protection of the intellectual property of IPs. The understanding of the Declaration on the Rights of IPs will be assisted by conducting studies on some of its provisions and gathering together evidence of best practice (e.g. with regard to health; education; housing; women, children and youth). There is every reason to believe that this will be an ongoing need. Such studies require to be undertaken by human rights experts in close consultation with as wide a range of indigenous groups as possible. There are precedents for jointly authored reports (e.g. human rights expert and representative of an indigenous group), which could be more widely used. The Office of the UN High Commissioner for Human Rights (OHCHR) should be required to provide assistance in the research and writing of such reports, as occurred in the past. This has implications for the use of resources by the OHCHR. The SR and the PF do not have the time or the adequate mandates or resources to engage in such studies.

- Standard-setting. The adoption of the UN Declaration on the Rights of IPs by the Council is not the end of standard-setting activities within the UN system in the field of indigenous rights. There is a need for the drafting of, inter alia, codes of good practice and guidelines with regard to implementation. Such codes are a bridge between a norm and its implementation in practice. The contents of codes/guidelines are not legally binding but they often deal with the implementation of a norm which is itself legally binding. Codes are a useful tool for States, special procedures, treaty-monitoring bodies and, in some cases, international, regional and national courts. Examples of possible subjects for codes include “free, prior and informed consent”; the protection of cultural heritage; and the exploitation of natural resources above, on, in or under indigenous land. Certain concepts in the UN Declaration on the Rights of IPs would benefit from guidelines on implementation. Such codes need to be drafted by experts in human rights generally, as well as by experts in indigenous issues, with the close involvement of the representatives of as many IPs and organizations as possible. Standard-setting and the drafting of such codes or guidelines is not within the mandate of either the PF or the SR, and they would not have the time to undertake the task. In addition, drafting requires a collegial environment. Again, the PF is not an expert human rights body.

- There are a range of specific areas where the advice of an expert body in the human rights of IPs could be useful. They include contributing to securing the implementation of the goals of the Second International Decade of the World’s Indigenous People, assisting the OHCHR in the field of technical assistance in relation to IPs and possibly contributing to the process of Universal Periodic Review.

7. Means to deliver the expert advice:
- The advice to be received by the Council is basically about human rights and therefore needs to come from human rights experts and experts on indigenous issues. In order to secure the widest possible indigenous involvement, the meetings at which studies and codes are discussed need to be open to as wide a participation as possible and should be as interactive as practicable.
- There would also be an argument (see E/CN.4/Sub.2/1994/10, paras. 81-82) for including representatives of IPs with expertise in human rights generally in an advisory body on issues concerning indigenous rights, on condition that that did not serve as a pretext for reducing the participation in meetings of as wide a range of indigenous representatives as possible. The body providing expert advice on indigenous issues could consist of five non-indigenous experts, one from each of the UN-recognized regions, and a number of indigenous experts. The indigenous representatives who addressed the issue were all in favour of parity of representation. Whether or not that is done, the precedent of jointly-authored reports (see above) could be further developed. This advisory body would meet in annual session. The length of the annual session would need to be flexible, so that, when drafting of standards is being undertaken, the group have additional time for closed sessions, when authorized by its parent body.
- The work of the PF, the SR and such an expert advisory body would be complementary. They need to work in partnership. This would be assisted by the participation of a member of the PF and of the expert advisory body in the work of the other body.
- In order to mainstream indigenous issues within the field of human rights, it is important that the expert advice on indigenous issues should be part of the wider advice in the human rights field generally. It would be preferable for an advisory body dealing with indigenous rights to report to a general human rights advisory body rather than for it to report directly to the Council. There is otherwise a risk of the compartmentalization, and therefore marginalization, of indigenous rights.

8. Recommendations:
1. The item “Indigenous issues” should be automatically included in the agenda of all the substantive sessions of the Human Rights Council as a separate agenda item;
2. All special procedures should be requested and treaty-monitoring bodies should be recommended to include the indigenous dimension of any issue under consideration, where applicable;
3. There should be an expert body providing advice on the promotion, implementation and protection of the rights of IPs;
4. Its principal functions would be to produce in-depth, action-oriented reports and studies and to engage in the elaboration of norms and other international standards relating to the promotion and protection of the rights of IPs;

5. Members (with a recommended number of five) of the body should be experts in human rights, including indigenous issues. Consideration should be given to a number of additional members drawn from indigenous peoples and organizations;

6. The expert body should be assisted by the widest possible participation of indigenous peoples and organizations;

7. The expert body should report to the Council through a wider human rights advisory expert body, one dealing with human rights generally.

B. Status of existing studies and an overall review of activities


10. The following is the list of current studies, together with their current status:

- The human rights situations of IPs in States and territories threatened with extinction for environmental reasons. The Commission on Human Rights authorized the sending out of a questionnaire in its decision 2005/112. The subsequent request of the Sub-Commission for the appointment of a special rapporteur (E/CN.4/Sub.2/2004/10) has not, as yet, been acted upon. The questionnaire has been submitted to the Sub-Commission (E/CN.4/Sub.2/AC.4/2006/CRP.2). States are to be requested to reply by 30 October 2006. There will be a need for a mechanism to enable the results of the questionnaire to be disseminated and further acted upon.

- Revised draft guidelines on the protection of the cultural heritage of IPs. The guidelines need to be finalized and, following their adoption, there will be a need for follow-up to ensure their dissemination as widely as possible (see E/CN.4/Sub.2/AC.4/2006/5).

- An expanded working paper on guidelines for the implementation of the principle of free, prior and informed consent. The working paper on the issue was prepared jointly by a member of the working group and an indigenous group (The Tebtebba Foundation) (E/CN.4/Sub.2/AC.4/2004/4). An expanded working paper was submitted the following year (E/CN.4/Sub.2/AC.4/2005/WP.1). It was decided that the next step was to distil legal principles and guidelines from the evidence of best practice available (Report of the Working Group, E/CN.4/Sub.2/2005/26 at para. 40). A recent expert seminar, organized by the OHCHR, on IPs' permanent sovereignty over natural resources and their relationship to land (E/CN.4/Sub.2/AC.4/2006/3 at para. 48) requested that the work on the legal commentary on free, prior and informed consent be completed. That still remains to be finalized.

- A working paper on the “sequels of colonialism” (E/CN.4/Sub.2/2005/26, para. 106). The study was approved at the 23rd session of the Working Group. Submission of the working paper is awaited.

- Utilization of the land of IPs by non-indigenous authorities, groups or individuals for military purposes. In the early stages of discussion, on the basis of the note by the Secretariat on this topic (E/CN.4/Sub.2/AC.4/2006/2).

At its 58th session in August 2006, the Sub-Commission on the Promotion and Protection of Human Rights adopted its Resolution 2006/13 on the Working Group on Indigenous Populations, which also addresses the future of this expert advice body. See page 29 of this Update for highlights of the Resolution (see in particular paragraph 3).
3. WORKING GROUP ON INDIGENOUS POPULATIONS


The theme of the 24th session was “Utilization of IPs’ lands by non-indigenous authorities, groups or individuals for military purposes”. Following up the 2004 and 2005 sessions, this year’s session also included a debate on “IPs and conflict prevention and resolution”. As regard to standard-setting activities, the Revised Guidelines on IPs’ Heritage were presented to the Working Group, and recommendations made for possible new studies. The debates of this session also came onto the adoption of the UN Declaration on the Rights of IPs by the Human Rights Council on June 29, 2006, underscoring that the real challenge ahead is the implementation of collective rights. The principal theme for the 25th session will be: “The impact of private sector initiatives on IPs’ rights”.

Item 4 – Review of developments pertaining to the promotion and protection of the rights of IPs

Item 4a – General Debate

Central and South America

CISAN/CONMIE welcome the creation of the Human Rights Council (also CMPC, CANADA) and explain that to achieve the Millennium Development Goals (MDGs), States and trans-national corporations (TNCs) should stop putting IPs’ environment and health in danger by expropriating their rights and resources (also CIPARKK for Southern Siberia). Because both external and internal armed conflicts violate IPs’ human rights and way of life (also HCFS, CAMV), CISAN/CONMIE call for an international mechanism to monitor abuses due to armed conflicts, forced relocation and migration.

CNV inform that in Venezuela and elsewhere, indigenous peoples (IPs) have traditionally lived with their leaders and shamans in free societies where consensus prevails. After the European invasion the surviving peoples fled into remote areas, remaining there even after Venezuelan independence, in order to avoid the perils of civilisation. CNV suggest that today’s IPs in remote areas join the Bolivarian Revolution for the common good.

Commenting on this, IRUL say that even when IPs appear to choose isolation, the choice is actually necessary for the survival of their ways of life. Still, outsiders must make contact only when IPs desire it, and then use legitimate regional IPs’ organisations as intermediaries.

COSTA RICA applauds the adoption of the UN Declaration on the Rights of IPs (the Declaration) after 21 years of negotiations, calling for States to implement it, and hopes the WGIP will be able to continue its work in the context of the Human Rights Council (also HIWN, BRDN). Costa Rica welcomes the theme of militarisation (also CMA, Asian Indigenous Caucus, AIPR), and informs about its Draft Act on IPs’ Autonomous Development, which will be developed in consultation with IPs to implement ILO Convention 169.

North America

ASC continue to deplore the desecration of Mount Graham, the Apache people’s sacred mountain, by a controversial international astronomical observatory funded by the Vatican, the Italian government and the University of Arizona. Mount Graham, or Dzill Nchaa Si’An, is central to Apache medicine and religion, and to support the San Carlos Apache in protecting it, ASC will again meet with Special Rapporteur (SR) Rodolfo Stavenhagen. ASC call on the WGIP to help them protect the religious rights of the Apache people and defend their sacred mountain.

CANADA welcomes the Human Rights Council’s extension of the mandates of all human rights mechanisms, and appreciates the WGIP’s significant role in contextualizing IPs’ rights as human rights, and in providing a place where IPs’ issues can be addressed (also BOLIVIA). Canada asserts IPs’ participation in policies and programs affecting them is a prerequisite for progress, and has launched an education initiative as well as negotiating compensation and other measures related to IPs’ residential schools experience. Canada commends the Permanent Forum on Indigenous Issues (PF) for recognizing the importance of urban issues and migration at its 5th session.

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2 This summary is based on written statements orally presented during the session, as well as on the WGIP official report (document A/HRC/Sub.1/58/22).
Asia and Pacific

HIWN recall that in Nepal, power rests with about one-quarter of the population; everyone else is excluded and invisible. Due to miserable conditions including trafficking and war, indigenous women lead miserable lives (also IMPACT for Kenya), and are excluded from decision making, while most of the many NGO “gender mainstreaming” programs implemented since 1970 have neglected indigenous women, benefiting only those NGOs led by elite women. HIWN say indigenous women’s participation at every level of decision making is essential, and that their roles in policy, development, peace building and conflict resolution should be incorporated into the Beijing Platform for Action, the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) and the MDGs; they call on the Nepalese government to address these issues directly.

NKKLCDA report on the Kuluung, Loharung, Nachhiring, Sampang, Yamphu, Chamling, Bantawa, Limbu, Yakkha, Sunuwar and others who have been lumped together under the misnomer “Rai”, even though Nepalese legislation recognizes their right to be distinct peoples with a mother tongue and traditional customs, social structure, and written and non-written history (also FRSCIP for Crimean Tatar). NKKLCDA ask the WGIP to support their efforts to establish sovereignty and self-identification.

WIAC, speaking for the Wamba Wamba nation, appeal for the recovery of Australian Aboriginal remains and sacrificed and non-sacred cultural artifacts, and request the UN to lobby provincial and national governments to amend the legislation so that traditional owners are specifically recognized by statute, with exclusive rights to manage, preserve and protect their cultural heritage and native title rights.

WAC warn that although the WGIP, PF, and IPs’ organizations have increased worldwide awareness of IPs’ situation, they continue to be marginalized. In view of IPs’ struggle for survival, WAC conclude that aid must be subject to international monitoring standards to avoid gangsters getting the funds with impunity through drug dealing, money laundering and smuggling (also CPCUS for West Papua), and declare that the World Bank (WB) should organize an international conference for this. Ethics and religious tolerance should be implemented, and it should be declared a crime against humanity to deprive IPs and similar minorities of their very livelihood without adequate and real compensation and protection (also ITUC for Turkmen, UNAPYCO for Batwa).

BIPF inform that in Bangladesh, lands of the Rakhaing, Garo, Santal, Tanchangya, Oaon, Rajbangshi, and Khasi continue to be illegally taken over by non-indigenous (also WSH for Nagaland, BAA for the Moluccas).

HTWRN inform that although the Bangladeshi Constitution does not recognize cultural differences among its IPs, within the Jumma people there are religious distinctions: the Chakma, Marma, Tanchanya and Chak are Buddhists, the Tripura are Hindus, some smaller groups such as the Bawm, Khiyang, Lusai and Pankhua are Christians, while Mro and Khumi have practices known as animism. Under the government’s Islamisation policy, IPs and minorities are systematically assimilated into the nation-state (Islam is the sole recognized religion) in which Muslims are encouraged by the military to physically and culturally invade IPs’ territories.

BUCC add that successive governments have systematically engaged in religious and ethnic cleansing, reducing the indigenous population by half in the past 50 years.

JP/WCO deplore that in the increasingly Bengali settler-oriented Chattagong Hill Tracts (CHT), a non-indigenous Chairman of the CHT Development Board was appointed, and an indigenous appointee has been given almost no decision-making power – this works against IPs’ interests (also BIPF).

Citing a recent documentary film, ICITP/AISWACS inform on the damaging effects of uranium mining in Jharkhand, India, which has deposited radioactive waste into IPs’ rice fields for over 35 years, causing genetic mutations and slow death. The government denies this, invoking stereotypes of “unhygienic” tribal people and blaming the victims. ICITP/AISWACS urge identification, compensation and relocation of IPs affected by radiation, and ask international human rights organisations, including the Human Rights Council, to conduct a review.

WHPC lament that deep in the jungle, subsisting on whatever plants and animals they can scavenge, Hmong people, including women and children, continue to be massacred by the Laotian People’s Democratic Republic. WHPC ask the UN and the international community to pressure the Laos government to stop killing Hmongs, expel North Vietnamese troops from Laos, send UN observers and peace keepers, and urge the Lao government to allow emergency humanitarian aid.

CNDPA say the Kanak people want an end to construction by the Goro Nickel Company (INCO) and threaten that they will go to war against the plant. France has still not recognized the Kanak as a separate people, and CNDPA suggest the decolonisation programme proposed by France in the Noumea Accords, signed eight years ago but still unimplemented, might be speeded up during the Second Decade, with a PF observer sent to monitor it.

CPCUS call on the UN to investigate reports of ethnic cleansing and misappropriation of indigenous development funds for West Papua.
Africa

UNPO inform on the Oromo political prisoners from Addis Ababa, who are appealing charges of trying to overthrow the regime. Denied a speedy trial and subject to unhealthy conditions, the government’s abuse of their rights goes unchallenged because Ethiopia is a US partner in the “war on terrorism”. UNPO appeal to the WGIP to call on the Ethiopian government to stop violating its agreements, and release Oromo political prisoners.

ACSK refer to Khchenela in the Algerian Sahara, where administrative redistricting in 1984 led to three groups competing for resources. The land is being destroyed by oil TNCs’ pollution and destruction of trees, and ever since independence Algeria’s Tamazigh have suffered from State imposed culture and lack of Tamazigh education, with only one Tamazigh teacher for 400,000 inhabitants. ACSK call for recognition of the historical seventh century indigenous queen, Kahina, and welcome tourists to the numerous Roman, Vandal, Byzantine and Amazigh ruins; they also invite Jews, who lived there for centuries alongside the IPs.

IMPACT thank IWGIA for supporting the human rights and land rights of Maasai, whose poverty and exploited identity goes on in the interest of commercial tourism. They assert that unless Maasai rights to land and traditional livelihoods are included as part of Kenyan heritage, MDGs for the 6 million Maasai in the drylands of Kenya are not achievable.

CMPC refer to the Bassa and Bati peoples of Cameroon, and deplore the desecration of the sacred Bassa mountain by the Roman Catholic Church. They demand traditional Bassa items held in European museums be returned, and ask international institutions to support the preservation of their spiritual and natural resources. They thank the Ecospirituality Foundation for giving Bassa people international visibility.

Central and Eastern Europe, Russia and the Circumpolar

Drawing attention to Northern Krasnoyarsk region in the Russian Federation, KKNIPCU call for the implementation of a transportation infrastructure that would enable local traditional products to be sold effectively. They deplore the lack of specific legislation for this area on issues such as reindeer breeding, but say the central issue of IPs’ communities in the area are uniting to defend their social, economic, ethnic and cultural rights and sense of identity.

IMTA applaud the 24 years of existence of the WGIP as a forum for all IPs to express the crucial problems they face in relation to their rights to land and their dignity (also FC, CISAN/CONMIE, CPC, CANADA), but say the central issue of IPs’ collective rights to their lands, resources, traditional knowledge and cultural heritage is still unresolved, and is threatened by globalisation and the war on terror, as when their recently published book on IPs was seized by Russian authorities.

CIPARKK, speaking for the 17,000 Telengit of Southern Siberia in the Altai Republic of the Russian Federation, inform that current Russian legislation does not guarantee their traditional nomadic pastureland, water and forest resources, so the Telengit, whose poverty prevents them from buying their own lands, are faced with having them taken over by TNCs, who then can exploit them as they please (also CNV for Venezuela). In order to protect their land from a planned gas pipeline and highway, Telengit must document it as an area of traditional nature management, which requires proving their ethnic affiliation in court – difficult, since current passports do not include this information.

DLI call for more research to identify and distinguish IPs in the Ukraine from national minorities and other ethnic groups, and to ground their legal position in Ukrainian constitutional law.

FRSCIP explain that since 1954 the Crimea has been under Ukrainian jurisdiction, and upon their return (after being deported in 1944) Crimean Tatar found Ukrainian authorities extremely unwilling to grant them land allotments to build on. In rural areas 80% of Crimean Tatar have been deprived of land, and still suffer language and cultural assimilation under the Ukrainian State.

Middle East

ITUC call attention to the Turkmen people in Iraq, who were removed from government at the time of Iraqi independence in 1932, then suffered assassinations and forcible relocation under the Ba’ath party’s “Arabisation” of the country, and recently have been sidelined in favour of the Kurds. Kurdification in the primarily Turkmen city of Kerkuk intensified after the US occupation, and the town’s real estate and lands were confiscated and given to Kurds to encourage their settlement there, manipulating the demographics to the detriment of Turkmen people (also AHRO for the Ahwazi in Iran).

ITHRRF call for disarmament so that reconstruction of the new Iraqi state can be done with full implementation of the Durban Declaration to encompass the rights of Turkmen, Assyrians and other minorities in Iraq (also ITUC).

AANF refer to the threatened disappearance of the millennia-old Aramaic language, the loss of which fragments the Aramean people, causing them to flee to the west. AANF deplore human rights NGOs’ references to this indigenous people as “Assyrian” instead of “Aramean”. They call on the WGIP to express solidarity for keeping the Aramean language alive.

NCFCE inform on Bedouin’s struggle for their human rights, for recognition of their villages, and for aid and employment opportunities in the Negev, where they lack basic services and are subject to having their homes
and crops destroyed by Israel, which also denies them access to Muslim holy places. NCFCE are pleased that a public campaign eventually forced the government to build a sewage purification facility.

AHRO inform that the lands of the five million indigenous Ahwazi Arabs in Khuzestan, southwest Iran, produce 90% of Iran’s oil revenue, but none of this goes to the marginalized Ahwazi, whose rate of illiteracy and unemployment is far above the national average, perpetually keeping them in degrading conditions. The Iranian regime imprisons and executes Ahwazi activists, and their demands for basic human rights are met with accusations of terrorism. AHRO deplore the withholding of birth identity cards to indigenous Ahwazi newborns with Arab names, and the changing of ancient place names to Persian. AHRO appeal to the WGIP Special Rapporteur to come to Khuzestan to investigate torture and ill-treatment, before the five million Ahwazi are annihilated by the Islamic Republic of Iran.

HPI deplore the intra-state conflicts that have targeted the Fur, Masalit and Zaghawa peoples of Sudan, the Mbuti Pygmies of the Congo, the Khoisan peoples of Southern Africa, the Karen of Burma, the Naga in India, the Tamil in Sri Lanka, and the Sunni Arabs in Iraq, who all suffer from internal colonisation by the States they inhabit.

**Item 4b – Principal theme: “Utilisation of IPs’ lands by non-indigenous authorities, groups or individuals for military purposes”**

The Indigenous Caucus deplore the consequences of military occupation and armed conflict worldwide (also Asian Indigenous Caucus, BAA), and list some of the worst instances in India, the Philippines, Japan, and Morocco, as well as the Kanak situation in New Caledonia; the airborne chemical attacks on Hmong in Laos; the military occupation of the Rani Ban forests of Nepal, where IPs, including women, are being recruited by armed groups (also Asian Indigenous Caucus, CITa and AICO for Colombia, CONACANP for Peru, TC for the Aymara). They call attention to South America, where cocaine cultivation has resulted in conflict, death and human rights violations in Colombia, Bolivia, Ecuador and Peru (also TC, CITa), while in Chile, Mapuche and Rapa Nui territories are occupied by military forces protecting mining companies’ interests (also CONACANP for Peru) and in Argentina the British continue to occupy the Falkland Islands. Common among these instances is States’ failure to comply with their fundamental obligation to protect their own citizens (also IMTA for Leonard Peltier, CJP for the Mapuche). The Indigenous Caucus call for immediate withdrawal of troops and military bases on indigenous territories, termination of agreements between States and TNCs using national armed forces to protect private interests, a halt to unilateral agreements without the free, prior and informed consent of IPs (also CISAN/CONMIE, CONACANP, FEINE/CONMIE, HIWN, LHRC, Tamaynut, IMTA, FRSCIP), an end to States seeking the help of third countries to carry out non-justified military operations, and a ban on toxic chemicals.

**Central and South America**

IMTA call attention to the discrepancy between western concepts of development and market economy, on the one hand, and IPs’ concept of belonging to Mother Earth, on the other. They warn of future wars over the world water crisis resulting from TNCs’ greed, and are dismayed that developed States paradoxically allow TNCs to mutilate the forests at the same time they expect IPs to protect them (also CITa). In this light they report on Plan Colombia, Mapuche people in Chile, Chiapas in Mexico, and request Ecuador to investigate the situation of the Taromenae and Tagarei peoples (also FEINE/CONMIE).

CISAN/CONMIE assert that the effects of large-scale commercial mineral extraction, dam construction, and massive use of chemicals in agriculture, among others, result in poverty, torture and genocide (also CITa for Colombia). They call for an international court to monitor implementation of: UN recommendations, megaprojects on IPs’ lands, and ILO Convention 169 (also CITa, IMTA).

TC warn that the Aymara people’s right to live on their lands is threatened by the excessive army presence. In Bolivia’s Chapare Valley, IPs’ lands are occupied without their consent on the pretext of eradicating the coca leaf, and they are displaced without compensation and forced to coexist with military troops (also CONACANP, IMPACT for Kenya, AFTRADEMOP for Moko-oh in Cameroon, OSO for Amazigh in Morocco, LINAPYCO for Pygmies). Since coca leaf is a natural resource, Bolivia, Colombia, Ecuador and Peru must come together with IPs to plan control strategies for its production as a traditional, nutritional and medicinal crop.

AICO, calling attention to 500 years of armed power grabs in IPs’ territories, refer to the Putumayo region of Colombia where non-indigenous settlers growing coca leaf for cocaine bring in armed conflict between guerrillas, State military, and drug traffickers’ paramilitary security, forcing the departure of IPs. AICO call upon all IPs to address the eradication of this plague, which is destroying their peoples’ lives, culture, and environment.

CITa refer to the Arhuaco, Kogi, Kankwamo and Wiwa peoples in Northern Colombia, where armed groups treat IPs’ claims to self-determination as evidence of collaboration with the opposite side; they call upon the
of the UN Voluntary Fund for Indigenous Populations. By customary law as long as it does not conflict with other legislation. Also, Venezuela is ready to contribute to the IPs development fund and regional commissions for indigenous purposes. According to Venezuela’s Constitution, IPs elect their own representatives to the national legislative and informed consent laws relative to IPs, and informs that in Venezuela IPs’ lands are not used for military purposes. BRDN determine for IPs (also FEINE/CONMIE Colombia and the international community to open up discussions leading to freedom and self-determination for IPs (also AICO, CISAN/CONMIE for Ecuador). COPWGC, on behalf of the Wayuu communities in Colombia, inform that systematic human rights violations are not easily detected, due to the Wayuu people’s semi-nomadic way of life, inter-ethnic conflicts, and the fact that their traditional lands extend into both Colombia and Venezuela, making it easier for abusers to cross the border and avoid prosecution. COPWGC therefore request the national government, the High Commissioner for Human Rights and Human Rights Council, and Wayuu organisations to address their situation (also CONACANP for Peru, IPACC for Africa, SC/ICC for Greenland). Finally, in order to locate disappeared Wayuu persons, COPWGC call for the speedy identification of bodies found in recently discovered common graves.

JPS inform on the 10’000 Kichwa people of Salasaca in the Ecuadorian Andes, whose sacred lands are being given away for agrarian purposes and invaded by urban sprawl, and who are denied travel visas. They welcome that some indigenous persons now occupy local political offices.

CJP deplore the Chilean Government’s militarisation of threatened Mapuche communities, and inform that while Chile’s government fails to recognize IPs’ rights and the judiciary discriminates against them, the Anti-Terrorism Act is used to imprison many, without justification, and the police are used to protect TNCs. CONACANP lament the worsening of IPs situation in Peru, beginning with colonisation, when their best farming and livestock lands were allocated to the military and the clergy (also IMTA, AICO). TNCs grant their own, exclusive, identity documents, making national passports useless. CONACANP propose that all renewable and non-renewable resources of indigenous communities be declared the patrimony of IPs and communities, rather than of the State.

CNV state that although Venezuela’s indigenous territories are not used for military purposes, their lands are appropriated by speculators from Colombia in the West and Brazil in the South; IPs along with the military are fighting this invasion. CNV request continuing intervention by the Venezuelan government, with permanent police and military presence in the appropriate areas.

FEINE/CONMIE declare that in light of the State’s failure to understand either IPs’ relationship with their lands and resources, or indigenous women’s role in relation to biodiversity, processes and mechanisms are needed to ensure IPs’ control over their lands and territories. They ask for recognition of IPs’ right to autonomously demarcate their own lands, and that mechanisms for restoring IPs’ lands be developed and implemented.

The Guarani people of Bolivia have suffered constant outrage by the regiments installed in their territory, including misappropriation of their lands, looting, intimidation and violence, as well as non-recognition of their authorities. Attempts having failed to come to an agreement with the military, CGAPN call upon the WGIP to request that the military immediately evacuate their land, and respect IPs and their rights.

CECOIN/OIA/CRIC draw attention to increasing violations against IPs’ human rights, in spite of Colombia’s government denial. Military installations are recurrently built on IPs’ lands without their free prior and informed consent, and without environmental and socio-cultural impact assessment. The Human Rights Council must insist that Colombia comply with its international obligations, see to the application of human rights in indigenous territories, and to the respect of indigenous demilitarized zones. States must carry out environmental and socio-cultural impact assessments of military projects planned in indigenous territories, based on prior consultations according to ILO Convention 169 and on the IPs’ free prior and informed consent.

BOLIVIA, with the clear mandate and indigenous majority indicated by the presidential vote, now intends to build a culture of democratic dialogue, which will, along with the recovery of natural resources, allow for a more just society in Bolivia. IPs participate in writing the Constitution, while the replacement of coca with other crops will be carried out voluntarily in consultation with farmers, rather than by military means.

VENEZUELA refers to the working document E/CN.4/Sub.2/AC.4/2006/2 highlighting Venezuela’s free, prior and informed consent laws relative to IPs, and informs that in Venezuela IPs’ lands are not used for military purposes. According to Venezuela’s Constitution, IPs elect their own representatives to the national legislative body, which recently passed an act creating an IPs’ development fund and regional commissions for indigenous lands. IPs’ rights are upheld by several judicial entities and within their own communities, IPs can apply customary law as long as it does not conflict with other legislation. Also, Venezuela is ready to contribute to the UN Voluntary Fund for Indigenous Populations.

North America

IOIRD call on the WGIP to recommend the UN General Assembly adopt the Declaration without any amendments (also Asian Indigenous Caucus).

BRDN refer to the Buffalo River Dene’s exclusion from their lands, which contain the world’s largest oil sands deposit; with the availability of new extraction technology, attempts are being made to get the oil and to build a nuclear waste disposal site there. BRDN say the Declaration recognizes traditional indigenous rights that already exist, and Canada must understand this. BRDN inform the WGIP they have taken back control of their traditional territory and natural resources as of October 17, 2005, and ask the WGIP, the PF and the world’s IPs
to monitor, investigate and document their situation, because they expect retaliation for their actions, which include calling the Canadian government to account in front of the International Court of Justice in September 2007. BRDN call on the WGIP to establish an independent body for dispute resolution, or re-mandate existing bodies such as the International Court of Justice to serve this purpose.

LPDC explain that while the last major campaigns by the US Army against IPs in North America took place in the late 1800’s, today military bases have expanded into areas where Indian reservations are located, exposing IPs to toxic chemicals and other hazardous materials. Plans for detonating 700 tons of explosives at the Nevada Test Site on Western Shoshone traditional land will be the largest open air, non-nuclear blast there to date, in continuing violation of their treaty rights.

Referring to the situation in Alaska, IPNC call attention to the US military policy of leaving nuclear radioactive debris, with nothing but fences and signs to prevent contamination, which, despite millions of dollars spent, is inadequately assessed (also WAC). IPNC is also alarmed at the high level of PCBs contaminating the soils, which in turn pollute marine and/or freshwater food chains, and they encourage the US Congress to investigate.

CANADA says it notifies IPs where military use will be carried out, tries to prevent conflict between training activities and IPs, consults with them when there could be adverse impacts on their rights and title, allowing IPs to claim damages.

Asia and Pacific

The Asian Indigenous Caucus inform that in Asian indigenous territories the root cause of human rights violations is militarisation, due to governments creating legal protections that result in impunity for perpetrators of all types of abuses (also CORE, BRDN for Canada, Tin Hinan for Mali, CMA for Africa). In the Philippines, the Lumad are hurt by peace negotiations between the government and Moro forces (also Indigenous Caucus), while in Burma, IPs’ territories are subject to a “scorched earth” policy, with a shoot-on-sight order enforced. In East Asia, including Indonesia, presidential decrees facilitate militarisation and confiscation of IPs’ lands, and the use of rape, landmines, human minesweepers and human shields as weapons of war is widespread (also CONACANP for Peru, CITa for Colombia, Tin Hinan for Mali). This has produced between 1 and 2 million internally displaced persons, and hundreds of thousands are conscripted into forced labour (also ZORO for the Zo in Burma, CAMV for Pygmies in DR Congo). The Asian Caucus recommends that the WGIP: conduct a study on the consequences of using legislation to militarize IPs’ lands; urge governments to abolish such legislation; and focus the future agenda of the WGIP and the Human Rights Council on protection of IPs’ religious sites.

The Pacific Indigenous Caucus report that populations living in remote conditions on small islands in the Pacific depend on the marine environment and are threatened by militarisation, as on Hawai’i’s Leeward Coast, where IPs are scattered and homeless. In Australia, the defence system’s use of arid environments leads to conflicts over aboriginal title to these lands.

CORE find that the situation in South Asia, and particularly in northeast India, bears out the observations made in the Martinez report (E/CN.4/Sub.2/AC.4/2004/2), and also reflects the SR’s recent reports on the links between military occupation and war crimes (also Asian Indigenous Caucus, LPDC, IMTA). CORE call on the WGIP to conduct a mapping survey to monitor evacuation, restoration and rehabilitation.

WAC say IPs are deprived of their habitat and lands on the pretext of national development or national security (also LPDC, CMA for Tuareg in Algeria, Tin Hinan for Mali), with at least 40 million people over the past 50 years being displaced. WAC recommend that to ensure their survival, protection of IPs’ lands and forests get top priority in development projects, as in many countries IPs are being replaced by dominant peoples, and the struggle for resources is already underway (also Pacific Indigenous Caucus for West Papua, HTWRN for Jumma in Bangladesh, ZORO for Burma).

ICITP/AISWACS report on the Indian army’s use of indigenous-dominated areas for heavy artillery exercises, forcing people to stay indoors or flee to the jungles while their habitat is bombarded, wounding and killing people and damaging crops, livestock, trees and houses (also Pacific Indigenous Caucus for Hawai’i, WAC). Despite strong protests by IPs and government assurances to the contrary, in Bihar the use of indigenous lands for firing practice was extended for another 20 years. ICITP/AISWACS ask the WGIP and other UN agencies to recommend India’s government relocate the military firing range, allowing IPs to live in peace (also LINAPYCO for the Bambuti/Batwa).

ACS demand a clear-cut policy to accelerate IPs’ socio economic development while protecting them against exploitation, and express the need for a program to make IPs aware of their rights and power.

JAGVK say the Netarhat Artillery Range and other projects in Jharkhand have displaced hundreds of thousands of people (also WAC, ACS). JAGVK also inform on their income generating projects such as beekeeping, mushroom cultivation, and fishing.

BIPF assert that Bangladesh’s military attempts to solve the CHT’s political problems have failed, as shown by the fact that after eight years the 1997 CHT Peace Accord has not been implemented (also HTWRN, JP/WCO). The army still controls the administration, and is still violating the Jumma people’s human rights through...
killings, torture, rape, etc. The military itself is requisitioning more and more Jumma land for training centers without Jumma consent (also IMPACT for Kenya, FRSCIP for Crimean Tatar). Houses have been burned, people killed, and women raped, while every year the military authority receives over 10,000 metric tons of food to draw Bengali settlers to uproot the indigenous Jumma people and outnumber them in their territory (also BUCC, JP/WCO). BIPF request international support to convince the Bangladesh government to implement the CHT Peace Accord properly and immediately (also BUCC), and ensure that soldiers and officers involved in human rights abuse in the CHT and elsewhere in Bangladesh are prevented from joining UN peacekeeping forces.

HTWRN say the Bangladeshi army, police and fundamentalist groups have been committing atrocities, including against Jumma religious and cultural life in the CHT, since the early 1970’s, including the rape of Jumma women by the military, and attacks by settlers and the military (also Asian Indigenous Caucus, BIPF, BUCC, BAA for the Moluccas, AIPR for Okinawa, LHRC and HCFs for the Hmong), especially in reprisal against outspoken women, causing them to spend their days in fear. BUCC say there is no way for IPs to stay in rapidly Talibaniising Bangladesh, where over three dozen terror-linked Islamic groups are operating, mainly based in the CHT, unless the world’s nations help them.

WSH refer to the history of Nagaland in northeastern India, where the intense Indian military presence has created a repressive environment of fear. WSH emphasize the need to shift the military base to less populated areas to lessen the psychological threat. The encroachment onto IPs’ lands by a so-called “invisible population” of immigrants should be nationally and internationally monitored.

ZORO deplore the devastation of Zo lands and villages in Burma, which were confiscated for the military-owned natural gas pipeline. ZORO appeal for the reinstatement of IPs’ right of self-determination, particularly for those whose army-occupied lands straddle provincial or international boundaries.

BAA inform that Indonesian military occupation is increasing in the Moluccas, where they have designated a “Head of Indigenous People”, strongly protested by the Alifuru people (also Pacific Indigenous Caucus). The military’s crimes against IPs go unrecorded for fear of reprisals while the perpetrators move around through the Moluccas with impunity (also BIPF for the CHT). BAA appeal on behalf of the Alifuru people to the UN to monitor their situation.

In West Papua, CPC/SUS charge that attacks by Indonesian security forces are blamed on IPs’ independence groups, who are then regarded as disloyal separatists standing in the way of resource exploitation, while the local population remains in dire poverty and ill health (also Pacific Indigenous Caucus). Papua should be designated a “Zone of Peace,” requiring demilitarisation (also LHRC for the Hmong).

PPCN/DeMMak ask the UN for help getting occupied Papuan lands returned, and deplore that in the past 10 years, most of Indonesia’s military equipment has come from the United Kingdom (UK) (also CPC/SUS), a fundamental breach of the European Union’s Code of Conduct.

CPC refer to colonial settlement by the French, which changed indigenous clan structures and pushed IPs onto reservations, or “customary lands”. Since the 1990’s, nickel mining on indigenous lands is no longer a strategic necessity for France (which has nuclear weapons), but the mines remain an economic asset, with New Caledonia the world’s third largest producer of nickel (also Pacific Indigenous Caucus).

RNP recall that the earth’s most remote inhabited island, Rapa Nui (Easter Island) was independent until Chile claimed it in 1888 and evicted the Rapa Nui, who now want Chile to recognize their claims. RNP say that in order to ensure that international donations are received by the Rapa Nui, they should be sent directly to RNP. The Rapa Nui Maori call on Chile to withdraw its forces as the first step toward redressing the injustices that subjugate and hinder their present day society (also Pacific Indigenous Caucus). In addition to claiming reparations for the original swindle that gave Chile the island, they demand that President Bachelet return the symbolic remains of their king to the Rapa Nui.

AIPR note that 75% of all US military installations in Japan are on the Ryukyu islands chain (Okinawa), traded to the USA 60 years ago, whose people are still unable to access the land of their birth and their ancestors’ graves (also Asian Indigenous Caucus).

LHRC and 27 other organisations stress that the vulnerable Hmong in hiding, who are under attack by Laotian and Vietnamese governments, are not an armed resistance movement, do not seek a separate Hmong country, and are not trying to overthrow the Laotian government. LHRC welcome the UN prioritisation of their report, but regret the inadequacy of “low-key diplomacy” when lives are being lost.

HCFs ask UN members, WGIP experts, and human rights bodies such as the Committee on the Elimination of Racial Discrimination, the Committee on the Rights of the Child, the Committee on Economic, Social and Cultural Rights, and CEDAW, to condemn all acts of violence against the Hmong, especially women and children, to end the violence and genocide, and to recognize and support Hmong self-determination (also LHRC, Tamaynut for the Amazigh).

Africa

IPACC discuss IPs’ vulnerability during armed conflict in Africa: in Rwanda about a third of the Batwa population were killed during the genocide in 1994; destruction of their lands and resources pushes IPs into cities
as beggars and prostitutes, meanwhile their lands are designated national parks to which IPs are prevented from returning (also AIWO, BIPF for Bangladesh, ICITP/AISWACS for Jharkhand, India). In the Central Sahara US military activities damage relationships between nomads and national governments; of deep concern is the situation of IPs in Chad, Sudan, northern Uganda, Somalia, Eastern DR Congo, Kenya and Burundi (even though the latter promotes IPs’ participation in government); peace in Angola is welcome, but !Xun and Khwe San people still lack full recognition. IPACC remind the WGIP that MDGs could be achieved more quickly if African soldiers and national police stopped their practice of extorting IPs (also KKNIPCU for the Russian Federation), and they call on the WGIP and SR to investigate the situation of IPs in the Great Lakes Region and in the Central and Eastern Sahara/Sahelian regions (also CAMV for DR Congo, Tin Hinan for Amazigh in Mali).

CAMV assert the war in the DR Congo continues for hegemonic, economic and superstitious motives on IPs’ lands, resulting in massive human rights violations on indigenous Pygmies in particular (also AIWO, LINAPYCO, and WAC, ICITP/AISWACS for India).

LINAPYCO declare that the Bambuti/Batwa, cut off from their ancestral lands, have lost their cultural identity, and the biodiversity of their lands is degraded (also IMPACT for Kenya and JPS for the Kichwa).

AIWO say that the way of life of pastoral/nomadic Bororo people is worsened by wars in the Central African Republic, Chad and Nigeria, where bandits terrorize villagers, destroy livestock and hold children hostage (also IPACC, LINAPYCO, Tamaynut for Morocco), while escaping refugees are badly treated in Cameroon. AIWO deplore that the UN, Human Rights Council, and World Food Programme have not reacted to multiple cries for help.

On behalf of Kenya’s pastoralists, IMPACT refer to the deadly consequences of 60 years of military occupation on their lands, which now encompass loss of life, cultural degradation and racial discrimination resulting from British and US training exercises. All of this contravenes IPs’ constitutional and international human rights, and IMPACT call for unexploded munitions to be cleaned up, pastoralists’ rights to be protected and compensated (also Tamaynut for Morocco), and atrocities committed by States under the veil of “national security” to be investigated.

GREPNET/IAITPTF say Nigeria faces a humanitarian crisis with catastrophic consequences for West Africa in the completely militarized Niger Delta, with new weapons coming from Israel. GREPNET/IAITPTF ask the international community to call for a Special Rapporteur, and call on the Nigerian government to address the legal and institutional framework that keeps IPs in perpetual bondage.

AFTRADEMOP inform on the Moko-oh people of northwestern Cameroon, where economic exploitation, destruction of homes and crops, and imprisonment violate international and regional human rights instruments.

OSO, on behalf of the Amazigh living in the arid lands of the Moroccan desert, say the large Moroccan and Algerian military build-up in the Sahara hampers the lives of nomads there. OSO are also alarmed by the effects on young people of coexistence with the military: drug dealing and prostitution, followed by exclusion from the community (also CPCUS for West Papua). OSO ask the Moroccan government to replace the military barracks with factories and projects that generate dignity.

Tamaynut warn that when the Moroccan government detonates military ordinance on traditionally Amazigh land, poverty-driven inhabitants come into the restricted area to scavenger valuable copper left behind by the detonations; two shepherds have already been killed in this way.

After a moment of silence for indigenous victims of military massacres, Tin Hinan deplore the military atrocities in Mali where, despite various accords, conflicts between governments and rebel groups continue and the dominant civil society (which does not include indigenous Tuareg) appears to ignore IPs’ concerns. Tin Hinan say this tragic history of human rights violations affects everyone, and should be widely taught in schools (also WAC).

ACAK deplore that the killers go unpunished in the continuing genocide in Kabylie, and demand centralisation and replacement of the police force. They welcome Algeria’s legitimization of the Amazigh language, but say this was won through their own struggle.

SOLICAN deplore that the Amazigh in the Canaries are denied the right to administrate their territory, while Spanish colonialism exploits the archipelago commercially and militarily. SOLICAN charge that the islands may have been used for the 1976 napalm attacks on the West Sahara, and say that when 49 African States signed a de-nuclearisation treaty for Africa in 1991, Spain refused. Because of the exploitation, disrespect, and damage caused by Spain’s practices, and because of the possible presence of oil on the archipelago, SOLICAN opposes the use of the Canaries as a bargaining chip by Spain.

CMA explain that in the Canaries, not only Spain’s army, but also that of the USA and NATO have appropriated territorial lands and waters on each island for military experiments (also SOLICAN, IMTA); the military controls petroleum and natural gas resources in Tuareg territory, keeping profits for themselves and imprisoning dissenters. CMA say that military installations are not there for protection, but to conduct surveillance and attack the population, as shown when the police killed 129 people during peaceful demonstrations (also ACAK). Amazigh sovereignty alone can stop these centuries-long abuses. CMA also welcome the election of president Evo Morales in Bolivia (also HPI), and propose he hosts the first international conference of IPs.
CSSC state that during the cold war when UK and US governments wanted to establish a major military base on the Mauritian Chagos Archipelago in the Indian Ocean, the entire population had to be removed. In spite of a UK decision in 2000 authorizing the return of the Chagossians, all IPs’ attempts to recover their lands on this, the largest army base outside the US, have failed. CSSC call for its immediate closing, and Chagossians to be returned to their lands.

MAURITIUS (in right of reply) maintains its sovereignty over the entire Chagos Archipelago, and states that there are no IPs there. Chagossians who formerly lived and worked on the Chagos Archipelago were Mauritian citizens, forcibly displaced when the archipelago was separated from Mauritius for the military base, and the government has always supported their right of return.

Central and Eastern Europe, Russia and the Circumpolar


FRSCIP deplore the Ukrainian military bases in the Crimea, and say Ukrainian authorities still allow the Russian navy to conduct military exercises on Crimean territory in order to intimidate Crimean Tatar and support the 20,000 pro-Russian, Moscow-financed paramilitary Cossacks in the Crimea, who serve to “maintain public order”.

Middle East

Referring to the occupation of Iraq, ITUC deplore the use of IPs’ lands by Kurds and US forces who make unilateral oil deals to finance their military terrorizing of IPs in the north of Iraq. On behalf of Iraq’s Turkmen ITUC ask the Norwegian government’s involvement to halt oil exploration in northern Iraq. Kurdisation policies aimed at changing the demography of Turkmen territories must be stopped, and interrogation, torture and imprisonment centres must be evacuated and closed.

NCFCE express concern that more than 24% of Arab Bedouin’s ancestral land in the Negev desert is in military zones, and plans by Israel for more training bases further jeopardize future settlement plans of this population, now the most disadvantaged citizens in Israel. NCFCE demand that Israel’s military stop forcing Arab Bedouins out of their ancestral lands and return their traditional land and territories; where this is not possible, they should grant compensation in the form of lands and territories.

AHRO deplore the confiscation of hundreds of thousands of hectares of indigenous Ahwazi Arabs agrarian land for military-industrial-security projects, and urge the SR to organize a fact-finding trip to Khuzestan, in the Islamic Republic of Iran, to investigate (also DSPA).

Item 4c – IPs and conflict prevention and resolution

Central and South America

The Cumanagoto used to dedicate much time to negotiate peaceful solutions with their enemies, before entering in conflict. The aim of wars was not killing. Prisoners became slaves but could retain their traditions and recover freedom. CNV urge States to follow this example, which prevent loss of resources, people and cultural heritage in conflicts.

CITa urge the Colombian State to recognize as sanctuaries the ancestral lands of the Arhuaco, Kogi, Kankwamo and Wiwa peoples, which are the source of their life and identity as nations. IPs have obtained a most advanced legislation in Colombia, but implementation is hindered by State and powerful interests. Illicit crops cultivation causes environmental destruction, cultural change and violence, violation of IPs’ human rights and colonisation of their lands. Indigenous communities lack proper access to justice, health and education services.

CARPEL call upon the Ecuadorian government to prevent damages to nature from the army in the Amazon forest, show respect for and protect IPs, in particular women and children, and develop nature-sensitive education and health systems.

In the Andean region, dominant social sectors organize indigenous armies to fight their own IPs (CIE). Militarisation is strengthening the State, oppressing IPs, and securing land for TNCs. The global economic order must change without impairing IPs’ economies, identity and territories.

North America

LPDC recall the circumstances of the wrongful incarceration of Leonard Peltier. The Lakota people of Oglala are using their traditional ways to heal, while calling for his release. Truth, justice and reconciliation are needed between IPs and States worldwide. IPs’ struggle encourages traditional and contemporary ways of conflict resolution (also CIE).

IITC highlight that treaties between IPs and States are ongoing and are based on the sacred word of IPs, who expect compliance by States, as only equity and mutuality can preserve peace. Canada seems to deem its
historical treaties with IPs outdated. Conflict prevention and resolution require respect for IPs’ rights to self-determination and to their treaties (also HC), which do not threaten any State respectful of international law.

The USA and the Peabody Coal Company have been trying since 1830 to exterminate the Dineh nation, by forced relocation, illegal impounding of livestock, and desecrating ceremonial sites. SDN call upon the USA to stop their genocidal policy, and respect the Dineh scarce water resources and their right to their religion.

The Haundenosauwee people have reclaimed lands that have been encroached upon, due to lack of recognition by Canada of their treaties and governing body. The Declaration on the Rights of IPs would have made the reclamation and consequent use of violence unnecessary. HC are dismayed by Canada’s undermining of the Declaration, and question how this will affect their relationship. Committed to a non-violent pursuit of justice, HC call upon Canada to accept a peaceful resolution of this conflict, the intensity of which is due to Canada’s use of violence to control IPs.

Given the brevity of this session, CANADA is answering questions made by WGIP’s experts and holding dialogue with them and with delegates outside the plenary.

Asia and Pacific

The Pacific Caucus call for an international mechanism for resolution of conflicts between States and IPs (also LPDC, IITC), which exist as part of the legacy of colonisation, oppression, discrimination, and exploitation of resources. The UN General Assembly called to uphold the promotion and protection of human rights, with the contribution of civil society. The SR Stavenhagen provides information on the continued abuses of human rights by States and on the lack of implementation of legislation. The WGIP should identify new human rights-based conflict resolution arrangements founded in indigenous mediation structures.

PIPlinks report on the manipulation of Subanon institutions by the Canadian mining company TVI Pacific, which replaced legitimate traditional authorities in order to obtain permission for its activities. Such developments cynically undermine progress in the recognition of IPs’ rights. In mining areas, extrajudicial killings of community leaders and critics of government policies are increasing; the Philippines military are suspected for many of these murders (also AFHID). PIPlinks call on the Philippines government to immediately prosecute human rights violators and stop these killings. In this situation, corporations must suspend activities in the Philippines, and bilateral and multilateral leaders review all cooperation with the government. The WGIP should study manipulations of indigenous authorities and strengthen the principle of mutual recognition as a key proof of their legitimacy. The SR Stavenhagen and the SR on extrajudicial killings should visit the Philippines.

Peace accords between the Philippines government and the Bangsamoro rebel forces gave out Lumad people’s lands as peace projects sites. To guarantee their inherent rights for ancestral domain and self-governance, the Lumad want to be part of the peace process in Mindanao.

BCWPIP call upon the Indonesian government, international NGOs and UN bodies present in West Papua to respect IPs’ traditional conflict prevention and resolution mechanisms, and the Papuan customary authorities. The Indonesian military have taken control over natural resources in West Papua, resulting in illegal economic activities, human rights abuses against IPs, militarisation, introduction of illnesses such as HIV/AIDS, exploitation of forests for foreign wood markets or for Indonesian settlers, who will soon outnumber IPs. FPCN and AMP call upon the UN to provide an environment where the IPs have a real opportunity for self-determination in West Papua, among other through the removal of the colonial military forces. The WGIP should ask Indonesia why it is preventing the UN representative on human rights from entering West Papua. The mass murdering of IPs must end.

The Nouné Accord on New Caledonia decolonisation does not recognize the Kanak people. When signing this Accord, France was selling a huge nickel deposit to the mining company INCO Ltd. Given the importance of nickel mining in New Caledonia, France and the colonial elites are making their best to avoid Kanaky independence. All Kanak’s negotiation attempts and juridical actions having failed, the people have had to pacifically occupy the mining site, and faced systematic repression by France, who went in this case against the independence. All Kanak’s negotiation attempts and juridical actions having failed, the people have had to pacifically occupy the mining site, and faced systematic repression by France, who went in this case against the independence. All Kanak’s negotiation attempts and juridical actions having failed, the people have had to pacifically occupy the mining site, and faced systematic repression by France, who went in this case against the independence. 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Occupation by the Nepalese army of Limbu people’s lands is likely to destroy their monuments, worshipping places and traditional religion. The State is not fulfilling his duty to preserve this heritage. NEFIN call for support for all landless IPs in Nepal to preserve and recuperate their ancestral lands.

IPs in Bangladesh mainly demand constitutional recognition and the right to self-determination (BIPF). The only permanent solution to the increasingly conflictive situation in the CHT is the implementation of the 1997 Peace Accord that recognizes the CHT as inhabited by the Jumma people and introduces a special administrative arrangement.

WAC warn that conflicts prevention and resolution require understanding of IPs’ life styles, as well as mutual agreement and adequate funding of compensations. When relocated, IPs’ life styles need to be restored as much as practical in their new places and homes.
ICITP-NEZ/ABPF/ABPGYF refer to the armed conflicts between India and the Boro as well as other IPs’ revolutionary groups in northeast India. Since June 2005 the National Democratic Front of Boroland is looking for a meaningful political solution with the government of India and engaging in various consultative processes to create better understanding and participation in the peace process. However, the Indian government does not seem to be willing to achieve peace. The WGIP should: support the peace talks, and call for India’s good faith in this process; develop an urgent mechanism to recover IPs’ lands; and ensure IPs’ free prior and informed consent in all proposed development programmes affecting them (also WAC).

Africa

To protect the Tuareg people’s human rights, Tin Hinaan call on Niger to: take their socio-economic and cultural specificities into account in solving the problems they face; set conditions for an active democracy that allows IPs’ participation in development and control over natural resources; avoid discrimination in constructing peace and citizenship and in fighting poverty; create a juridical mechanism for inter-community conflict prevention and resolution. NGOs and indigenous organisations must be granted means to achieve these goals. Globalisation is an upcoming challenge for the Tuareg people (ETAR). They should be able to benefit from new information and communication technologies, in order to fight with equal arms and to bring their own contribution.

PINT warn that colonial borders in Sub-Saharan Africa have caused conflicts that are most dangerous for civil populations (also Tin Hinaan). Through implementation of self-determination ethnic groups should return to the countries they historically belong to. The UN and Human Rights Council should address the role of media in African conflicts.

The Oromo people have been discriminated in Ethiopia ever since the 19th century. The current autocratic regime is responsible for daily human rights abuses in Southern Ethiopia, far from the sight of international community. Peaceful Oromo protestations were met with strong repression, detention and killing. Oromo students are discriminated against in Universities, Oromo farmers are evicted and imprisoned. ONA recommend immediate release of arrested Oromo citizens; prosecution of human rights violators; implementation of human rights and fundamental freedoms, as well as of the Oromo people’s right to self-determination, and of indigenous and traditional mechanisms of conflict resolution; and condemning the Ethiopian government for instigating racial conflicts.

In Kenya, Maasai have been subject of land dispossession for decades and their resources are being used for purposes such as tourism for which they receive no benefit. OLPADEP denounce the rape of indigenous women by British military training in the area, and injuries and death by unexploded ordnance. The government does not protect the IPs. OLPADEP recommend that: international and local agencies address human rights abuses perpetrated by the State against Maasai; the MDGs process fully integrate the Maasai people; Kenya’s government equitably distribute benefits sourced from Maasai territories; IPs’ intellectual property rights be protected; Kenya ratify all international instruments on IPs’ rights and accept their right to self-determination. The Declaration on the Rights of IPs will encourage the protection and promotion of IPs’ rights in Africa. MPIIDO call for close collaboration between the African Commission for Human and Peoples Rights, the SR Stavenhagen particularly in his upcoming visit to Kenya, African human rights organisations and the IPs, in order to ensure IPs’ participation on issues affecting them, and their capacity to fight poverty, marginalization and injustices.

Nigeria will continue to contribute to the UN efforts for the benefit of IPs. The WGIP should disregard the statement by GREPNET/IAITPTF. As all Nigerian are indigenous to their community, there is no indigenous land to be used for military purpose, nor non-indigenous people. Nigeria is democratic, transparent and accountable in its governance, and committed in improving the well being of its population, including in the Niger Delta. Nigeria will continue to guarantee the fundamental rights and freedoms as provided in its Constitution.

Central and Eastern Europe, Russia and the Circumpolar

The Russian Federation has passed legislation permitting purchase and sale of land, water and forests. The Teleut people cannot afford registration of private ownership of their coal-rich lands, which are bought up by others. Mining activities and contamination impede their traditional economic activities; their culture and language are disappearing. NABAT appeal to the UN not to let the Second Decade be their last one. International funding would enable the Teleut to preserve their lands and culture for future generations.

Middle East

ITUC (also ITHRHF) denounce human rights abuses and marginalization of the Turkmen people, in the oil-rich Iraqi region of Keruk. The 2005 Constitution plans a referendum in the province on the status of Keruk before the end of 2007. Kurdish political parties are massively encouraging Kurd people to settle in the area to change the demography. The international community and UN should act soon to resolve these mounting tensions.
ITHRRF call for a national unity government, rewriting of the Iraqi Constitution, teaching of Iraqi about human rights and democratic basics by independent civil society organisations. Strategies for conflict resolution include: institution of committees to analyse and solve conflicts; mechanisms to encourage dialogue between ethnic groups, and between political structures and the population; training of security forces and officials to deal with mixed communities.

Some groups seem to take advantage of the complex and bloody conflict in Iraq (also ITHRRF) to get rid of its IPs. The Aramean people advocate for respect and brotherhood. AANF call for solidarity and for recognition of the Aramean in the new Iraqi Constitution. Ahwazi lands produce 90% of Iran’s oil revenue, with practically no benefit for the marginalized Ahwazi Arab people. AHRO/IAADI/AEHRF/DSPA remind that the SR on Housing underlined the very serious living conditions in Ahwaz, and attempts to change the ethnic structure of the region. Ahwazi demands for basic human rights have often been labelled as threats to security and territorial integrity.

Item 5 – Standard setting

Item 5a – Future priorities for standard-setting activities

Yozo Yokota and SC introduce the “Review of the draft principles and guidelines on the heritage of IPs” (E/CN.4/Sub.2/AC.4/2006/5). UN bodies such as the World Intellectual Property Organization (WIPO) and the Convention on Biological Diversity (CBD) have not adopted a right-based approach to the issue. A legally-binding convention should follow the guidelines.

Alfonso Martinez suggests further clarification of the term “in good faith” and of references to national legislations.

Central and South America

Violations of IPs’ rights and extinction of their land rights facilitate the plundering of genetic resources and traditional knowledge. The situation of indigenous youth, migrants and displaced persons is of particular concern. CISAN/CONMIE recommend: implementing the Durban Programme of Action, with full participation of indigenous women, to solve urgent problems of health, education, and human rights abuses in border areas; training of authorities on indigenous rights; disaggregating data for policy implementation and follow-up; prosecuting discriminatory actions; promoting non-discriminatory communication, and adopting the UN and OEA Declarations on IPs’ Rights.

North America

Existing international standards do not adequately protect the final users of banned pesticides. IITC/CTSFN refer to severe effects of the use of banned pesticides without adequate protection for IPs, in particular children. The WGIP should urgently study the global human rights impacts on IPs of the export, use and failure by States to monitor dangerous and banned pesticides and other toxics, with a Conference on this issue in 2007. IOIRD propose that the guidelines on IPs’ heritage include traditional sports and games.

Asia and Pacific

States must respect IPs’ cultural heritage, free prior and informed consent, customary laws and practices, right to self-determination, and traditional lands and resources (WAC). France is still trying to eliminate the Kanak people. The WGIP must address issues of indigenous customary law (CNDPA).

New Zealand has dismissed the SR’s report on his 2005 visit, which states that governments cannot unilaterally extinguish IPs’ rights. AIRT call for the continuation of the WGIP, as IPs’ forum to express their concerns, especially when they are not heard nationally. Its mandate is unique and goes beyond the adoption of the Declaration (also CAASM, IITC).

TF (supported by IOIRD) commend Yozo Yokota and SC (also SACS). The Conference of Parties to the CBD will negotiate, within the next two years, an international regime on access and benefit sharing for genetic resources and traditional knowledge. This could be the most important upcoming negotiation affecting IPs’ rights. The guidelines on IPs’ cultural heritage, and the WGIP legal commentary on free prior and informed consent, could very usefully inform these discussions; the OHCHR must disseminate them more widely (also Yozo Yokota, SC). The WGIP is the appropriate body to draft such guidelines, which are widely called for, to ensure a human rights-based approach. Expert Seminars could refine implementation guidelines.

Central and Eastern Europe, Russia and the Circumpolar

In southern Siberia Kemerovo region, the authorities are developing a ski complex near the Shor people’s sacred mountain without their consent. The cedar, a sacred tree to the Shor, is illegally logged. Open pit coal mining damages their lands, water and sacred sites. ASP call for national agreements that include adequate
compensation and cultural, social and environmental assessment before initiating extractive activities; recognition of IPs’ customary law and land ownership system; and adoption of the guidelines on indigenous heritage.

**SACS** warn that to ensure cultural diversity, the people from industrial culture have to learn how to live in a culturally sustainable way: indigenous ways should be binding to anyone entering natural reserves on IPs’ territories. Only peoples, and not museums, can preserve cultural heritage.

To prevent patenting of human genetic material, **IRUL** consider that the CBD should include an obligation to maintain the collected samples in the country, in addition to free prior and informed consent, as a standard for projects on human genetics in indigenous populations. Full and effective participation of the “donor” population in the investigation, enabled through scientific and technical training, would make it unnecessary to send genetic materials abroad. The “donor” countries must establish the conditions and standards for the protection of their IPs.

**Item 5b – Possible new studies to be undertaken**

**South and Central America**

**CNV** suggest a study on IPs’ concept of property (also **IRUL**). According to IPs, lands, territories and natural resources are the property of the coming generations. It is IPs’ responsibility to handle them with respect. IPs are not opposed to lending anything that can be useful to others, or to sale and purchase products.

**IRUL** state that taking into account socio-cultural contexts when negotiating international standards is essential to achieve common understanding and respect cultural plurality. The industrial countries objected to include patent-protected genetic resources under the regime of “common heritage of humankind”, which implies shared responsibilities to safeguard resources for the next generations, whereas the resources of developing countries and IPs were considered of unrestricted access, allowing privatisation without respect for the “donor”. The indigenous conception that nature cannot be appropriated remains therefore unprotected.

To promote traditional healing practices, **FAPCI** is organizing a workshop on “health and cultural diversity in the world” in November 2006. **FAPCI/AHP** underline the healthy properties of seawater.

**North America**

The UN International Year for Sport and Physical Education (2005) went by without IPs’ significant participation. To ensure they fully enjoy such activities, **IOIRD** propose to study the participation of IPs in international sports and games.

**Asia and Pacific**

**CORE** applaud the WGIP for the adoption of the Declaration by the Human Rights Council. Its drafting was a unique experience of cooperation between the UN and IPs; consensus could regrettably not be achieved. The real task ahead is to implement collective rights (also **MEXICO**). CORE recommend studies on: occupation of indigenous lands by non-indigenous armed entities, including restoration and compensation costs; the status of indigenous children worldwide; internal and international displacement of IPs, including causes and possible restoration and rehabilitation strategies.

**PIPlinks** recommend a study on the human rights obligations of International Finance Institutions (IFIs). The recent WB review of its policy on IPs failed to respect experts’ recommendations, to involve IPs, and to uphold the minimum standards of human rights protection as established in the Declaration; it seems to permit increased investments in projects that threaten IPs’ rights. An authoritative human rights guide is needed, in particular for institutions mandated to reduce poverty. The WGIP should also develop standards on the protection of IPs from human rights abuses by corporations, and propose mechanisms for monitoring the commitments of the extractive industry. Free prior and informed consent appears to be the minimum standard. PIPlinks call for holding the second workshop on IPs, private sector companies and human rights, and for a study on the Declaration’s provisions on lands, territories and resources.

**Middle East**

**AANF** propose a study on IPs’ access to the media with the aim to create a Media Ombudsman for IPs. Correct representation of IPs will help to better understand their cultural background and attain their rights.

**HPI** propose a study on constructive elements of the co-existence of States and IPs; a large-scale comparison of policies on IPs; and a study on structural prevention of violence. As many IPs are victims of ethnicicide and genocide, the WGIP has a lot to contribute regarding prevention.

Mines probably contaminate IPs’ land in 22 countries. **GC** recommend a study on the impact of landmines on IPs’ human rights. The WGIP should call on States and armed non-State actors to commit themselves to ban landmines.
Item 6 – Other matters

Item 6a – Second International Decade of the World’s Indigenous People

The Russian Federation established a National Steering Committee for the Second Decade, comprised of governmental and indigenous representatives (also AIPNSR for the Sakha Republic). RAIPON is promoting dialogue between IPs and industrial companies, and better understanding of the WB policies on IPs. Thanks to the European Union support, IPs from the Russian Federation are able to participate to UN meetings (also MPIDO for the Maasai people) and RAIPON are planning a round table with the State Duma on the ratification of ILO Convention 169. RAIPON also helped the Yamalo-Nenets Autonomous District regional authorities to balance interests of IPs and extracting companies. Finally, RAIPON are partners to the OHCHR indigenous fellowship programme.

Industrial development threatens the Even people’s economy, health, culture and language (AIPNSR). The new Union of Evens of Russia will promote their unification, protect their rights, and improve their living conditions.

Panama advanced its legislation on IPs’ territories, traditional knowledge, and civil rights. The Government is in the process of ratifying ILO Convention 169. The Second Decade’s main objectives in indigenous communities are development, eradication of poverty, and teaching indigenous languages in basic education.

Item 6b – Cooperation with other UN bodies

CORE call upon the WGIP to cooperate with the Committee on the Rights of the Child (CRC), which should include two indigenous experts. The CRC is developing a General Comment on the Convention on the Rights of the Child, which will force States parties to provide specific information regarding indigenous children. UNICEF is adopting a human rights-based approach of indigenous children’s issues. “Indigenous children and youth” is also an ongoing focus for the PF. UN debates on free prior and informed consent, on conflict prevention and resolution, and on natural heritage must include indigenous children and youth. The USA should ratify the Convention.

Numerous Asian States have made progress in the recognition of IPs’ rights, but there is little implementation (also RAIPON for the Russian Federation). AFHRD recommend to: Prioritize the Asian States in the Human Rights Council Universal Peer Review; Strengthen the Special Procedures mechanisms; Increase the OHCHR field presence in Asia; Include provisions on the rights of IPs in the development of the ASEAN Charter and regional mechanisms; Develop the Declaration into a Convention (also IOIRD); Urge concerned UN agencies to support the work of national human rights commissions and to contribute to the promotion and protection of IPs’ rights; Support the ratification and implementation by Asian States of the CBD and ILO Convention 169.

DAP call for its full involvement in UN programs benefiting IPs in West Papua (also BCWPICD). Partnerships must be created between governments, IPs and UN agencies, to ensure addressing IPs’ aspirations and needs.

Item 6c – Follow-up to the World Conference against Racism

Racism, racial discrimination, xenophobia and related intolerance are still harming societies (also OCAPROCE), taking new forms such as ethnic cleansing and institutional racism. WAC recommend that the fight against racism include education, eradication of poverty, more equitable government systems, and promotion of human rights.

In Bolivia, IPs have maintained their culture in spite of colonisation, discrimination and oppression (TC). The new Constitutional Assembly is an opportunity to turn Bolivia into a secular State and enable understanding and respect for indigenous religions.

CONACANP (also IMTA) denounce denial of visas to indigenous representatives duly accredited to UN meetings and beneficiaries of the Voluntary Fund for Indigenous Populations. Such administrative decisions hinder the work of the WGIP. The High Commissioner for Human Rights must resolve this with the Swiss government.

OCAPROCE underline covert racial discrimination, which leads to poverty and exclusion, as one of the main causes of conflict in Africa. IPs are victims of covert discrimination, as are nomadic groups as for instance in France. As the usual channels of the official fight against discrimination do not seem to be efficient in such cases, OCAPROCE recommend a more detailed examination of covert discrimination.

Item 6d – State of the UN Voluntary Fund for Indigenous Populations

The Board of Trustees of the UN Voluntary Fund for Indigenous Populations welcomes the 47 beneficiaries of grants present at the session, and thanks its donors, and the OHCHR for its efficient support. Thanks to the
Voluntary Fund, IPs can develop their leadership and expertise, raise their issues internationally, participate in standard setting and decision making, contribute to deliberations with their first-hand experience, and network with other representatives. Increased funding is needed. Indigenous delegates should continue disseminating the Fund’s information. The Board of Trustees recommends that the Fund’s mandate include financial support for human rights projects, and support IPs’ participation in meetings of human rights treaty bodies (supported by RAIPON). The Board of Trustees hopes that an expert advice body will continue to ensure adequate treatment of IPs’ human rights. It welcomes the Council’s adoption of the Declaration.

Alfonso Martínez recommends further study of the proposals to broaden the Fund’s mandate. However, only the General Assembly can authorize this.

ICSA suggest strengthening the Fund and making indigenous participation more effective, through better preparation and commitment to bring information back to their communities.

RAIPON commend the Voluntary Fund and suggest that grant applications be also disseminated in Russian.

**Item 6e – The draft UN Declaration on the Rights of IPs (update)**

For the first time IPs have participated in the drafting process of an international instrument. Alfonso Martínez hopes that the Declaration will be adopted by the General Assembly (also MEXICO).

By undermining its minimum standards, Western countries are directly responsible for the failure of the Working Group on the Draft Declaration (WGCD) to adopt a Declaration that lives up to IPs’ expectations. IMTA has consistently presented proposals to improve and strengthen the draft Declaration (DD), which were ignored by the Chair, who cannot therefore claim that his text reflects indigenous proposals. IMTA are deeply disappointed by the Declaration that the Council adopted. However, IPs will keep fighting for their declaration on human rights, based on the Sub-Commission text and proposals by IMTA.

Canada’s claim to play an active role on indigenous issues was contradicted by its opposition to the Declaration at the Council’s inaugural session. MNC urge Canada to provide a written analysis of its concerns and to discuss them with IPs.

The adoption of the Declaration will enhance international consideration of indigenous issues and relationships between States and IPs (also MEXICO). IOIRD were deeply disappointed by Canada’s request for a vote and opposition to the Declaration (also MNC). IPs in Canada have prepared a summary of Canadian positions on the Declaration, and corresponding questions to its government. IOIRD present this document to the WGIP and to Canada, hoping it will help to clarify concerns, and call on Canada to hold a high-level meeting with indigenous leaders, to support the adoption by the General Assembly and to begin implementation of the Declaration in a way that improves domestic relations (also MNC).

The immediate adoption of the Declaration is a foundational achievement of the Second Decade; it will assist IPs in reaching goals outlined in the MDGs (IITC). These must be redefined to take into account the poverty and human rights situation of IPs worldwide. The momentum gained during the First Decade with regard to IPs’ human rights must be maintained. The WGIP should recommend to the Coordinator of the Second Decade to work closely with the High Commissioner for Human Rights and the human rights mechanisms for IPs established during the First Decade, in order to truly meet IPs’ expectations and aspirations. The adopted Declaration is not a perfect one, but it is a minimum standard (also Alfonso Martínez) that will enhance the recognition and respect of IPs’ collective rights and treaties.

AIRT support the original text of the DD. The Maori are still considering the text adopted by the Council and some are concerned by its contents, but they do not support New Zealand’s position, and call for a dialogue with the government on this important matter.

RAIPON object to the Russian Federation’s argument to oppose the current text of the Declaration, namely its precedence over national legislation, where implementation will take place. Russia should rather adapt its national legislation and support the Declaration at the General Assembly. Violations of IPs’ rights are increasing in the Russian Federation, due to political pressure by extracting companies. The new Land and Water Codes, and forthcoming Forest Code and Law on Resources, do not recognise IPs’ rights. IPs will not allow transient governments and TNCs to deprive them of their future.

The RUSSIAN FEDERATION objects to the submission to the Council of the Chair’s text, which it cannot support. MEXICO calls on all governments to adopt the Declaration in the General Assembly (also IOIRD).
**Item 7 – The human rights situation of States and territories threatened with extinction for environmental reasons**

Françoise Hampson makes clear that the study[^3] does not include the impact of environmental factors on IPs’ human rights.

**CAPAJ, IOIRD, KKF, WHPC** and the **Maori** people of **Rapa Nui** commend the WGIP for addressing this item, crucial to many IPs (also **BAA, IPNC**). The warning calls are being heard. **IOIRD, WHPC** and the **Maori** of **Rapa Nui** underline that the disappearance of their entire homelands will result in violation of IPs’ fundamental freedoms and human rights, and even in extinction.

**CAPAJ, BAA, IOIRD, KKF, WHPC, HIHR** and the **Maori** of **Rapa Nui** recommend that: 1) the questionnaire for this study be widely distributed to States (also **Pacific Indigenous Caucus, IPNC**); IPs should be able to provide information (**AIWO** suggest adapting the questionnaire to IPs’ situations); 2) this issue be recommended to the Human Rights Council as a priority, and be addressed by any future subsidiary expert advice body on IPs (**BAA, IOIRD, WHPC, HIHR**); 3) the UN specialised institutions be involved in the future work; 4) the WGIP support a training program and theme workshop with people directly affected – allowing for sharing of experience between IPs (**CAPAJ, HIHR** and the **Maori** of **Rapa Nui**).

**Central and South America**

Guatemala encourages mining and hydroelectric projects without consulting the affected IPs, whose environment, cultural heritage and social context are seriously damaged (also **FEINE/CONMIE** for Ecuador). **CONA navigua** urge Guatemala and UN agencies to respect IPs’ rights to be consulted on matters that affect them, and to participate in decision and policy making.

**Economic interests must respect IPs’ human rights.** **FEINE/CONMIE** urge the State to guarantee IPs’ participation and the rational use of their natural resources in the Ecuadorian Amazon region. IPs want development that respects their identity and improves their living conditions. The funds for the Second Decade should be available to communities.

**CAPAJ** stand up for Mother Earth. Climate change already affects Andean IPs.

**North America**

**IOIRD** underline that this issue was originally raised in the Pacific region (also **HIHR**), but has special relevance to IPs worldwide (also **NCFCE**). In Northern Canada, indigenous elders predict disastrous future for all IPs unless such issues are addressed.

**TOTSNCT** denounce USA encroachment upon their lands for uranium extraction (also **SDN** for the **Dineh**), and for nuclear-powered military installations, resulting in radioactive contamination of the whole area and underground water. The population is not informed. Cancer, birth defects and other health concerns are affecting human beings, crops and livestock. This is of global concern as foodstuffs produced in the area are exported to all parts of the world. The WGIP should conduct investigations with the World Health Organization and UN Environment Programme wherever environmental contamination is threatening IPs.

**IPs in Alaska are facing rising sea levels, sinking land and melting permafrost (IPCN).**

**Asia and Pacific**

Most institutions that investigate environmental threats in the Pacific Region belong to the USA, Australia, Japan and New Zealand. IPs having no access to or control over this scientific knowledge, there is a need to assess whether their interests are adequately taken into account. The **Pacific Indigenous Caucus** support the continuation of this study. States must participate to the discussion.

**BAA** state that Maluku has already lost smaller islands and atolls. Although living with the constant threat of rising sea levels, their customary beliefs and attachment to the land make it almost impossible for the **Alifuru** people to leave their ancestral grounds. Studies must explore with IPs solutions to the global warming.

**KKF** state that the **Khmer Krom** people feel the impact of climate changes in their daily living in the Mekong Delta in Vietnam (also **WHPC** for IPs in Asia).

The **Maori** people of **Rapa Nui** understand the fragile balance between nature and human beings for humanity’s survival. The continued rising of sea levels is a universal moral challenge (also **HIHR**). The Hampson study will contribute to solutions that reflect the voices of those at risk and respect their human rights (also **HIHR**).

**HIHR** commend Françoise Hampson for her work. This issue is now recognized as a challenge facing IPs’ communities (also **Pacific Indigenous Caucus**), and a new wave of colonialism where IPs’ homelands are affected by actions beyond their borders (also the **Maori** people of **Rapa Nui**). HIHR report that the issue of climate change is a matter of life and death for Tuvalu, as moving to another location will mean losing their sovereignty; if emissions are not reduced, Tuvalu’s territory will disappear within the next 50 years. Tuvalu is

planning a global assembly in February 2007, so that an international audience can bear witness to the extreme weather firsthand.

**WAC** recommend a universal campaign of awareness-raising on global warming, to influence the developed and developing countries to control and reduce their toxic gases and waste emissions, and to promote alternative sources of energy also for developing countries. Wherever IPs have been displaced, States should support organisations such as **TSK**, which provide a place for their spiritual, cultural and social activities. The Nepalese government must include IPs in decision making and in drafting the new Constitution.

**Africa**

Nigeria has deprived the **Ogoni** people of their means of subsistence since 1956. Shell’s unregulated oil extracting activities have turned the Ogoni land to a wasteland, contaminating lands and villages with oil spills and gas flares. **MOSOP** recommend that Nigeria and Shell be urged to conduct an environmental audit in the Ogoni land, as the UN recommended in 1996. Oil and gas development must stop in the region until measures are set to restore biodiversity and protect future generations. Nigeria must implement a well-defined process to improve the Ogoni people’s living conditions, and ensure adequate response to oil spills. **AB/CJ** inform that the nomadic pastoralist **Woodabe Peul** people of Niger are facing desertification of their grazing lands, caught between cultivated lands and the Sahara. Privatisation of wells deprives them of their water resources. Digging new wells would require the people to settle, which is incompatible with their traditional means of subsistence and very existence as a people (also **ETAR** for the ‘Tuareg people’). The Woodabe Peul grazing lands must not be sold as if they were vacant; Niger must recognize IPs’ rights; and the distribution of aid during droughts be closely monitored.

**Central and Eastern Europe, Russia and the Circumpolar**

The Russian Federation’s new draft Forest Code refuses IPs the possibility to own their lands and allows any third party to own or lend forestlands. In spite of a formal recognition of IPs’ right to their traditional lifestyle, their rights to a free use of forests and to the protection of their territories are not ensured, while state authorities can set quotas for the use of land including food resources. This legislation is threatening IPs’ very survival, which amounts to genocide. **LIENIP** call for a nation-wide discussion to take indigenous interests into consideration.

**Middle East**

The **Bedouin** people of the Negev desert, whose villages are not recognized by the Israeli State, are particularly vulnerable. **NCFCE** report on the heavily contaminating Ramat Hovav Industrial Park located very close to some Bedouin villages, causing serious health concerns. This industrial park must stop polluting the area, and the State of Israel recognize Bedouin villages and protect them from environmental threats.

**Item 8 – Future of the Working Group on Indigenous Populations**

**Françoise Hampson** presents the WGIP’s draft contribution (supported by **HPI**) to the review of its mandate4. The **Indigenous Peoples’ Caucus** (supported by **AIWO**) present its preliminary proposals for future mechanisms on IPs’ human rights. The Human Rights Council should have an appropriate subsidiary expert body on IPs with indigenous experts (also **CAASM, African Indigenous Caucus**). Any future arrangements should enhance the functions of the three existing UN bodies related to IPs’ issues. The Council could provide guidelines for implementation of the Declaration. The Indigenous Caucus request that all future mechanisms be open to IPs’ full participation, with the support of the UN Voluntary Fund for Indigenous Populations, and that the Council enhance IPs’ use of all UN human rights bodies.

**Central and South America**

**JPP** have known the UN system through the WGIP. IPs still suffer poverty, conflicts, militarisation, corruption and instability of the States where they live (also **CARPEL**). The WGIP should address IPs’ access to water, migrations and participation to poverty eradication.

**MEXICO** considers that indigenous issues should be a crosscutting theme for all special procedures and treaty bodies, and a permanent item of the Human Rights Council’s agenda (also **IPs’ Caucus, African Indigenous Caucus**), which should be predictable in time so as to ensure participation. An expert advice body on IPs’ rights should in particular contribute to the evolution and implementation of human rights. To avoid duplication, the PF

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4 This paper was discussed in the plenary. The revised recommendations of the WGIP are contained in annex III of its report (document A/HRC/Sub.1/58/22) and published on page 6 of this Update.

5 See page 3 for the full version of this statement.
might address some issues related to IPs’ rights (IOIRD suggest that, as the PF is not a human rights body, its mandated area on “human rights” be changed to civil and political rights). To ensure coherency, the Council must mandate any task undertaken by its expert advice body. Experts should undertake specific studies in close communication with IPs (also IPs’ Caucus, KKF, HIHR). The expert advice body should include experts in human rights and indigenous issues, and indigenous experts; IPs must be duly represented in the framework of the Council.

North America

The future expert body should comprise as many indigenous as non-indigenous experts (also AIWO). IOIRD recommend replacing “indigenous issues” by “indigenous peoples” (also AIWO). IPs’ specific situations should be a distinct point of the Council’s Universal Periodic Review (also WAC).

The promotion and protection of IPs’ human rights must stay in Geneva. Development sometimes clashes with human rights. IPNC propose a study on democracy and IPs, and that the WGIP be able to recommend UN bodies to address specific issues.

Asia and Pacific

The WGIP can address human rights violations with IPs and undertake studies in order to build genuine partnership for their rights (also HIHR). KKF suggest a study on religious beliefs in conflict resolution, and call for a response to gross violations of IPs’ rights.

Africa

The African Indigenous Caucus recall that the PF is not mandated for standard setting. IPs need international human rights instruments in order to defend their rights. The WGIP should be strengthened (also JPP, CAASM, IMTA, TSK) and its mandate include dissemination of IPs’ reports to relevant UN bodies, as well as standard setting on IPs’ permanent sovereignty over their lands and resources. UN experts coming from the treaty bodies or special procedures should integrate the WGIP (also AIWO, JPP). The next session should focus on implementation of the Declaration, first drafted by the WGIP (also CAASM, HPI).

AIWO underline that the ECOSOC President appoints the indigenous members of the PF from nominations by IPs (also IOIRD).

Suppressing the WGIP would contradict the international community’s commitment to strengthen IPs’ rights. A committee should monitor the application of the Declaration (CAASM).

HPI object to the speaking time limit in the WGIP and recommend a study on the implementation of IPs’ self-determination (also KKF). Standard setting must consider that States do not always respect the rule of law. As implementation is most difficult, providing flexibility for national authorities seems inappropriate in guidelines. The WGIP became over the years a most prominent conflict prevention institution.

Abbreviations

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<th>Abbreviations</th>
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<td>AANF: Arameans of Aram-Nahariam Foundation</td>
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<td>AB/CJ: Association Baraka / Collectif ‘Jingo</td>
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<td>ABPF: All Boro Peace Forum</td>
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<td>ABPGYF: All Boro Post Graduate Youth's Federation</td>
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<td>ACAK: Association culturelle Ath-Koudhia</td>
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<td>ACS: Adivasi Chhatra Sangh</td>
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<td>ACSK: Association Culturelle et Scientifique de Khenchela</td>
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<td>AEHRF: Ahwaz Education and Human Rights Foundation</td>
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<td>AFHRD: Asian Forum for Human Rights and Development</td>
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<td>AFTRADEMOP: Association for the Reconstruction and Development of the Moko-oh Peoples</td>
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<td>AHP: Association Huaman Poma</td>
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<td>AHRO: Ahwaz Human Rights Organization, USA</td>
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<td>AICO: Autoridades Indígenas de Colombia</td>
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<td>AIPNSR: Association of the Indigenous Peoples of the North Sakha Republic</td>
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<td>AIPR: Association of Indigenous Peoples in the Ryukyus</td>
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<td>AIRT: Aoteaora Indigenous Rights Trust</td>
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<td>AISWACS: All India Santal Welfare and Cultural Society</td>
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<td>AIWO: African Indigenous Women's Organisation</td>
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<td>AMP: Association of West Papua Students</td>
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<td>ASC: Apache Survival Coalition</td>
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Published on January 12, 2007
ASP: Association of the Shor People
BAA: Bangsa Adat Alifuru
BCWPICD: Bureau of Consultation for West Papua Indigenous Community Development
BCWPIP: Bureau of Consultation for West-Papua Indigenous People
BIPF: Bangladesh Indigenous Peoples Forum
BRDN: Buffalo River Dene Nation
BUCC: Bangladesh Hindu, Buddhist & Christian Unity Council
CAASM: Confédération des Associations Amazighes du Sud Marocain
CAMV: Centre d'Accompagnement des Autochtones Pygmées et Minoritaires Vulnérables
CAPAJ: Comisión Jurídica para el Autodesarrollo de los Pueblos Originarios Andinos
CARPEL: Cámara Artesanal de Peñileo
CECOIN: Centro de Cooperación al Indígena
CGAPN: Capitanía Guarani del Alto Parapeti - Ñumbuite
CIE: Consejo Indio Exterior
CIPARKK: Comunity of Indigenous Peoples of the Altai Republic "Kaan-Kurai"
CISAN: Comunidad Integradora del Saber Andino
CITa: Confederación Indígena Tayrona
CJP: Comunidad Juan Paillalef
CMA: Congrès Mondial Amazigh
CMPC: Confrérie du Mbog - Parlement du Cameroun
CNDPA: Conseil National pour les Droits du Peuple Autochtone en Kanaky
CNV: Cumanagoto Nation of Venezuela
CONACANP: Confederación Nacional de Criadores de Llamas, Alpacas y Vicuñas del Perú
CONAVIGUA: Coordinadora Nacional de Viudas de Guatemala
CONMIE: Consejo Nacional de Mujeres Indígenas del Ecuador
COPWGC: Cabildos y Organizaciones Wayúu de La Guajira, Colombia
CORE: Centre for Organisation Research and Education
CPC: Congrès Populaire Coutumier, Nouvelle-Calédonie
CPCSUS: Centre for Peace and Conflict Studies, University of Sidney
CRIC: Consejo Regional Indígena del Cauca
CRN: Comité RHHEBU NUU
CSSC: Comité Suisse de Soutien aux Chagossiens
CTSFN: Confederacy Treaty Six First Nation
DAP: Dewan Adat Papua
DeMmak: The Koteka Tribal Assembly
DLI: Donetzk Law Institute
DSPA: Democratic Solidarity Party of Ahwaz
ETAR: Etoile Touarègue Autres Regards
FAPCI: Fundación de Ayuda y Promoción de las Culturas Indígenas
FC: Femmes Celtes
FEINE: Federación Evangélica Indígena de Ecuador
FPCN: Friends of Peoples close to Nature
FRSCIP: Foundation for Research and Support to the Crimean Indigenous Peoples
GC: Geneva Call
GREPNET: Green Peoples Environmental Network
HCFS: Hmong Chaofa Federated State
HC: Haudenosaunee Confederacy
HIHR: Hawai‘i Institute for Human Rights
HIWN: Himalayan Indigenous Women Network
HIPI: Hiroshima Peace Institute
HTWRN: Hill Tracts Women Resources Network
IAADI: Indigenous Ahwazi Arabs for Democracy in Iran
IAITPTF: International Alliance of the Indigenous Tribal Peoples of the Tropical Forests
ICC: Inuit Circumpolar Conference
ICITP: Indian Confederation of Indigenous and Tribal Peoples
ICITP-NEZ: Indian Confederation of Indigenous and Tribal Peoples - North East Zone
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<tr>
<th>Acronym</th>
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<td>ICSA</td>
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<td>IMPACT</td>
<td>Indigenous Movement for Peace Advancement and Conflict Transformation</td>
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<td>ZORO</td>
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4. SUB-COMMISSION ON THE PROMOTION AND PROTECTION OF HUMAN RIGHTS

58th session, Geneva, 7 – 25 August 2006

The Sub-Commission reiterated to the Human Rights Council the three Resolutions prepared at its previous session for the Commission on Human Rights⁶. The Sub-Commission also requested States to provide full information to the study on the legal implications of the disappearance of States and other territories for environmental reasons. As regard to the WGIP, the Sub-Commission particularly recommended that the item “indigenous issues” be included in the agenda of the Human Rights Council and stressed the need for an expert advice body on the rights of IPs. It also recommended the holding of several technical workshops and seminars, and welcomed the results of others. Finally, the Sub-Commission called for broadening the mandate of the Voluntary Fund to allow IPs to participate in the human rights treaty bodies.

Resolution 2006/12 (highlights)
Second International Decade of the World’s Indigenous People

The Sub-Commission on the Promotion and Protection of Human Rights,
1. Reiterates that there is a need to continue giving particular attention to achieving the effective participation of IPs in the planning, organization and implementation of the activities of the Second International Decade of the World’s Indigenous People in order to fully realize the Decade’s goals;
2. Requests the UN High Commissioner for Human Rights to continue to take the necessary steps to ensure the participation of her Office in the activities of the human rights component of the programme of action of the Second Decade, in full cooperation with the Coordinator for the Second Decade;
3. Requests its WGIP to follow closely the activities carried out as part of the human rights component of the programme of action of the Second Decade on the basis of the information to be submitted regularly by the Office of the High Commissioner to the members of the Working Group, so as to be able to contribute to the midterm and end-term reviews of the Second Decade, to be carried out by the General Assembly in 2010 and 2015;
4. Expresses its view that the conclusions and recommendations adopted annually by the Working Group and the experience accumulated by this body during its 24 years of continuous work on the most diverse indigenous issues and in the evaluation of the implementation of the programme of action of the first Decade could be of particular value for the successful planning and implementation of the activities to be undertaken within the framework of the Second Decade;
5. Welcomes the observance of the International Day of the World’s Indigenous People on 3 August 2006;
6. Recommends that the celebration of the International Day of the World’s Indigenous People continue to be held in Geneva, as usual, on the fourth day of the annual session of the WGIP, in order to ensure as large a participation as possible of representatives of IPs, Governments and intergovernmental and non-governmental organizations, as well as of staff of UN bodies and the specialized agencies;
7. Reiterates the recommendation that the Coordinator for the Second Decade appeal to Governments and other possible donors to contribute generously to the Voluntary Fund for the Second International Decade of the World’s Indigenous People;
8. Welcomes the steps that have been taken and continue to be taken to establish and promote cooperation between the PF, the WGIP and the SR on the situation of human rights and fundamental freedoms of indigenous people, as was the case in the work to achieve a successful common approach that stressed the need for a second international decade.

Resolution 2006/13 (highlights)
Working Group on Indigenous Populations

The Sub-Commission on the Promotion and Protection of Human Rights,
1. Expresses its deep appreciation to all members of the Working Group for the important and constructive work accomplished during the session and for the new working methods introduced, with the purpose of facilitating a more interactive dialogue during its annual sessions;
2. Reiterates its view, in the context of the ongoing process of reform of the UN human rights activities, bodies and mechanisms recently initiated by the Secretary-General, that in reviewing the activities, bodies and mechanisms relating to IPs, account should be taken of the fact that the mandates of the WGIP, the SR on the

⁶ See Update 68-69, p. 22-25 (printed version) or p. 24-27 (electronic version).
situation of human rights and fundamental freedoms of indigenous people and the PF are clearly distinct and complementary and that consequently none of these three bodies should be discontinued, and invites its superior bodies to endorse this view in the light of the already established cooperation among the three mechanisms;

3. Recommends that the item “indigenous issues” be automatically included in the agenda of the Human Rights Council and stresses the need for an expert body to provide the Council with advice on the promotion, protection and realization of the rights of IPs; also recommends that the principal functions of this body should be to produce in-depth, action-orientated reports and studies and to engage in the elaboration of norms and other international standards relating to the promotion, protection and realization of the rights of IPs; and further recommends that the expert body should report to the Sub-Commission or any future expert advice mechanism;

4. Requests the Secretary-General to transmit the report of the Working Group on its 24th session [2006] (A/HRC/Sub.1/58/22) to the UN High Commissioner for Human Rights, indigenous organizations, Governments and concerned intergovernmental and non-governmental organizations, to the Board of Trustees of the UN Voluntary Fund for Indigenous Populations, as well as to the Human Rights Council, all thematic rapporteurs, special representatives, independent experts and working groups existing as special procedures under the authority of the Human Rights Council, and to all the treaty bodies;

5. Reiterates its invitation to the treaty bodies and all thematic special procedures to advise the Working Group on how they take into account, in their work and in accordance with their respective mandates, the promotion and protection of IPs’ rights and in this context further invites them to take duly into account paragraphs 3 and 4 of Commission on Human Rights resolution 2004/58 of 20 April 2004;

6. Requests the current Chairperson-Rapporteur of the Working Group to make an oral presentation to the 14th annual meeting of special rapporteurs/representatives, independent experts and chairpersons of working groups of the special procedures of the Human Rights Council to substantiate the need for further cooperation between the special procedures and the Working Group and to propose possible modalities for further developing this much-needed cooperation;

7. Welcomes the adoption by the Human Rights Council by its resolution 2006/2 of 29 June 2006 of the UN Declaration on the Rights of IPs and recommends its adoption by the General Assembly at its 61st session [2006];

8. Reiterates its decision to authorize the Working Group to make available to the PF and the SR on the situation of human rights and fundamental freedoms of indigenous people, upon their specific request, the information provided by representatives of Governments and IPs during the annual general debate on its agenda item 4 (Review of developments), as a specific step towards further cooperation with other bodies with specific mandates related to the situation of IPs;

9. Requests the Working Group to continue exploring ways and means to further strengthen its cooperation with the PF and the SR;

10. Requests the Human Rights Council to endorse the participation, for one week, of the Chairperson-Rapporteur of the Working Group at the sixth session of the PF in 2007, as recommended by the Working Group in its report (A/HRC/Sub.1/58/22, para. 59), to enable him to present the report of the Working Group on its 24th session [2006];

11. Recommends to the Human Rights Council and the ECOSOC that the Chairperson of the PF and the SR on the situation of human rights and fundamental freedoms of indigenous people be invited to participate in the 25th session of the Working Group [2007];

12. Decides that the Working Group, at its 25th session [2007], shall adopt as the principal theme “The impact of private sector initiatives on IPs’ rights”, and that the OHCHR shall invite all relevant organizations, agencies and departments of the UN system to provide information on this subject and, if possible, to participate actively in the debates on this matter at the Working Group;

13. Decides that the Working Group’s agenda for its 25th session would be as follows: 1. Election of officers; 2. Adoption of the agenda; 3. Organization of work; 4. Review of developments: (a) General debate; (b) Principal theme: “The impact of private sector initiatives on IPs’ rights”; (c) “Utilization of IPs’ lands by non-indigenous authorities, groups or individuals for military purposes”; 5. Standard-setting: review and approval of the final drafts of the guidelines on cultural heritage and on free, prior and informed consent; 6. Other matters: (a) Second International Decade of the World’s Indigenous People; (b) Cooperation with other UN bodies; (c) State of the UN Voluntary Fund for Indigenous Populations; (d) The UN Declaration on the Rights of IPs (update); 7. The human rights situation of States and territories threatened with extinction for environmental reasons, with particular reference to IPs; 8. Presentation of elements for conclusions and recommendations; 9. Adoption of the report;

14. Requests the Secretary-General to prepare an annotated agenda for the 25th session of the Working Group on the basis of paragraph 13 of the present resolution;
15. Invites the OHCHR, after consultation with the Chairperson-Rapporteur, to inform participants at the 25th session of the Working Group about the organization of issues under agenda item 4 in advance of the session, in order to facilitate a more active dialogue among the various participants;

16. Requests the Working Group to continue to review at its 25th session, under draft agenda item 5, the final drafts of the guidelines on the heritage of IPs and on free, prior and informed consent;

17. Calls upon all States to give specific attention to the promotion and protection of the traditional knowledge of IPs and to ensure that the principle of free, prior and informed consent is fully applied when protecting their traditional knowledge in their relations with non-indigenous sections of the population;

18. Requests Miguel Alfonso Martínez to submit to the 25th session of the Working Group under draft agenda item 4 (c), or to any future expert advice mechanism under the appropriate agenda item, the additional working paper requested by the Sub-Commission in its resolution 2004/15 of 15 April 2004 on the issue of IPs and conflict prevention and resolution;

19. Invites all States to submit to the Working Group at its 25th session any information they deem fit to provide on the mechanisms for conflict resolution and prevention available to IPs living under their jurisdiction, in case of existing or potential conflict situations based on the exercise of their rights in their relations with non-indigenous entities or individuals;

20. Endorses the recommendation of the Working Group to request the OHCHR to organize two technical workshops, one to produce a final draft of the guidelines relating to IPs’ heritage, and another to prepare guidelines on the principle of free, prior and informed consent based on the work undertaken by the Working Group during recent years, and to this effect, to take the necessary steps to include in the budget for 2007 the necessary appropriations to ensure that these workshops are held in Geneva not later than the end of 2007; and recommends that the Office publish and disseminate widely the guidelines on free, prior and informed consent;

21. Decides, in view of the discussions that took place under the principal theme of its 24th session [2006], to invite the OHCHR to organize in 2007, as a matter of priority and in consultation with the Chairperson-Rapporteur of the Working Group, a second workshop on IPs, mining and other private sector companies and human rights, with a view to preparing guidelines based on respect for the cultures, traditions and the cultural heritage of IPs, and for the principle of free, prior and informed consent;

22. Reiterates its deep appreciation to the Mascwachis Cree Nation’s Elders and Chiefs for confirming their hosting of the UN seminar referred to in Sub-Commission resolution 2004/15 on possible ways and means to implement treaties, agreements and other constructive arrangements between States and IPs, to be held from 25 to 27 September 2006 in their traditional lands under Treaty 6 in Canada, in accordance with the invitation extended by them during the 22nd session [2004] and already formally accepted by the Working Group (see E/CN.4/Sub.2/2004/28, para. 118), and welcomes the work that has already been done by the Mascwachis Cree Nation’s Elders and Chiefs and the OHCHR in preparation of that event;

23. Expresses its thanks to the OHCHR for having extended the necessary cooperation to the indigenous organizers of this seminar so as to ensure the full organizational and technical preparation as well as the successful holding of this important event;

24. Expresses its appreciation to the OHCHR for the organization of a seminar on “IPs’ permanent sovereignty over natural resources and their relationship to land” in January 2006 and takes note of the report on this activity presented to the WGIP (E/CN.4/Sub.2/AC.4/2006/3). It also requests the OHCHR to implement the recommendations, where appropriate;

25. Requests the OHCHR to provide technical cooperation to States that wish to elaborate national legislation on indigenous issues drawing upon existing human rights law, as well as the Declaration;

26. Reiterates its request to Mr. Alfonso Martínez to prepare, without financial implications, a working paper on the present-day effects of the colonial era that continue to adversely affect the living conditions of IPs in various parts of the world, to be submitted to the Working Group at its 26th session [2008] and to the Sub-Commission at its 59th session [2007] or to the first session of any future expert advice mechanism;

27. Recommends that the OHCHR organize, if possible before the end of 2008, a seminar on the contemporary effects of colonialism for IPs;

28. Appeals to all Governments, IPs, governmental and non-governmental organizations and other potential donors in a position to do so to contribute generously in 2007 to the UN Voluntary Fund for Indigenous Populations and the Voluntary Fund for the Second Decade of the World’s Indigenous People;

29. Recommends that States consider asking the General Assembly to broaden the mandate of the Voluntary Fund so as to allow IPs to participate in the human rights treaty bodies and to provide funding for human rights projects to indigenous organizations;

30. Requests the Human Rights Council to authorize ten meetings for the WGIP prior to the 59th session of the Sub-Commission or of the first session of any future expert advice mechanism in 2007;

31. Recommends to the Human Rights Council the following draft decision for adoption:

“The Human Rights Council, taking note of resolution 2006/13 of 24 August 2006 of the Sub-Commission on the Promotion and Protection of Human Rights, endorses the Sub-Commission’s request to authorize ten
meetings for the WGIP prior to the 59th session of the Sub-Commission or of the first session of any future expert advice mechanism in 2007.”

Resolution 2006/16 (highlights)

The legal implications of the disappearance of States and other territories for environmental reasons, including the implications for the human rights of their residents, with particular reference to the rights of IPs

The Sub-Commission on the Promotion and Protection of Human Rights,

2. Decides to appoint Françoise Hampson as SR with the task of preparing a comprehensive study on the legal implications of the disappearance of States and other territories for environmental reasons, including the implications for the human rights of their residents, with particular reference to the rights of IPs, based on her expanded working paper and her conference room paper, as well as the comments received and the discussions that took place at the 57th [2005] and 58th [2006] sessions of the Sub-Commission and the results of the questionnaire endorsed by the Commission in its decision 2005/112;
3. Requests the SR to submit a preliminary report to the Sub-Commission at its 59th session [2007] or to the first session of any future expert advice mechanism, and a progress report and a final report in subsequent years;
4. Requests the Secretary-General to provide the SR with all the assistance necessary to accomplish this task, including the attendance of herself and the secretary to the WGIP at the workshop on this topic to be organized in the first half of 2007 in the South Pacific;
5. Requests States to provide full and timely replies to the questionnaire authorized by the Commission;
6. Decides that if, for whatever reason, Ms. Hampson’s appointment is not endorsed by the Human Rights Council, to request Ms. Hampson to prepare an expanded working paper on the legal implications of the disappearance of States and other territories for environmental reasons, including the implications for the human rights of their residents, with particular reference to the rights of IPs, to be submitted to the WGIP at its 25th session [2007] and to the Sub-Commission at its 59th session [2007] or to the first session of any future expert advice mechanism;
7. Recommends the following draft decision to the Human Rights Council for adoption:
   “The Human Rights Council, taking note of Sub-Commission on the Promotion and Protection of Human Rights resolution 2006/16 of 24 August 2006, decides to endorse the decision of the Sub-Commission to appoint Françoise Hampson as SR with the task of preparing a comprehensive study on the legal implications of the disappearance of States and other territories for environmental reasons, including the implications for the human rights of their residents, with particular reference to the rights of IPs, based on her expanded working paper (E/CN.4/Sub.2/2005/28) and her conference room paper (E/CN.4/Sub.2/AC.4/2006/CRP.2), as well as the comments received and the discussions that took place at the 57th [2005] and 58th sessions [2006] of the Sub-Commission and the results of the questionnaire endorsed by the Commission in its decision 2005/112 of 20 April 2005, and its request to the SR to submit a preliminary report to the Sub-Commission at its 59th session [2007] or to the first session of any future expert advice mechanism and a progress report and a final report in the following years. The Council also decides to endorse the request to the Secretary-General to provide the SR with all the assistance necessary to enable her to accomplish her task”;
8. Decides to continue consideration of this issue at its 59th session under the same agenda item or recommends consideration of this issue during the first session of any future expert advice mechanism.
5. UPCOMING MEETINGS AND DEADLINES FOR INDIGENOUS PEOPLES, JANUARY – APRIL 2007

JANUARY

15 January – 2 February 2007 (Geneva, Switzerland)
**44th session of the Committee on the Rights of the Child (CRC)**
Office of the High Commissioner for Human Rights
Contact: M. P. David, Secretary
United Nations, CH-1211 Geneva 10, Switzerland
Phone: +41 22 917 9301 Fax: +41 22 917 9022
E-mail: crc@ohchr.org Web: http://www.ohchr.org/english/bodies/crc/crcs44.htm

15 January – 2 February 2007 (New York, USA)
**37th session of the Committee on the Convention on the Eradication of all Forms of Discrimination Against Women (CEDAW)**
Countries scheduled for consideration: Tajikistan, Austria, Azerbaijan, Colombia, Greece, India, Kazakhstan, Maldives, Namibia, Netherlands, Nicaragua, Peru, Poland, Suriname, and Vietnam.
Department of Economic and Social Affairs
UN Division for the Advancement of Women (DAW)
2 UN Plaza, DC2-12th Floor, New York, NY 10017, USA
Fax: +1 212 963 3463 E-mail: see link “E-mail DAW” on left hand corner of website
Web: http://www.un.org/womenwatch/daw/cedaw/37sess.htm

17 – 19 January 2007 (New York, USA)
**Expert Group Meeting on the CBD’s international regime on access and benefit-sharing and IPs’ rights**
Department of Economic and Social Affairs
Secretariat of the Permanent Forum on Indigenous Issues
2 UN Plaza, Room DC2-1772, New York, NY 10017, USA
Phone: +1 917 367 5100 Fax: +1 917 367 5102
E-mail: IndigenousPermanentForum@un.org

17 – 19 January 2007 (Geneva, Switzerland)
**Special session of the Standing Committee on Copyright and Related Rights**
World Intellectual Property Organisation (WIPO)
34, chemin des Colombettes
PO Box 18, CH-1211 Geneva 20, Switzerland
Phone: +41 22 338 9111 Fax: +41 22 733 5428
For e-mail go to: http://www.wipo.int/tools/en/contacts/index.jsp
Web: http://www.wipo.int/copyright/en/

17 – 19 January 2007 (Nairobi, Kenya)
**African Summit of Civil Society Organisations**
UN-HABITAT & MWENGO
UN-HABITAT Headquarters
P.O. Box 30030, GPO, Nairobi, 00100, Kenya
Phone: +254 2 762 3120 Fax: +254 2 762 4266
E-mail: partners@unhabitat.org or mail@mwengo.org.zw
Web: http://www.unhabitat.org/content.asp?cid=3833&catid=26&catid=11&subMenuId=0

22 – 25 January 2007 (Lima, Peru)
**Meeting of the Group of Technical Experts on an Internationally Recognized Certificate of Origin/Source/Legal Provenance**
Secretariat of the Convention on Biological Diversity (CBD)
413 St-Jacques Street, 8th floor, Office 800
Montreal, Quebec, Canada, H2Y 1N9
Phone: +1 514 288 2220 Fax: +1 514 288 6588
E-Mail: secretariat@biodiv.org
FEBRUARY

5 – 9 February (Nairobi, Kenya)
24th session of UNEP Governing Council/Global Ministerial Environment Forum
United Nations Environment Programme (UNEP)
Contact: Mr. B.A. Miller, Office of the Secretary for Governing Bodies
United Nations Avenue, Gigiri
PO Box 30552, 00100 Nairobi, Kenya
Phone: +254 2 62 3411 Fax: + 254 2 623748
E-mail: millerb@unep.org Web: www.unep.org

12 – 15 February (Gland, Switzerland)
35th meeting of the Ramsar Standing Committee
Ramson Convention on Wetlands
Rue Mauverney 28, 1196 Gland, Switzerland
Phone: + 41 22 999 0170 Fax: + 41 22 999 0196
E-mail: ramsar@ramsar.org Web: http://www.ramsar.org/about/about_stancomm.htm

13 – 16 February 2007 (Nusa Dua, Bali, Indonesia)
International Expert Meeting “Multi Year Programme of Work of the UN Forum on Forests: Charting the Way Forward to 2015”
Government of Indonesia
Contact: Mr. T. Tharyat, Permanent Mission of Indonesia to the UN
325 East 38th Street, New York, NY 10016, USA
Phone: +1 212 972 8333 Fax: +1 212 972 9780
E-mail: tri_tharyat@yahoo.com Web: http://www.un.org/esa/forests/2007.html and http://www.dephut.go.id/INFORMASI/UNFF/G_Info.htm

26 February – 2 March 2007 (Geneva, Switzerland)
20th session of the Board of Trustees of the UN Voluntary Fund for Indigenous Populations
Office of the High Commissioner for Human Rights
Secretariat of the Voluntary Fund for Indigenous Populations
Contact: Ms. Melanie Clerc
United Nations, 1211 Geneva 10, Switzerland
Phone: +41 22 917 9737 / 9164 Fax: +41 22 917 9066
E-mail: IndigenousFunds@ohchr.org
Web: http://www.ohchr.org/english/about/funds/indigenous/

26 February – 2 March 2007 (New York, USA)
Intergovernmental Preparatory Meeting
for the 15th session of the UN Commission on Sustainable Development
Department of Economic and Social Affairs
Division for Sustainable Development
Contact: Saki Hirano, CSD Secretariat
2 UN Plaza, Room DC2-2220, New York, NY 10017, USA
Phone: + 1 212 963 2803 Fax: + 1 212 963 4260
E-mail: hirano@un.org Web: http://www.un.org/esa/sustdev/csd/csd15/csd15_ipm.htm

26 February – 9 March 2007 (New York, USA)
51st session of the Commission on the Status of Women
Department of Economic and Social Affairs
UN Division for the Advancement of Women (DAW)
Contact: Ms. Jackie Shapiro
2 UN Plaza, DC2-12th floor, New York, NY 10017, USA
Phone: +1 212 209 3961 Fax: +1 212 963 3463
E-mail: Csw51@un.org Web: http://www.un.org/womenwatch/daw/csw/51sess.htm
19 February – 9 March 2007 (Geneva, Switzerland)

70th session of the Committee on the Elimination of Racial Discrimination (CERD)
Countries scheduled for consideration: Israel, Liechtenstein, Czech Republic, The Former Yugoslav Republic of Macedonia, India, Canada, Antigua and Barbuda, Democratic Republic of Congo, Ethiopia, Nicaragua, Congo, Papua New Guinea, Togo.
Office of the High Commissioner for Human Rights
Contact: Ms. N. Prouvez, Secretary
United Nations, CH-1211 Geneva 10, Switzerland
Phone: +41 22 917 9309 Fax: +41 22 917 9022
E-mail: nprouvez@ohchr.org Web: http://www.ohchr.org/english/bodies/cerd/berds70.htm

MARCH

5 – 9 March 2007 (tentative date and venue to be determined)

Joint Article 8(j) and Clearing-House Mechanism Capacity-Building Workshop on Networking and Information Exchange (Africa Region)
Secretariat of the Convention on Biological Diversity
Contact: Mr. Ahmed Djoghlaf, Executive Secretary
413 St-Jacques Street, 8th floor, Office 800
Montreal, Quebec, Canada, H2Y 1N9
Phone: +1 514 288 2220 Fax: +1 514 288 6588
E-mail: secretariat@biodiv.org Web: http://www.biodiv.org/meetings/default.shtml

12 – 16 March 2007 (Rome, Italy)

18th session of the Committee on Forestry: "Weaving knowledge into development"
UN Food and Agriculture Organisation (FAO)
Forestry Department
Contact: Mr. Douglas Kneeland
Viale delle Terme di Caracalla, 00100 Rome, Italy
E-mail: douglas.kneeland@fao.org Web: http://www.fao.org/forestry/site/35914/en/

12 – 30 March 2007 (New York, USA)

89th session of the Human Rights Committee
Countries scheduled for consideration: Madagascar, Chile, Rwanda, Barbados, Czech Republic, Costa Rica, Grenada, Sudan, and Austria.
Office of High Commissioner on Human Rights
Contact: M. P. Gillibert
United Nations, 1211 Geneva 10, Switzerland
Phone: +41 22 917 9332 Fax: +41 22 917 9022
Web: http://www.ohchr.org/english/bodies/hrc/hrcs89.htm

12 March – 6 April (Geneva, Switzerland)

4th session of the Human Rights Council
Office of High Commissioner on Human Rights
Contact: Ms. Laura Dolci-Kanaan, NGO Liaison Officer
United Nations, 1211 Geneva 10, Switzerland
Phone: +41 22 917 9656 Fax: +41 22 917 9004
E-mail: ldolci-kanaan@ohchr.org Web: http://www.ohchr.org/english/bodies/hrccouncil/

March 2007 (date and venue to be determined)

African Regional Workshop on National Implementation and Capacity-Building
Secretariat of the Convention on Biological Diversity
Contact: Mr. Ahmed Djoghlaf, Executive Secretary
413 St-Jacques Street, 8th floor, Office 800
Montreal, Quebec, Canada, H2Y 1N9
Phone: +1 514 288 2220 Fax: +1 514 288 6588
E-mail: secretariat@biodiv.org Web: http://www.biodiv.org/meetings/default.shtml

Published on January 12, 2007
APRIL
2 – 4 April 2007 (Dehradun, India)
**Regional Workshop for Asia and Pacific on implementation of the programme of work on Protected Areas and Capacity-building**
Secretariat of the Convention on Biological Diversity
Contact: Mr. Ahmed Djoghlaf, Executive Secretary
413 St-Jacques Street, 8th floor, Office 800
Montreal, Quebec, Canada, H2Y 1N9
Phone: +1 514 288 2220 Fax: +1 514 288 6588
E-mail: secretariat@biodiv.org Web: [http://www.biodiv.org/meetings/default.shtml](http://www.biodiv.org/meetings/default.shtml)

16 – 20 April 2007 (Nairobi, Kenya)
**21st session of the Governing Council of the UN Human Settlements Programme (UN-HABITAT)**
UN-HABITAT Headquarters
P.O. Box 30030, GPO, Nairobi, 00100, Kenya
Phone: +254 2 762 3120 Fax: +254 2 762 4266
E-mail: infohabitat@unhabitat.org
Web: [http://www.unhabitat.org/content.asp?cid=3840&catid=26&typeid=11&subMenuId=0](http://www.unhabitat.org/content.asp?cid=3840&catid=26&typeid=11&subMenuId=0)

16 – 27 April 2007 (New York, USA)
**7th session of the UN Forum on Forests (UNFF7)**
Department of Economic and Social Affairs
UN Forum on Forests Secretariat
Contact: Mr. Hans Hoogeven, Chief of the UNFF7
1 UN Plaza, DC1-1245, New York, NY 10017, USA
Phone: +1 212 963 3160 / 3401 Fax: +1 917 367 3186
E-mail: unff@un.org Web: [http://www.un.org/esa/forests/session.html](http://www.un.org/esa/forests/session.html)

30 April – 11 May 2007 (New York, USA)
**15th session of the UN Commission on Sustainable Development**
Department of Economic and Social Affairs
Division for Sustainable Development
Contact: Saki Hirano, CSD Secretariat
2 UN Plaza, Room DC2-2220, New York, NY 10017, USA
Phone: +1 212 963 2803 Fax: +1 212 963 4260
E-mail: hirano@un.org Web: [http://www.un.org/esa/sustdev/csd/policy.htm](http://www.un.org/esa/sustdev/csd/policy.htm)

30 April – 18 May 2007 (Geneva, Switzerland)
**38th session of the Committee on Economic, Social and Cultural Rights (CESCR)**
Countries scheduled for consideration: Latvia, Hungary, Finland, Nepal, and Netherlands Antilles.
Office of the High Commissioner for Human Rights
Contact: Mr. Alexander Tikhonov, Secretary
United Nations, CH-1211 Geneva 10, Switzerland
Phone: +41 22 917 9321 Fax: +41 22 917 9046
E-mail: atikhonov@ohchr.org Web: [http://www.ohchr.org/english/bodies/cescr/cescr38.htm](http://www.ohchr.org/english/bodies/cescr/cescr38.htm)
6. OTHERS

6th session of the Permanent Forum on Indigenous Issues

The 6th session of the Permanent Forum on Indigenous Issues will take place in New-York from 14-25 May 2007. The special theme of this session will be “Territories, Lands and Natural Resources”.

Contact: Secretariat of the Permanent Forum on Indigenous Issues
United Nations, 2 UN Plaza
Room DC2-1772
New York, NY, 10017
Phone: + 1 917 367 5100
Fax: + 1 917 367 5102
E-mail: indigenouspermanentforum@un.org

Russian-speaking Indigenous Fellowship Programme of the OHCHR

The Russian-speaking indigenous fellowship programme of the OHCHR, in cooperation with RAIPON, is taking place in Geneva from November 20 to December 15, 2006, with the participation of the following fellows:

Mr. Yakob Kanchuga, Udegei, (Primorskiy, Russian Federation)
Mr. Sergey Sizonenko, Dolgan (Taymyr, Russian Federation)
Mrs. Eugenia Pervakova, Altyn-Shor (Kemerovo, Russian Federation)
Mrs. Evgenia Shustova, Veps (Karelia, Russian Federation)

Correction in Update 70

In our summary of the debates on the UN Declaration on the Rights of IPs, during the first session of the Human Rights Council held in June 2006 (pages 2-7 of Update 70), we mistakenly reported the statement delivered on the floor by the Republic of the Congo, as a statement delivered by the Democratic Republic of the Congo.

It was the REPUBLIC OF THE CONGO that fully supported the Chair’s text, and called upon the Council’s Member States to adopt the UN Declaration on the Rights of IPs and upon the international community to protect and promote IPs’ rights, as their situation has not been sufficiently addressed for several decades. Furthermore, addressing the issues contained in the Declaration would contribute to peace, tolerance and development. As some form of discrimination remains in this 21st century against some parts of the world’s population, the Republic of the Congo elaborated an innovative draft Act for the protection and promotion of the Pygmy peoples.

doCip apologizes for this mistake and thanks its readers for their understanding.

Published on January 12, 2007
If you have comments and suggestions about this Update, please do not hesitate to share them with us:
- by e-mail at: docip@docip.org (Subject: Update)
- by fax at: + 41 22 740 34 54
- by mail at: doCip, 14 avenue Trembley, CH-1209 Genève

Thanks!

INFORM US OF YOUR CHANGE OF ADDRESS
Please inform us each time you change your e-mail/postal address, or phone/fax number so that we may keep our address book up to date. Send an email to docip@docip.org, subject: Change of Address. Many thanks.
Contributors to this issue
Pierrette Birraux, Geneviève Herold, Karen Smith.

Translation
Chantal Combaz, Inés Hidalgo.

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Update is and will remain free for all indigenous organizations.

Rates for non-indigenous organizations or individuals help us defray part of our costs, and cover three to four issues per year:
- individuals: SF 25.-
- small NGOs: SF 30.-
- large NGOs and institutions: SF 40.-

We recommended that you pay these amounts by Post-Cash or International Money Order from your local post office. Our giro account is: CCP 12-11429-8
Bank transfers charge high commissions; nevertheless payment may be made to:

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Account No. E 775.87.12

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