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1. EDITORIAL

At its third session, the Permanent Forum on Indigenous Issues (PF) found the means to tackle an important component of its mandate and to demonstrate the specific nature of its role within the framework of the UN mechanisms dedicated to indigenous peoples (IPs). In effect, close to two-thirds of the statements were recommendations addressed to the international agencies, and to a lesser extent, to the governments. The indigenous women, the central theme of this session, excelled in their role and their Caucus quickly and efficiently formulated realistic, concrete recommendations.

Today, the question is no longer whether the PF is a duplicate of the Working Group on Indigenous Peoples or not, but rather how to follow up and to monitor the implementation of these recommendations. How to verify that the WHO, WIPO, UNESCO, UNDP etc. do create or realize programmes in conformity with the needs of IPs as articulated by IPs themselves? IPs continue to suffer innumerable forms of discrimination, with some of them fighting for their basic survival. Thus the credibility towards them of the UN system as a whole and of the States depends on the establishment of these programmes.

One regret needs to be mentioned regarding the Indigenous Caucus: due to the unaffordable fee charged by the UN headquarters in New York for meetings after 6 pm, the Caucus had to hold its meetings between 9 and 10 am. This resulted in a reduced attendance and meant an uneconomical use of funds donated to NGOs by various donors, to provide simultaneous translation at those meetings. It is imperative to find an alternative location.

We must also inform you of two pieces of bad news. Mrs. Njuma Ekundanayo, member of the PF nominated by the African states, has left us for another world where, we hope with fervour, she will be welcome with all the regard that is due her in light of her devotion, combative force and the aura of her presence. Njuma, we wish you a well-deserved rest in peace. We take this opportunity to welcome Mrs. Liliane Muzangi, nominated as Njuma’s replacement.

The other news is that John Scott of the PF Secretariat is now working in Montreal for the Secretariat of the Convention on Biological Diversity. It is a great loss for the PF and for doCip, since he had established a real partnership with us, involving mutual respect, and a lot of humour and kindness.

This issue is largely dedicated to the third session of the PF for which all the statements have been diligently summarised. The article in the last section presents the two legal foundations and five programmes of the European Union (EU), dedicated to IPs. The majority of the EU projects that are intended to assist IPs do not always involve them in the conception and application processes, and are still rarely led by IPs. The author concludes that the resolutions of the Council are still not being put into practice, but the fact that they – as well as the programmes – exist proves that the EU is heading in the right direction.

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2. PERMANENT FORUM ON INDIGENOUS ISSUES

Third session, New-York, 10 – 21 May 2004

Dedicated to “indigenous women”, this session devoted most of its time to the mandated areas of Human Rights, Culture and Education, as proposed during the 2003 session. One of the draft decisions submitted by the Permanent Forum to ECOSOC and adopted by this body in its 2004 substantive session, recommends that the General Assembly declare a second International Decade of the World’s Indigenous Peoples after the conclusion of the current Decade.

Report on the Permanent Forum on Indigenous Issues (PF)

Election of Officers

Mr. Ole Henrik Magga from Norway is elected Chairperson of this third session of the PF. The four elected Vice-Chairpersons are: Ms Njuma Ekundanayo from the Democratic Republic of Congo, Mr. Antonio Jacanamijoy from Colombia, Mr. Parshuram Tamang from Nepal, Ms. Millilani Trask from Hawaii. Mr. Wilton Littlechild from Canada is elected Rapporteur.

Opening session

Barbara Jones Snyder, of the Washoe and Painte tribe of Nevada, sings an honouring song to the creator and to the PF’s initiators.

Sidney Hill, Chief of the Tadodaho tribe and spiritual leader of the Haudenosaunee, gives a traditional welcome, mindful of every being’s duty towards the world’s harmonious well-being.

Ole Magga salutes the courage and strength of indigenous women in a landscape of risk, and hopes that this PF’s session will have a real impact on the quality of their lives. The Forum must also act on the outcomes of other significant indigenous events.

Kofi Annan, UN Secretary-General, states that all UN bodies should build partnerships with indigenous peoples (IPs) while remaining sensitive to their cultures, and assist the PF in implementing its mandate. The vital role of indigenous women, their rights and participation in decision-making, must be promoted. Indigenous children and youth, tomorrow’s leaders, must continue to be supported.

Marjatta Rasi, President of the Economic and Social Council (ECOSOC), highlights the increasing role of the PF since the UN system and World Bank (WB) demonstrate increasing interest and submit ever more concrete reports. The PF’s members efficient work, the input of its Secretariat, and the role of the Inter-Agency Support Group (IASG) in implementing the recommendations, greatly contribute to the work of the UN.

José Antonio Ocampo, Under-Secretary-General for Economic and Social Affairs, emphasises the importance of human participatory sustainable development for the construction of peace. The UN system’s work on indigenous issues must become increasingly measurable on the ground. The PF could devote one day of each session to a geographical region in order to strengthen monitoring and implementation.

Four indigenous women call on the ancestors to assist in completing the general recommendation on indigenous women’s rights.

The Russian Federation regrets that Russian representatives, including their PF’s government member, suffered delays in the granting of US visas.

Substantive theme: “Indigenous women”

Njuma Ekundanayo, government member for Africa and Forum Vice-Chairperson, praises the indigenous women, who pass essential and wide knowledge to the next generation. Modernity has broken the balance between women, men, children and the environment, and worsened the position of women in traditional societies (also NWAC/AFN as to colonisation). Gender relations are embedded in indigenous societies’ diverse cultural systems, which do not hinder development (also IPAAC). Indigenous women must continue to use their skills and traditional values to act as mediators and negotiators in situations of conflict (also Stella Tamang). Research on IPs must be translated into their languages. Only when indigenous women will be autonomous and fully participating in decisions on, and management of, matters affecting them, then the Forum would be able to offer valid criticism of traditional practices.

1 The PF’s draft decisions adopted by ECOSOC will be published in a forthcoming Update, as soon as they are available.

2 This report is based on oral and orally delivered written statements, as well as on UN press releases. The UN report of this session (E/2004/43) is available at doCip and at www.un.org/esa/socdev/unpfii.
Kyung-wha Kang, Chairperson of the Commission on the Status of Women, welcomes this special theme and hopes that the PF’s example will be followed by other UN bodies. Some sections of the outcome documents of Beijing and “Beijing+5” include indigenous women, but the Commission has done very little in order to implement these paragraphs.

Stella Tamang, Chair of the South Asia Indigenous Women Forum, recalls that the PF is a symbol of IPs’ struggle and strength. Indigenous women and men have always complemented each other (also PCG), even though many discriminations are perpetrated against indigenous women in the name of tradition. Policies of resources and services privatization face indigenous women with new and serious problems, including attempts to harvest their genes by public and private corporations, and their being sold for sexual exploitation (also AIITPN/HWHRF/LMPF/ZOiPU), which contributes to the rapid spread of HIV/AIDS into indigenous communities. Participation of women is crucial for any successful progress towards development, peace and social justice (also IPACC). The rights of indigenous women cannot be separated from IPs’ rights (also Marcos Matías Alonso, ECMI, PCG), but they have added responsibility of ensuring gender balance and sensitivity among their peoples. The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) does not adequately address indigenous women’s issues (also BIPF/BLF/JPNI/PCJSS/Taungya/Trinamul).

Noel Pocaterra, Second Vice-President of Venezuela National Assembly, relates her life experience as a Wayuu. Indigenous women, who have become more organised internationally, must unite to build an indigenous alternative to the free market. The developed world is declining since it has denied nature its spirituality, considering it a commodity, and prioritises the energy needs of the war industry. Venezuela is struggling to recognise IPs’ dignity. National indigenous women’s networks have promoted the position and political rights of women. IPs should promote the active participation of their women, their children’s rights and the spirituality of their elders, as well as respect for ethnic groups.

Ole Magga, Chair of the PF, presents discrimination, deeply experienced by indigenous women and girls, as the antithesis of human potentiality. Indigenous men and boys have a specific role to play, together with indigenous women’s organisations (also ECMI), to achieve gender equality and to address violence against women and children. Conceptualising gender equality as role-based, and as regarding only women, is limiting. A more fertile approach should be of redefining tasks and roles by moving outside the gender dichotomy. Predominantly male political and business leaders should address issues holding women back. The removal of specific programmes and policies dedicated to women, as to any other vulnerable group, should be resisted. All development programmes must include women-only and men-and-women components.

Mililani Trask is concerned that indigenous women have not been properly included in the Beijing Declaration and process (also Qín Xiaomei, GUATEMALA, NWAC/AFN). They are preparing a document to take to “Beijing+10”. The Commission on the Status of Women should have an advisory council of indigenous women. Employment, health care and decision-making must be considered in the lead-up to “Beijing+10”, Qín Xiaomei states.

Fortunato Turpo recommends for States to comply with the obligation of including indigenous women’s issues in their periodical reports to the CEDAW Committee, which has included this item in its agenda (also GUATEMALA). Otilia Lux de Coti calls for states to ratify and implement the CEDAW, the Convention on the Rights of the Child (CRC), the Convention to Eliminate Violence against Women, the Convention on the Rights of All Workers, and ILO Convention 169. The international community must defend the rights of IPs and contribute to improving their lives.

Marcos Matías Alonso underlines the three-fold oppression suffered by indigenous women. Priority is the design of policies to implement the right to development from the perspective of indigenous women (also Idá Nicolaïsen, Njuma Ekundanayo). The PF should follow-up on its recommendations and on consultations with IPs in implementing these (also Stella Tamang, many IPs’ organisations and regional caucuses).

Idá Nicolaïsen states the needs for stronger information and disaggregated data on indigenous women (also GUATEMALA, UNICEF as to child labour), for identifying the most important issues for them (as for instance cultural and migration issues, also DEPIEA), mainstreaming indigenous women’s issues throughout the UN system and incorporating them in decision making at all levels (also Njuma Ekundanayo). States must play their part as key actors (also Parshuram Tamang).

Parshuram Tamang asks what UN agencies, States and IPs’ organisations can offer to the PF and to IPs to mainstream the issue of indigenous women at all levels.

Kyung-wha Kang reiterates that the PF will have ample opportunity to feed into the lead-up to “Beijing+10” and could also be an advisory council of indigenous women to the Commission on the Status of Women.

UNICEF calls for dialogue between cultures and democratic ways of improving IPs’ situation, starting with children, who are involved in the worst forms of labour and commercial sexual exploitation, due to discrimination. Progress towards the Millennium Development Goals (MDG) needs special effort regarding the
most vulnerable children. Sustainable initiatives for indigenous children require special emphasis on empowering girls and women, and a strengthening intercultural human rights approach. When indigenous women take part in decisions related to matters affecting them, they become powerful agents of change, and increase solidarity and peace opportunities, the International Fund for Agricultural Development (IFAD) states, referring to its experience in improving women’s political participation and control over land and capital.

The Food and Agriculture Organisation (FAO) promotes indigenous women’s participation regarding traditional knowledge and biodiversity, access to and control over natural resources, agricultural support service and nutritionally adequate food, policy and decision-making processes and employment opportunities.

On behalf of the IASG, the International Labour Organisation (ILO) asks the PF to prioritise recommendations and present them to ECOSOC as draft decisions. More crosscutting discussions are needed on issues such as poverty reduction. Interest in indigenous issues is growing in regional intergovernmental organisations.

The Board of Trustees of the UN Voluntary Fund for Indigenous Populations reports on an increased amount of travel grants allocated to the PF. Substantial contributions are called for. The Fund’s support to IPs’ crucial participation in international processes relevant to them has been threatened last year, but it has survived and is a model emulated by other intergovernmental bodies, as well as another proof of IPs’ ability to manage funds entrusted to them.

The International Indigenous Women’s Caucus urges for: the CEDAW Committee to organise the adoption of General Recommendations on Indigenous Women; a UN general conference on indigenous women to develop a global agenda, and to advise UN agencies on a respectful effective and participatory approach of indigenous issues; regular reports on indigenous women to the PF by all relevant UN agencies; reiteration of recommendation 81 of the PF 2003 report, asking for a study by the Working Group on Indigenous Populations (WGIP) on genocide, ethnocide and ecocide practices perpetrated on IPs. The Special Rapporteur on the Situation of Human Rights and Fundamental Freedom of IPs (SR) should focus its 2005 report on the impact of armed conflicts on indigenous women. Indigenous women should participate effectively to UN bodies’ work related to environment, and a workshop on “Indigenous Women, Traditional Knowledge and the CBD” should be convened. Recommendation 37 of the PF 2003 report should be reiterated, which asks for a meeting of international financial institutions to consider their policies, procedures and relationships concerning IPs – in particular privatisation of lands, territories and natural resources. The mandate of the PF should include Governance, Treaties and other International Agreements (supported by SCN, TOTSNTC; also NWAC/AFN as to Justice Administration).

The Latin American and Caribbean Indigenous Women’s Caucus restates the recommendations listed above and requests (supported by Antonio Jacanamijoy, Marcos Matías Alonso) that the CEDAW Committee give special attention to indigenous women’s personal safety and to gender-based discrimination of IPs, UNEP implement the recommendations of the Convention on Biological Diversity (CBD) to ensure the full and effective participation of indigenous women in its activities. Given the existing visa problems (also International Indigenous Women’s Caucus, Africa Region), the PF should recommend that its next session be held in Geneva.

The Africa Region presents the Nairobi Declaration of the Second Indigenous Women’s Conference, held in April 2003. Its recommendations regard, among others: the importance of indigenous women with regard to knowledge on biodiversity; the need to protect knowledge held by indigenous elders, and indigenous arts from piracy; to raise awareness on intellectual property and benefit sharing rights; and to increase women’s participation in decision making; the adverse effects for indigenous women of encroachment on and unsustainable use of IPs’ lands and resources; indigenous communities’ eviction, particularly from National Parks and Protected Areas; and adverse effects of tourism. Other issues are the lack of information on the CEDAW, other Conventions and the Beijing process, as well as the lack of awareness about the rights of the child; and threats to women’s reproductive health, such as negative cultural practices, HIV/AIDS, and non-recognition of traditional healers by official health institutions.

Australia’s position does not reflect the situation or aspirations of all Aboriginal women. The Pacific Caucus reports on the situation of indigenous Alifuru women in Maluku, where the Indonesian military and Jihad forces are committing atrocities, including genocide and ethnic cleansing, rape, deportation, and children’s abduction, while preventing international monitoring of this genocide. The Security Council should bring peacekeepers into Maluku, call for the immediate and total withdrawal of Indonesian military and Jihad forces, and request the Commission on Human Rights (CHR) to send an international investigation team. Member states should exercise their influence to cease this genocide.

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ECMI present the Declaration and Recommendations of the IV Continental Meeting of Indigenous Women of the Americas, held in April 2004 in Peru. Priority is a human rights-based defence of indigenous land, environment and life.

AIWN highlight some outcomes of the Asian Indigenous Women’s Conference held in 2004 in the Philippines (supported by BIPF/BLF/JPNI/PCJSS/Taungya/Trinamul). The war on terror is restricting the democratic rights and freedoms of indigenous women and communities. Justice and redress are crucial for indigenous women victims of physical and sexual violence and of illegal sex trafficking. Free, prior and informed consent must be requested to address development aggression. An IPs’ International Commission for Conflict Resolution and Mediation should be created. Indigenous women are committed to renew and revitalize their cultures, customary laws, social values and practices.

The Conference on Indigenous Women and Gender, held in Denmark in April 2004, underlines the survival potential and creativeness of indigenous women, and recommend in particular for UNDP to prepare a study on the impact of development projects on indigenous women; and for the World Health Organisation (WHO), the Pan American Health Organisation (PAHO) and UNICEF to organize with indigenous women’s organisations a conference on maternal and infant mortality.

Indigenous working women of the rural areas must have priority in access to employment, education, and adequate health services (ORMIP/CONACANP, also IPACC as to their participation in national structures promoting gender equity). CEPNA urge to keep mother earth’s spirit present in the PF’s sessions, where indigenous women should participate more. Indigenous students need state-provided education and respect for their ancestral values. IIA-SNC’s research shows that IPs’ slavery is globally increasing. Protecting IPs requires a new law.

MAWED recommend: for UNIFEM country offices to support indigenous women with participatory policies and programmes; the CEDAW to be implemented at national level and translated to local languages; all UN bodies to establish local accurate databases for IPs, and to support capacity building and civic education of indigenous women, and the UN Population Fund (UNFPA) and UNDP should have more indigenous women projects.

Human Development Reports show a worsening situation in Africa, due to the exclusion at all levels of, particularly, indigenous women from enjoying their fundamental rights, and from political participation (IPACC/Tamaynut, MAWED). The UN system should: increase the participation of indigenous women in policy making and development policies; support indigenous women in promoting their rights within their countries and communities; fund a Conference of Indigenous Women of Africa, to enable them to exchange experiences and bring their voices to the PF; and enable indigenous women to share their culture and perspectives on HIV/AIDS (IPACC).

NWAC/AFN urge Canada and the international community to look at the devastating issue of violence against indigenous women, to seek out the root causes of their economic and social situation and to improve it (also MAWED). The effects of colonisation and neo-colonialism on indigenous women must be reviewed, as the Beijing Declaration of Indigenous Women requests. The PF should support the preparation of a participatory comprehensive review on measures taken to improve indigenous women’s lives, and ensure their participation to the “Beijing+10” process.

CSI recommend that UNIFEM discuss with indigenous women collaborative strategies to protect them against rape and other forms of violence; that the CEDAW Committee establish a working group with indigenous women on discriminatory practices; that the SR on Violence Against Women promptly provide a report as follow-up to recommendation 77 of the PF’s second session. Special consideration should be given to rape and other forms of violence against indigenous women in situations of war and conflict (also ATFP/HWHR/LMPF/ZOIPU).

MAWED recommend that the PF mainstream indigenous women within the UN system (also CANADA) by having a background paper prepared and a summary of the debates included in its report to ECOSOC; and by recommending to the SR on Violence Against Women and to the SR on IPs to pay special attention to indigenous women.

TOTSNTC state that due to non-implementation of their treaty with the US, the Lakota Sioux Nation faces serious contamination, which also affects non-indigenous peoples, as their territory is an intensive crop-growing region. But IPs in the US are denied access to UN programmes. The Treaty Study and the Report of the UN Expert Seminar on Treaties, Agreements and Other Constructive Arrangements should be disseminated within the UN and their recommendations implemented consistently with the UN Charter Preamble. As its keepers, women are most aware of the violations of the Cree Nation’s treaty. Member states must respect and honour treaties with IPs according to the original spirit (SCN).
The Tatar people’s tradition grant equal status to men and women (MCTP). But women’s full participation is hindered by high unemployment, social segregation and poverty. Their future situation will depend on the efficiency of state employment programmes.

Some 100,000 Annual people in Ethiopia and Sudan are being violently and severely oppressed, genocide is carried out on women, children and men by Ethiopian defence forces and local militia (ASO).

KKF refer to the inequality in employment and education, lack of participation and of adequate health care facing Khmer Krom women in Southern Vietnam, and recommend for the Vietnamese government to establish an affordable health care system for Khmer Krom women and children, as well as women’s organisations, and for WHO to conduct studies on trafficking in women and coercive sterilisation.

The ongoing conflict in Nepal particularly affects indigenous women, girls and boys, forced to participate in the war. All concerned parties should work to restore peace and the Constitution should be made more balanced (SAN/NIWFN).

PCG refer to the non-recognition by Bangladesh of IPs’ existence and of indigenous women in the planned increase of women’s participation in political representation. BIPF/BLF/JPNI/PCJSS/Taungya/Trinamul say that indigenous women in Bangladesh are marginalized in a patriarchal society (also ZWU as to Zeliangrong Naga women in India), and struggling against oppression, militarization and violations of their integrity (also PCG). ZWU call for recognition and codification of the positive aspects of customary laws, and modification of those that are discriminatory against women (also BIPF/JPNI/PCJSS/PCG/Trinamul/Taungya for Bangladesh).

The Office of the High Commissioner for Human Rights (OHCHR) should assist Surinam in drafting framework legislation on indigenous rights, and the Committee on the Elimination of Racial Discrimination (CERD) follow up on its recommendations regarding ongoing serious violations and non-recognition of indigenous lands and resources rights (AIWLS).

AUSTRALIA claims that education and personal determination are crucial for the progress of indigenous women towards freedom, they have increased access to highly qualified jobs and positions. Nevertheless, many indigenous women remain in poverty, subject to violence. There can be no breaches of human rights in the name of traditional practices, the Working Group on the Draft Declaration (WGCD) should address this issue.

CANADA recommend for the PF to consider indigenous women as leaders and agents of change, as well as their role in relation to connectivity and the digital divide.

CHILE underscores, as barriers to the full promotion of IPs’ rights: the rigidity of universal policies; lack of culturally sensitive information concerning gender issues within indigenous groups; and lack of equity-based monitoring of institutional practices and policies. MEXICO’s National Commission for the Development of IPs works in five areas related to indigenous women: health, economic development and access to resources, education and training, participation in decision making and promotion of rights, and identity and culture. Workshops were organised with indigenous women and the resulting reports are submitted to the PF.

INDONESIA objects to the statement delivered by the Pacific Caucus. The PF must not be used again to serve the political interests of any participant, in order not to undermine its credibility.

DENMARK and the GREENLAND Home Rule Government refer to the situation in Greenland with respect to gender equality and to mainstreaming indigenous women into policy making, employment policies and participation in decision making. A rights-based approach to IPs has been taken, including the right to self-determination.

Mandated areas

Economic and social development

“Development” does not have a universal definition, it can be viewed as purely economic goals, or as a process that broadens peoples’ choice. The definition of the UNDP and the World Commission on Culture and Development is more in line with IPs’ way of thinking. However, the WB’s understanding of poverty does not encompass IPs since their access to land, territories and water places them outside the “poor” category. For IPs, poverty is the denial of their human rights, right to land and territories, and control over their resources (also Asia Caucus, Latin America Caucus, ICN, AS-NAC, SC, ICC). Chairperson Ole Magga also reports on the important results of the Global Forum of Indigenous Peoples and the Information Society (GFIPIS) and asks the members of the PF to examine the recommendations that can be supported in the indigenous declaration and programme of action (also AIWO/HIN). The prioritisation of indigenous issues at the country level within the 2003/2004 UN Development Group agenda is a step forward.

The 2002 and 2003 recommendations of the PF, particularly those on economic and social development, adopted by the ECOSOC constitute a mandate for the specialized agencies and UN bodies. The UN, WB, Inter-American, Asian and African Development Banks, and the International Monetary Fund (IMF) have been recommended to reformulate their definition of development with the full participation of IPs. Furthermore,
Antonio Jacanamijoy reminds that it was recommended through the ECOSOC, that all states and UN bodies take into consideration the Kimberley Declaration.

UNIFEM outlines the particular discrimination and violence suffered by indigenous women due to their threefold condition as women, indigenous and poor, which has accrued with globalisation (also IDB). The right to development is a priority for indigenous women, their needs should be included within the collective demands of IPs.

UNDP’s work over the past year has marked a shift from policy making to programme development and promoting action on the ground. UNDP has initiated the Regional Initiative on Strengthening Policy Dialogue on Indigenous, Highland and Tribal People’s Rights and Development (RIPP) and Human Rights Strengthening Programme (HURIST), jointly implemented with the OHCHR. UNDP is also including IPs in their broader Millennium Development Goals (MDG) activities, and recognizes that its engagement is uneven in some countries.

The United Nations Department of Public Information (UNDPI) describes the new “Education Outreach” section for children and youth as well as “Pumped Up for Peace”, regarding IPs and contaminated water. UNDP’s Cyberschoolbus programme enables children worldwide to learn about the latter project and help build water treatment facilities for those communities.

ECOSOC congratulates the WB for having adopted recommendation 34 from the 2003 PF through the creation of a Grants Facility for IPs, yet encouraging the WB to ensure that less experienced NGOs can access the fund and to implement anti-corruption measures. ECOSOC still awaits HABITAT’s response regarding recommendation 38 from the 2003 PF.

ILO recognises that IPs are affected more harshly by increasing poverty, ill health, and discrimination. The World Commission on the Social Dimension of Globalisation confirms this trend. ILO has been providing support to the development of Poverty Reduction Strategy Papers (PRSPs) and confirms that alternative development models, based on the needs of IPs, as expressed by them, and implemented in consultation with them, "are more effective and sustainable". Regarding Convention 169, two inter-related themes appear repeatedly: 1) the duty of states to consult with IPs when consideration is given to legislative or administrative measures affecting them; 2) and the same duty of consultation prior to the exploitation of natural resources on the lands IPs occupy or use. ILO together with the IASG proposes the overarching theme of "IPs and poverty" for future sessions.

The Inter-American Development Bank (IDB) is committed to promote new development approaches practised by indigenous women, "which are more balanced, sustainable and inclusive". IDB’s new Strategic Framework for Indigenous Development and Operational Policy on IPs, will be presented for adoption in February 2005 after extensive consultations. The IDB invites those interested to visit the Bank’s website (www.iadb.org) and send suggestions. The Bank has completed the first phase of the comparative database on indigenous legislation for all countries in Latin America.

The World Bank’s ten-member delegation and organisation of five parallel events during this PF’s session is a "measure of their commitment" to the PF. The WB declares that it must “ensure that the development process fosters full respect for [IPs’] dignity, rights and uniqueness”, and that it has learnt "from IPs […] that economic development without strong social development cannot succeed". The WB has earmarked funds specifically for IPs’ projects and has increased its participation in high-level international IPs’ venues.

The Hawai’i Caucus, comprised of IC, KLH, KCHS, NKIKLH and WHCC, recommend that the PF urge member states and UN organisations to: 1) collaborate with IPs in developing culturally appropriate economic programmes; 2) support indigenous community-based economic development (also AMICOP); 3) investigate the high incarceration rates of Kanaka Maoli and other IPs and create culturally appropriate rehabilitation programmes; 4) initiate a study on the effects of tourism on IPs’ communities; and 5) investigate and address appropriate housing needs for IPs.

The Pacific Caucus, namely NKIKLH, IC, KLH, KCHS, WHCC, DAP, BCWPICD, SPP, PCRC, TRNT, BAA, NT, FAIRA, ATSIC, NACLC, NACCHO, IPA, WCC and RNP, urge the PF and UN to adopt the Draft Declaration on the Rights of IPs (DD) and to implement a second Decade (also RAIPON, IYIC, AMICOP, International Youth Delegates, Asia Caucus). They recommend the PF to request the UNDP Pacific Office to undertake small business training capacity building and technological assistance for IPs, and to request the WB to conduct training for IPs in the Pacific on how to access the Small Grants Programme and the WB Grants Facility (also IYIC at a global level).

BGC, CAIPCD and IPTT declare that globalisation negatively impacts the Bethelchikono people of Saint Lucia, affecting the economic and social development of the Island State. BGC ask for the UN support in order to ensure social inclusion and equal opportunity of IPs in the development of St. Lucia.

The Asia Caucus recommends that the UN agencies and Bretton Woods institutions actively involve IPs and organisations as equal development partners at all stages, provide meaningful assistance to the internally displaced IPs in Asia, and call upon the PF, OHCHR, WGIP and SR on IPs to give highest priority to the
elaboration of the principle of free, prior and informed consent in cooperation with IPs (also PCJSS/JPNI/Trinamul/Taungya/BIPF/BLF/LL/JPIC).

ICS present the report on the survey regarding IPs’ connectivity, one of the findings indicates how IPs are threatened by the information society, especially with respect to the use and protection of traditional knowledge. RAIPON lament the visa issues that impeded IPs from attending or arriving on time. IPs in Russia are going through a difficult situation due to the exploitation of the resources on their territories without compensation. RAIPON recommend the creation of a governmental committee on the use of IPs’ lands. FAIRA call again for the examination of articles 23, 29 and 30 of the DD. The government abolishment of ATSIC, a national voice and authority for IPs in Australia, should be condemned, since without it, there can be no progress in overcoming the appalling disparities of socio-economic and health conditions between the indigenous and non-indigenous population. FAIRA recommend: the continued support of Mrs. Daes’ mandate by the PF, and the PF’s endorsement of the Akwe:Kon Guidelines approved by the CBD. PCJSS/JPNI/Trinamul/Taungya/BIPF/BLF/LL declare that IPs in Bangladesh cannot expect social and economic development until they are recognized as humans and IPs and their human rights respected. For ICN and AS-NAC “there is a need for States to ensure that income-generating activities for indigenous women provide for a sustained and adequate income”. On a positive note, IFAD had included new policies on indigenous communities’ projects in its latest report. ICN, AS-NAC, TF and the Latin America Caucus lament that there is still no representative of the World Trade Organisation (WTO) present (recommendation 7 from PF 2003).

IICY recommend that the UNDP provide funds for the documentation of economic systems of IPs’ youth and for the assessment of the current status of the natural resource-base on indigenous land (with the assistance of the WTO); and that an Indigenous Youth Trade Forum be held. SC/ICC recall the important points from the “Principles and Elements for a Comprehensive Arctic Policy” (1994), and urge past PF recommendations to be implemented (also Latin America Caucus), so as not to become a “house of complaints”. The PF should recommend the ECOSOC to set up an evaluation and monitoring process of the application of the PF recommendations regarding development (also AMICOP).

AMICOP declare that for a fair development the Terena, Guarani, Krenak and Kaingang need to: accelerate the process of demarcation of indigenous lands with immediate issuance of legal land titles; and ensure that indigenous women are equally represented within the job market and educational programmes. The Latin America Caucus recommends the PF to incite the ECOSOC to invite the Economic Commission for Latin America and other regional commissions to present a report on the economic situation and impacts of the free trade politics. TRP state that coca eradication programmes have impacted the health and environment of thousands (through fumigation of fields) and provided no long-term solution. “Alternative development” projects have also proved to be unsustainable without constant external support. The coca leaf can be used to produce medicine, tea, flour, and other products, and can even alleviate cocaine addiction. The original use of the plants should be promoted and integrated into “sustainable development projects”.

RMIW recommend that indigenous women participate in the planning and management of projects implemented in indigenous communities and that they be given the means to finance indigenous women leaders in politics. KKFR recommend that: 1) Khmer Krom’s right to land and to work be respected; 2) foreign economic aid be monitored by the international community to ensure equitable distribution; 3) Khmer Krom be allowed to organise their own social activities. MOSOP/OVIIHO declare that despite decision 155/96 (2001) of the African Commission on Human Rights holding the Nigerian government accountable for the gross violations of the economic, social and cultural rights of the Ogoni people, the current regime refuses to enter in dialogue. Furthermore, development aid for the Ogoni is conditional to their agreement that Shell P.D.C. resume oil exploration on their land. It is shocking to observe the WB’s role in promoting the environmentally catastrophic West African Gas Pipeline Project and the UNDP’s possible partnership with Shell. UN activities need to be monitored more closely.

UBCIC/INET recommend that the PF take on a strong advocacy role in preserving and protecting the territorial, economic proprietary rights and knowledge based values of IPs (also ITALY).

AIWO/IN inform that if the current conditions remain unchanged in Sub-Saharan Africa, the MDG for this region regarding poverty would not be reached until 2147 and 2165 regarding child mortality. Conflict being one of the main causes of poverty, the UN agencies working on conflict as well as the African Commission on Human and Peoples Rights should attend the next PF session to better understand the IPs’ situation and needs. IITC recommend within the framework of the Guatemala City FAO/NGO/Civil Society Consultation that the PF recommend to the ECOSOC: 1) that FAO organise a regional consultation for the Americas between FAO Indigenous Focal Points (FAO-IFP) and Focal Points representing IPs; 2) that FAO’s internal system of Focal Points for Indigenous Issues be reinforced and IPs’ focal points identified in each region; 3) that FAO sponsor an international conference on IPs, food security and food sovereignty as follow up to the Focal Point network. CAIPCD recommend that UN bodies help create and implement sound environmental protection policies and programmes in the vulnerable islands of Dominica, Saint Vincent and the Grenadines, and Saint Lucia.
The Greenland Home Rule Government declares that the challenges that lay ahead for Greenland are its dependence on Denmark and the dependence of its economy on fish product exports. Good governance is essential for economic development.

Canada’s Aboriginal Skills and Employment Partnership and Urban Aboriginal Strategy are working towards improving the employment and training opportunities of Aboriginals and reducing the socio-economic disparity in urban areas, further efforts are being undertaken in consultation with Aboriginal leaders. In New Zealand, Māori women play a crucial role in the economic and social development of their families and communities. They have made significant contribution to the renaissance of Māori language and culture, and have been instrumental in establishing and running Māori initiative programmes, language nest pre-schools, Māori schools and youth mentoring. Despite these achievements, Māori women have yet to experience the same economic, social and health outcomes as non-Māori women. To address this issue New Zealand has recently launched the “Action Plan for New Zealand Women”.

Mexico has set the development activities directed towards IPs, in consultation with them, as one of its priorities due to the poverty suffered by the latter, in particular by indigenous women.

Nigeria describes its efforts to sustainably develop the Niger Delta region, which is Ogoniland, and states “no responsible government will fold its arms and watch a group […] unleash mayhem […] and disrupt Government’s efforts to […] improve the living conditions of its citizens”.

Environment

Parshuram Tamang declares that IPs have developed environmental management techniques that can offer solutions to current complex environmental problems. IPs’ territories coincide with areas of rich biodiversity, to which their traditional knowledge is linked. A lack of commitment at the national level remains a serious problem.

The UN Environment Programme (UNEP) “has long recognised the environmental risks and challenges affecting IPs, as well as their unique potential for contributing much-needed innovative solutions to environmental sustainability”. UNEP is committed to integrating the links between poverty and ecosystem services, keeping in mind that the poor are aware of their dependence on ecosystem services and capable of identifying priority actions for conservation (see UNEP's Governing Council decision 21/15 and publication "Poverty and Ecosystems: A conceptual Framework”). UNEP has produced, together with the Women's Environment and Development Organisation (WEDO), a series of publications entitled "Women and the Environment”.

The UN Development Programme (UNDP) presents a summary of the "Interagency paper on free, prior and informed consent". One of the main outcomes of the paper indicates that there is no internationally agreed definition of the principle or of a mechanism for implementation. In practice there are few mechanisms to measure effective free, prior and informed consent without official legal/policy mandate.

At the Seventh Conference of Parties (COP7) of the CBD it was decided to continue the work on a composite report on the status and trends of traditional knowledge. The CBD will establish an advisory committee including indigenous and local community representatives to guide the work of the composite report and develop a plan of action. The COP7 endorsed "the Akwe:Kon Guidelines”, to provide the conduct of cultural, environmental and social impact assessments of development projects on sacred sites and traditionally owned lands, with full indigenous participation, and will follow up on the PF recommendation to organise a workshop on sacred and ceremonial sites. The COP7 recommended the Working Group on Article 8 (j) (WGA 8(j)) to develop an international ethical code on bio-prospecting, based on the recommendation by the PF. Regarding the development of elements of sui generis systems for the protection of traditional knowledge, innovations and practices, the COP7 mandated the WGA 8(j), in collaboration with the PF to consider non intellectual property-based forms of protection, and assess the role of databases and registers in the protection of traditional knowledge, amongst other recommendations.

The ECOSOC Division for Sustainable Development describes the innovations in the 12th session of the Commission on Sustainable Development (CSD), where IPs stressed the importance of a rights-based approach to water distribution and the danger of privatisation of water services, and the incorporation of indigenous knowledge for the protection of water.

A joint statement by IITC, ICSA, BRDN, DYA, GSC, AFIWN, UCCT, CGTB, NCS, SBIMI, AILA regarding water, climate change/global warming and the Stockholm Convention on Persistent Organic Pollutants (POPs), recommends that the PF: 1) recommend the CSD, Global Environment Facility (GEF) and States to provide financial mechanisms for the participation of IPs in the next CSD in 2005; 2) the establishment of a Working Group on IPs and Climate Change (also SC/ICC) and on IPs within the Stockholm Convention. The
WB’s Prototype Carbon Fund is an instrument to “commodify the atmosphere, it is neither “carbon” nor pollution that is being traded, but people's lives and paper certificates claiming to be carbon credits”.

SC/ICC encourage a holistic approach to environmental problems. The Arctic Council will be publishing a comprehensive regional impact assessment which concludes that marine animals of the North Pole will become extinct by the middle of the century due to climate change, animals that are essential to the subsistence of IPs.

The Asia Caucus reiterates its recommendation to the PF to create a Task Force on Environment to collaborate with various UN agencies, particularly with the CBD, to elaborate recommendations on issues regarding resources and traditional knowledge (also CTT, International Indigenous Women’s Caucus, IWBN). This Task Force could play an essential role in the Workshop planned by the CBD from 6-9 December 2004 in Montreal, Canada to implement the Akwe:Kon Guidelines. CTT recommend a close collaboration between the PF and the CBD regarding issues of access and benefit sharing.

The International Indigenous Women’s Caucus and IWBN recommend a joint workshop on “Indigenous Women, Traditional Knowledge and the CBD” in collaboration with IWBN.

The participants of the pre-PF Capacity Building Training on Indigenous Women, Biodiversity and the PF organised by SAIWF express the necessity to have access to the Security Council during urgent circumstances. The CBD is encouraged to consider the cultural value of biodiversity and the parallel between species and IPs’ extinction. UNESCO is urged to designate World Heritage Sites with IPs’ consent. Databases of IPs’ knowledge by member states of the World Intellectual Property Organisation (WIPO) and the WB constitute a misappropriation of IPs’ knowledge and violation of their right to self-determination. They propose “Indigenous Knowledge” as the main theme for the 2005 PF.

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ONZAE recommend the PF to urge states to recognise land as part of the life of nations and peoples, it is a manifestation of their history and ancestral knowledge (also IV Continental Meeting of Indigenous Women of the Americas, Pygmy representatives).

INET/UBCIC recommend that the PF acknowledge the valuable role that indigenous women play in the protection of the environment (also Asia Caucus, International Indigenous Women’s Caucus, IWBN). It is clear that the practice of traditional activities is intricately linked to IPs right to the land (also JPNI/BIPF/PCJSS/BLF/LL/Trinamul/Taungya).

BGC/CAIP/CID/IPPT are concerned by the overall degradation of the environment due to inappropriate development, agricultural production and tourism development for the benefit of non-indigenous inhabitants. The Betechilokono people who have historically used these resources in a sustainable manner are now threatened.

JPNI/BIPF/PCJSS/BLF/LL/Trinamul/Taungya recommend that all UN agencies, states and Bretton Woods institutions ensure the implementation of article 8 (j) of the CBD. The so-called “afforestation programmes” should stop, until a proper assessment is established. UNEP is urged to include the Chittagong Hill Tracts (CHT) in its Millennium Ecosystem Assessment programme.

MOSOP/OVIHO recommend the implementation of a moratorium on the development of the oil industry in Ogoniland and the Niger Delta, until all the human rights and environmental issues are solved. The PF is also recommended to study the impact of oil exploitation on biodiversity conservation.

Pending international review, the PF should urge Canada to suspend any further implementation of Bill C-6 and reinitiate government-to-government discussions with First Nations in Canada (AIAC).

HC declare that the USA and Canada have violated IPs’ rights by contaminating their land with heavy metals and radioactive waste. As a measure of the UN's good faith, IPs should be given permanent observer status to oversee the UN.

ICITP impress upon the Indian government to repeal and annul the May 2002 eviction order of “encroachers” from forest lands for the protection of the environment, which denies IPs’ rights to control, manage and own their traditional lands.

KKF describe the serious deterioration of Khmer Krom peoples’ environment through the pollution of their air and water due to industry and agribusiness, which is worsened by the damming and diversion of rivers. Urgent measures need to be taken by the government under the support of the UN, notably the WHO.

Brazilian Indigenous Caucus/AAGKTID recommend the PF to urge the Brazilian government to enhance their focus on deforestation control on IPs’ land; invest in capacity building for indigenous agro-rangers; and ask for the translation of all PF related documentation to Portuguese (also CONAMI).

Plan Puebla Panama, treaties of free commerce, Plan Colombia and others have serious consequences for IPs. The Indigenous Latin American Caucus recommends that the PF, through the ECOSOC, prompt the WB and IDB to adopt a transparent and clear policy on IPs and the environment.
FNNS/TOL request the creation of an independent commission consisting of UN officials and IPs from Chiapas for the monitoring of the process of ratification to implementation of the San Andrés Accord in its original form. Pygmy representatives from the Democratic Republic of Congo (DRC) declare that the current WB forestry programme, implemented unilaterally without consulting IPs, is in fact a means to concede millions of hectares of resources to private companies.

WCC recommend that the PF, through the ECOSOC, seek an assurance from the Australian Federal Government that it will not proceed with the establishment of a nuclear waste dump on the sacred Dreaming Site of the Kupa Piti Kungka Tjuta women in the state of Southern Australia.

GUATEMALA’s delegation, which includes indigenous women present at this session, recommends that indigenous men and women be invited to the next meeting of the Ministers of the Environment to be held in 2005; and the revision and modifications of the legal framework of land distribution in order to guarantee access to indigenous women.

MYANMAR enumerates the various steps the government has undertaken to protect its rich environment for the benefit of the 135 IPs that constitute the Myanmar population.

Health

As opening statement of this item, Aityegan Kouevi, was in honour of the life long work of Dr. Philippe Pietacho, who passed away, he was an ardent defender of the rights of the Innu peoples. Miliani Trask supports a holistic definition of health as stated in the WHO’s constitution; it can serve as a good foundation for collaboration between IPs and the UN. The right to health comprises the recognition of the individual’s right to the highest attainable standard of physical and mental health, and the obligation of states to achieve full implementation of that right (also CIH).

Willie Littlechild declares that treatment of diseases should be accompanied by the promotion of physical activity.

Siri Damman, of the University of Oslo, presents the results of a research on infant mortality and chronic malnutrition of indigenous children in the Americas. The collection of disaggregated data on the health situation of different IPs is essential to enable targeted, culturally appropriate interventions (also SPIE, Pacific Caucus).

A World Health Organisation representative confirms its presence at the PF. Due to preparations for the World Health Assembly, the WHO has been unable to submit the requested report on time.

The Pan American Health Organisation (PAHO) informs that the Initiative for Indigenous Health includes five principles that guide its work, amongst which are a holistic approach to health and the right to self-determination of IPs. Experiences of harmonization of indigenous and conventional health systems lead to improvement of the IPs’ health. A more determinant role needs to be given to indigenous women in spheres of decision making in health policies.

The PF should take the necessary steps before the ECOSOC for the creation of a Latin American summit on traditional and ancestral medicine. According to the Latin American Caucus, states should promote food security programmes, bearing in mind IPs’ dietary practices and nutrition (also RMIW), and they should disseminate information on dangerous products, including transgenic foods (also SPIE). Culturally-sensitive reproduction and STD/HIV/AIDS prevention programmes should be implemented (also SPIE). WHO’s lack of substantive progress on the issue of indigenous health over the past two years, worries CIH. WHO’s global policy on indigenous health fails to mention IPs specifically, supposedly to broaden the scope of the policy. This failure and WHO’s almost invisible presence during PF 2004 demonstrates a persistent practice of exclusion and denial of IPs’ right to self-determination (also Miliani Trask, Wayne Lord, Ole Magga, Willie Littlechild, Parshuram Tamang). CIH enumerate a long list of recommendations regarding the health of indigenous women (also Pacific Caucus) including the recognition and accreditation of indigenous medicinal and health knowledge and its incorporation into national health systems (also ECMI, Latin American Caucus, CONAMI, SPIE, Pacific Caucus, AIPC)10. The Latin American Caucus also suggests the establishment of medical scholarships for IPs to enable them to become professionals in traditional and conventional medicine (also SPIE).

The Pacific Caucus presents recommendations originating from the First Pacific Region PF Consultation held in March 2004, amongst these is the need to foster a rights-centred approach to health care and to prohibit ethnic genocide; to consult and collaborate with IPs on education, training, design and administration of their own healthcare programmes.11

SPIE recommend that IPs’ traditional medicinal knowledge and practices be declared cultural patrimony and be protected as collective intellectual property by the appropriate conventions and national constitutions.

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10 For the full list of recommendations by CIH, please contact doCip
11 For the full list of recommendations by Pacific Caucus, please contact doCip
AIPEC declare that indigenous women and girls in Asia are particularly vulnerable due to multiple discriminations by virtue of sex and ethnicity. AIPEC urge states in Asia to take immediate measures to halt the military tactic of rape and sexual abuse of women (particularly in Myanmar).

ECMI recommend that the appropriate UN bodies give priority to indigenous women’s reproductive health in their proposals and budgets, allowing the input of the interested parties (also Pacific Caucus). States should publicize information regarding indigenous women’s health and rights, taking into account the youth so as to decrease the high levels of early pregnancies (also Tara/Tunfa). Tara/Tunfa declare that the traditional practice of early marriage among Amazigh women exposes them to STDs, the dangers of maternity, and discontinuation of their education. States should create appropriate healthcare and educational services for nomadic populations.

CONAMI recommend that more emphasis be put on prevention of diseases (also SPIE, RMIW), otherwise indigenous populations in Brazil will decrease.

AIAI declare that Canada’s Aboriginal peoples are essentially a third world society living in one of the top ten countries in the world (Canada’s First Nations are ranked 63rd on the UN Human Development Index and Canada as a whole is 8th). This unbalanced condition is reflected in the First Nations’ health indicators (also UBCIC). The PF is recommended to call upon states, particularly Canada, to meet their treaty obligations regarding healthcare (also Pacific Caucus, UBCIC), this should be included as a priority within the recommendation for further study by the UN on treaties, agreements and other constructive arrangements.

UBCIC further recommend that the Canadian government make a political commitment to IPs’ inherent right to self-government, including governance over healthcare.12

NACCHO declare that to restore the disparities between Aboriginal and non-Aboriginal health status, genuine partnerships with the government need to be established and organisations such as NACCHO should be given the means (economic and political) to assist their own people.

UEFA/PIDP-KIVU/ACPROD/AAPDMAC/CAMV-RDC declare that since before the advent of civilization Pygmy women have had a holistic approach to their health (also RMIW with regard to Wayuu women) and had access to the medicinal plants. Civilisation also brought: wars, famine, STDs, influenza, black plague, AIDS, malaria etc. The UN and WB are recommended to engage with their regional offices to better include Pygmy populations in the health system.

RMIW recommend the conservation of mother earth as a fundamental need for a safe and healthy environment.

TF/AIWNP/CPA state that one of the obstacles to the MDG is the debilitating problem of the debt in developing countries; it leads to the privatisation of basic social services, including health, increasing their inaccessibility. The PF and UNDP are recommended to present a study on how the MDG address IPs’ issues specifically and states should present failure and success stories in their programmes regarding indigenous health.

FIAAH are concerned by the degrading health conditions of the Anasazi descendants. Despite the US government’s efforts the disparities in health between Anasazi women and non-indigenous women is still alarming. There is a need for environmental impact assessments, particularly to study how deforestation affects the Anasazi’s health.

RNP describe their difficult situation due to the annexation of their land to Chile. Isolated, the Rapa Nui peoples suffer from scarce health care facilities and resources, to which the Chilean government has provided no adequate response.

KKF are concerned by the increasing cases of blindness within the Khmer Krom people; more than 3,000 people have lost their eyesight. KKF request the UNDP and WIPO to provide funds for curing the blindness disease, and ask for assistance for the installation of healthcare facilities and medical training.

CAIPC/CM declare that even though their access to conventional health services and facilities has increased, the traditional medicine practices of the Bethechilokono peoples of Saint Lucia have suffered discrimination and exclusion.

IIN/MAWEED/CWAPS declare that the long-term ongoing conflict in Sudan has had an overwhelming impact on the health of the population. The uncontrolled spread of STDs and HIV/AIDS is particularly worrying. The assistance of the WHO, UNAIDS and UNICEF is urgently needed.

RAIPON inform that the Shor people from Northern Russia are suffering a serious population decline, like other IPs in Russia, due to the poor living conditions, low fertility rates, high unemployment, lack of access to health services, amongst other reasons.

INTI ask the PF and the Chilean government to investigate the situation of the Kaweshkar people at Port Eden, since there only remains nine people belonging to this population. If nothing is done, the Kaweshkar will soon become extinct.

Jay College of Criminal Justice recommends that Latin American governments endorse recommendations directed at the fundamental freedoms of incarcerated persons.

12 For background information on the health situation of IPs in Canada, presented by UBCIC, please contact doCip
GUATEMALA presents the following recommendations, amongst others: WHO and PAHO should carry out an evaluation of the Decade, and the work of indigenous midwives and practitioners should be recognised and implemented into health programmes (also Latin American Caucus, CONAMI, RMIW).

NEPAL’s 1990 Constitution guarantees the right of all communities to conserve their language, script and culture; furthermore, the Indigenous/Ethnic Advancement National Foundation Act of 2001 promotes the advancement of social, educational and cultural interests of the target groups.

MEXICO recognises the need and importance of doubling its efforts within healthcare services directed to IPs, especially towards indigenous women and children.

In January 2004 CANADA’s Ministers of Health and leaders of the National Aboriginal Organizations, including the Native Women’s Association of Canada (NWAC), agreed on a strategy to address Aboriginal issues and participation at all levels of discussions on health.

Human rights

Human rights is a cross-cutting issue within the UN system. It is imperative, states Ole Magga, that states and IPs agree on an international framework: the DD’s standstill is deeply disturbing. As its priority, the PF should establish co-operation with the SR and the OICHR, and a mechanism capable of immediately reacting to human rights’ violations (also Parshuram Tamang).

Ayitegan Kouevi emphasises that indigenous women are among the most discriminated against. They must have the right to participate in all domains of decision making (also Saami Parliamentary Council, UNIPROBA, CAMV/AAPDMAC/PIDP-KIVU/UEFA/ACPROD).

Erica-Irene Daes underlines indigenous women’s impoverishment, cultural marginalisation, discrimination, and the systematic abuse of their human rights (also AIWO for women in Africa, UNIPROBA for the Batwa). All international and regional humanitarian law instruments and fundamental principles include the recognition and protection of the rights and freedoms of indigenous women (also the Latin American Caucus as to IPs worldwide), and should prevail in national law. Fortunato Turpo solicits Erica-Irene Daes to recommend the PF to include IPs in the Truth and Reconciliation Commissions (also Otilia Lux de Coti, MIP), as well as in national reconciliation processes (also Asian Caucus as to Burma). In support of the latter Marcos Matias Alonso also calls for political inclusion of IPs in post armed-conflict Peace Accords (including indigenous women, SAIWF).

Millani Trask/PCRC present recommendations in the fields of: human rights, environment, culture, health, education, and socio-economic development of the Pacific Regional Consultation on the PF, 15-17 March 2004, in Nadave/Fijii.

Zinaida Strogalischikova informs that indigenous languages have been recognized in the Russian Federation, and legal and constitutional guarantees exist; however, obtaining implementation is arduous.

Parshuram Tamang informs on massive human rights’ violations against IPs in Nepal and calls for the intervention of the SR (also SAN/ NIWFN for indigenous women)

Antonio Jacanamijoy is disquieted by atrocities committed against IPs in Colombia, particularly in the Vaupés Department, and asks the PF to urge the Colombian government and the whole UN system to adopt measures on this issue (also ONIC, RMIW).

Rodolfo Stavenhagen, SR, informs on the renewal of his mandate. The achievements of the Decade have been curtailed by the persisting amplitude of IPs’ human rights violations, particularly of indigenous women. This year he focused on the question of administration of justice. Denunciations of abuses by security forces, especially against women, have to be investigated independently.

Otilia Lux de Coti asks for the inclusion of information on the social, cultural, moral, sociological impacts of armed conflicts on indigenous women (also Indigenous Women’s Caucus, DRC).

Ida Nicolaisen is concerned by the fragility of very small communities facing ethnocide and genocide, and asks the SR to tackle the problem (also CSI for Alaska, BAM for Maluku). Wayne Lord asks how the PF and the SR will work together, and how the mandate of the SR and the WGIP can be solidified. Millani Trask asks if the SR will recommend a second Decade (also International Indigenous Women Caucus, CAIPCD) and if he might include a comment on the failure of the UN system to adopt norms on the rights of IPs, despite the Secretary General’s (SG) encouragement to adopt a rights-based approach.

According to Fortunato Turpo the Latin America and the Caribbean justice systems are corrupt and need to be investigated, many officials handling indigenous cases do not speak indigenous languages.

Miguel Alfonso Martínez, Chair of the WGIP, presents the report of the WGIP 2003 and explains that ECOSOC (2003) and the CHR have supported the work of all existing bodies and mechanisms; the CHR recommended that IPs’ opinions be taken into account in this year’s evaluation of the mechanisms.

Yakin Erturk, SR on Violence Against Women, explains that a major problem facing indigenous women is contradicting group norms; these may condone subjugation or violence against women.

13 The statement, including the recommendations, can be obtained at doCip.

Processes should be put in place for indigenous women’s education, sharing of information and knowledge. Governments are still men-dominated, the PF should ask the General Assembly to condemn this breach.

The policies and laws.

PIPE review for the “Beijing+10” process.

violence against Native women in all areas. They request the PF to support the preparation of a comprehensive

laws be gender neutral

for the WGIP and the WGCD, and that state laws be gender neutral (also SC).

NWAC, CWAPS, Indigenous Educators’ Caucus, MRN, QNWA, PIWA are alarmed by the high rates of violence against Native women in all areas. They request the PF to support the preparation of a comprehensive review for the “Beijing+10” process.

PIPE emphasize that despite the UN Charter’s reaffirming of “equal rights of men and women” most governments are still men-dominated, the PF should ask the General Assembly to condemn this breach.

Processes should be put in place for the education of indigenous women’s education, sharing of information and knowledge building on human rights (also Bolivian Caucus, UNIPROBA for Batwa, CAMV/AAPDMAC/PIDP-KIVU/UEFA/ACPROD for Pygmy in DRC).

UNIPROBA recommend that governments acknowledge indigenous women and their rights (also Latin American Caucus, Bolivian Caucus; CPNAB/ANIPA/LL/ITC as to the CHR and its thematic mechanisms) and that the PF follow up on recommendations of the second session concerning acts of violence against indigenous women.

ANIPA report on high infant and mother mortality rates of IPs (also HAP), as well as sexual violence, forced sterilization of men and women in Guerrero and other forms of repression.

CSI declare that American Indian and Alaska Native women experience higher rates of prevalence and severity of violence than any other group of women in the US.

FAIA ask the PF to support the CEDAW Committee that has held Canada accountable for violation of its obligations. Canadian legislation continues to discriminate against indigenous women (also QNWA, NWAC, CWAPS, Indigenous Educators’ Caucus, MRN, PIWA, ICA). ICA recommend the recognition of all female indigenous leaders and study the intertwining of ‘gender’, ‘IPs’ and ‘self-determination’.

SAIWF ask that all measures be taken to avoid forced recruitment of indigenous children, furthermore the needs of female ex-combatants are to be acknowledged in the disarmament, demobilization and reintegration programmes. They recommend that the SR adopt “impact of armed conflicts on IPs” as the topic for the 2005 report (also Amazon Ecuadorian Caucus, WGAAC); and that a workshop on “Indigenous Women, Conflict Prevention and Peace Building” be organized (also QNWA, Latin American Caucus, Asia Caucus, NWAC, BIPF/PCJSS/JPNI/Trinamul/Taungya/BLF/LIL).

PIPE inform that the Teyor Kaani in Nigeria have been destroyed in an act of reprisal and call on the SG to consider intervening on behalf of the victims.

Mbuti Organizations of DRC ask the PF to recommend to the UN to strengthen the Observation Mission of the UN in DRC, and to facilitate conflict resolution and free and democratic elections.

CAIPCD recommend that the Caribbean Antilles be recognized as all other indigenous regions in the world. Saint Lucia continues to ignore international norms regarding the protection of IPs’ sacred and cultural sites.

BAM request the PF to call for an immediate end to the war in Maluku (also Pacific Caucus, International Indigenous Youth Caucus) and a weapon embargo against Indonesia.

WHPC ask for help to stop the ongoing genocide against the Hmong in Laos. In the last 30 years, the regime, sometimes jointly with Vietnamese troops, has reportedly killed over 100’000 Hmong.

CARD/LWU report on human rights violations against women in Manipur, India. Special legislation, heavy military presence, and displacement, impede access to basic services and employment.

The Brazilian Caucus informs on massive human rights violations against the Cinta Larga due to invasion of their territories by illegal miners. Brazil should formulate, jointly with IPs, policies acknowledging and respecting the multicultural character of the country; expel all illegal invaders, and demarcate and homologate all IPs’ territories.

INTI inform that the Kaweshkar, Yagan, Onas, Selkna and Haush in Chile, are threatened with extinction. They ask for the implementation of the SR’s recommendations for Chile (also IWA, ONIC for Colombia). IWA

15 See the information submitted to the PF by OHCHR: E/C.19/2004/5/Add.11.
16 For an overview of current activities see: E/C.19/2004/5/Add.3.
inform on the deteriorating situation of the Mapuche in Chile, where Convention 169 is yet to be ratified. Chile maintains that IPs’ claims to their land cannot be considered. The Bolivian Caucus explains that IPs suffer from violations of their rights, the exclusion from national development programmes and plunder of their natural resources.

MoF draw attention to the persecution Montagnards/Degar suffer in Vietnam, such as summary executions, imprisonment, disappearances, coercive sterilizations of women, torture, rape and religious persecution.

KKF inform on human rights violations against the Khmer Krom, especially recent violations of the right to religious freedom.

PCG inform that Bangladesh still fails to implement the 1997 CHT Peace Accord, they urge the removal of all temporary military and paramilitary camps (also SAIWF, Amazon Ecuadorian Caucus, BAM for the Maluku, International Indigenous Youth Caucus/Pacific Caucus for Hawai’i and Burma). Security forces perpetrated and continue to commit massive human rights violations in complete impunity (also BLF, BIPF/JPIC). BIPF/JPIC inform that forests and territory have been taken away without free, prior and informed consent (also BLF). PCG demand the trial of involved security force members in the International Criminal Court (ICC) or a competent tribunal in Bangladesh. They recommend that the SR be given free access to indigenous territories for comprehensive studies of IPs’ human rights situation (also Pacific Caucus for Guam, Hawai’i, New Zealand, Te Ao Maohi, Maluku, Rapa Nui and West Papua, Bolivian Caucus for La Paz and El Alto, PIPE for the Teyor Kaani, CARD/LWU for Manipur, KKF for the Kampuchea Krom). UN agencies should also support initiatives of indigenous organisations to monitor, document and report the situation of indigenous human rights.

WGAAC ask that the mandate of the Special Advisor to the SG on the Prevention of Genocide focus on IPs as a distinct group. The Prosecutor of the ICC should be invited to report on the relevance and use of the Statute of the ICC for IPs (also Latin American Caucus).

HAP explain that the gas exploitation mega project in the Nahua Kugapakori reserve of Urubamba, Peru, would deeply affect the ecological balance and survival of the IPs. The Amazon Ecuadorian Caucus informs that under pretext of military plans IPs are dispossessed of their territories and natural resources. In Ecuador the Kichwa, Shuar, Achuar, Zápara, Shiwiar, Siona, Secoya, Cofán, Huaroani and farmers have been threatened, killed, prosecuted and imprisoned for opposing oil extraction activities. CARD/LWU inform that national development projects have resulted in massive deforestation, land infertility, erosion and environmental disasters in Manipur.

The Pacific Caucus recommends that the PF advise the UN Decolonising Committee to inscribe/re-inscribe territories in the Pacific Region on the list of Non-Self-Governing Territories and provide these territories with the decolonisation and self-determination mechanisms (also Hawai’ian Caucus for the Kanaka Maoli, KKF for the Kampuchea Krom). It further recommends that UN-HABITAT investigate evictions of IPs in Guam, Hawai’i, Kanaky, Maluku, Rapa Nui, Te Ao Maohi (French Polynesia), and West Papua. MAWEED recommend that Kenya both enact the Constitution Draft Bill into a Constitution of Kenya and mobilise resources for the amendment of several laws that affect indigenous women’s human rights.

MOBCUDA inform that the Mbororo are denied right to education, healthcare, development and to land. They ask the PF to call upon Cameroon to recognize the Mbororo’s rights and restore the Mo-okoh people to their ancestral land.

CAPC inform that many people of aboriginal ancestry in Canada living in urban areas do not benefit from special legislation. They recommend to the PF to develop accountability ‘score cards’ for member states.

QNWA explain that the Iroquois Confederacy’s sovereignty is ignored and undermined by Canada who considers indigenous issues as domestic. IWA/IMN warn that new legislation will convert Mohawk Territory into a municipality and erode the ancestral rights of the Mohawk Nation.

ICC/SC draw attention to continued violation of Inuit and Saami rights to land in Norway (through the proposed Finnmark Act), Finland, the Russian Federation and Sweden.

TRNT are concerned over New Zealand’s Foreshore and Seabed Bill that extinguishes jurisdiction of courts to investigate and declare extant customary property rights (also Pacific Caucus, FAIRA) and is contrary to domestic and international human rights standards.

The Hawai’ian Caucus informs on the introduction of new US legislation which forcefully reorganises a Native Hawaiian governing entity, displacing and supplanting an ongoing process of self-determination for and by the Kanaka Maoli.

The Latin American Caucus asks the PF to recommend to the UN to adopt measures for the protection of IPs living in self-chosen isolation.

CONAIE/ECURUNARI recommend that the SR visit Ecuador in order to elaborate jointly with IPs a report on the situation of collective human rights and indigenous administration of justice and ask the OHCHR to promote respect for and observance of IPs collective human rights.

The treaty study by INAWGT affirms clearly the international nature of contractual relations between Europeans and IPs and the inherent international personality and legal capacity of IPs. The PF’s mandate must
explicitly accommodate the issue of treaties, agreements and other constructive arrangements between States and IPs in a more significant way. The Asian Caucus requests the WGIP to undertake a study on Accords, Agreements and other Constructive Arrangements between States and IPs, especially in Asia, Latin America and Africa (also BIPF/PCJSS/JPNI/Trinamul/Taungya/BLF/LL).

The International Indigenous Women’s Caucus recommends that the Vatican rescind the Papal Bulls permitting colonization practices and human rights violations.

AILA recommend that the PF ask for adoption of the DD (also UNIPROBA, Pacific, Hawai’ian, International Indigenous Women and Youth Caucuses, FAIRA, ICP, INAWGT). ICN suggest to look at IPs’ traditions to define self-determination, which can show the limits of a defunct concept of an international system based on the idea of nation-states. IITC/Gwich’in Nation/FPC/IOIRD/CTT/KLH criticise the proposals for dramatic text changes presented by states in the 2003 WGCD (also ICC/SC). In a joint statement presented by GCC, 73 organizations call upon the PF to strongly recommend ECOSOC to continue the UN standard-setting process. A reasonable deadline for the adoption of the DD would be December 2008. The ECOSOC should consider measures for improving the process (also ANIPA) such as specifying criteria to ensure full conformity with international law (also ICC/SC); and allowing the appointment of two co-chairs (one an indigenous person).

The International Indigenous Youth Caucus is alarmed by the large number of incarcerated indigenous children and youth and requests ECOSOC to ensure their protection and humane treatment and to have them included in the SR’s report. There is a need for incarceration prevention and rehabilitation programmes, and programmes to combat sexual exploitation of indigenous youth.

ANILJ recommend that media should be included as mandated area in the PF’s agenda. The last two sessions’ reports fail to indicate the status of IPs’ human rights, because of the inability to record the oral interventions, among other reasons, a problem accentuated by the fact that since 2001 the Sub-Commission can no longer pass country resolutions or mention a country in thematic resolutions (the oral interventions, among other reasons, a problem accentuated by the fact that since 2001 the Sub-Commission can no longer pass country resolutions or mention a country in thematic resolutions (AFIPN)).

FAIRA consider how the role of the PF could be affected if the WGIP was terminated, the PF would not substitute the inputs provided through the WGIP. The PF should reiterate its support to the WGIP.

BIPF/IPJC note that the PF’s mandate should include monitoring the implementation of IPs’ rights according to ratified treaties.

PIA propose to include “political rights of IPs” in the PF’s agenda, as political participation is related to the self-determination and legal frames should be created for each theme discussed.

CPNAB/ANIPA/LITC recommend that ILO, governments and cooperation agencies conduct capacity-building and technical cooperation programmes with regional IPs organizations.

ICC/SC ask the PF to recommend that CBD, ILO, OHCHR, UNDP and the WB, under the auspices of the PF, hold a technical seminar on the principle of free, prior and informed consent.

In Indonesia after ratification of CEDAW, empowerment programmes are an integral part of the national development plan and included in several decrees and laws. Currently, Indonesia is advancing a process of decentralization to enable more autonomous development of local communities. Indonesia is committed to the 2002 Malino Peace Agreement, implementation is hampered by a regional party aspiring for the separation of Maluku from Indonesia.

Canada stresses that in the final year of the Decade substantive progress will need to be done on the DD.

Finland gives high priority to gender equality and the rights of IPs and will pay particular attention to the rights of the Saami. Finland’s fifth regular report to the CEDAW Committee includes a special section on Saami women.

The Democratic Republic of Congo supports the implementation of a global and integrated approach in Central African sub-region, promoting participation of (indigenous) women in the prevention and resolution of conflicts and peace consolidation.

New Zealand states that Māori individuals are guaranteed equal rights as all other citizens, at the same time the Māori have rights deriving from the 1840 Treaty of Waitangi. A DD has not been achieved in part due to the unwieldy and far-reaching nature of the initial draft, also due to a failure of all sides to accept reality.

Brazil informs that the recognition of IPs’ original rights over the lands they traditionally occupy is a constitutional precept. In April 2004 ILO Convention 169 was promulgated and is now in full effect in the Brazilian legal system. Brazil is actively engaged in the drafting of the OAS Declaration on the Rights of IPs.

Norway notes that progress was made at the last WGCD, however, compromises will be needed on all sides to make it possible to adopt a Declaration.

Colombia reveals the situation of the Nukak Makú, the last nomads of South America, whose survival is threatened due to their location in the middle of an armed conflict.

\[17\] These recommendations are elaborated in detail in a joint submission (“Assessing the International Decade: Urgent Need to Renew Mandate and Improve the UN Standard-Setting Process on IPs’ Human Rights”) formally submitted to the OHCHR on 30 March 2004 and available at doCip.

\[18\] For the complete statement of AFIPN on PF procedures, please contact doCip.
**CHILE** explains that the SR’s recommendations following his mission to Chile have immediately been taken into account and some developments are promising; as for instance restitution of lands to IPs. Chile will soon ratify ILO Convention 169.

**GUATEMALA** recommends to consider policies for compensation and justice for indigenous women and children victims of armed conflict.

The USA declare that the DD should be a blueprint for how a state ought to conduct relations with IPs, and should recognise that local authorities are free to make their own decisions on a range of issues, these are the powers of a government.

**MEXICO** acknowledges the SR’s report and that much remains to be done. Mexico has to find solutions jointly with indigenous women; actions have been undertaken to promote their leadership and improve living conditions.

The **RUSSIAN FEDERATION** insists that work at the international level is not enough, the Russian Federation cares particularly for IPs’ rights and development, and the maintenance of their traditional way of life.

**Culture**

**Otilia Lux de Coti** opens the session declaring that IPs should work from the source of their own culture and build the future with their identity intact. No culture can exist without education, and education must be based on culture.

**UNDP** refers to the main points of the human development reports (HDR) issued in 2000 on Human rights, in 2002 on Democracy and in 2003 on the MDG. This year’s HDR has addressed the issue of diversity as a social fact. One of the most significant myths, is the presumption that the State unity is dependent on a single homogenizing national identity.

**WIPO** refers to its written report to the PF (E/C.19/2004/5/Add.2) and highlights five key points: intellectual property of IPs’ knowledge systems; IPs’ effective participation in the Intergovernmental Committee on Intellectual Property and Traditional Knowledge; publication of case studies on IPs’ use of the copyright system; the input of the PF on customary law; and WIPO’s commitment to the IASG.

The MDG goal of significantly improving the lives of at least 100 million slum dwellers by 2020, is a priority for **UN-HABITAT**. The right to adequate housing is an important duty of the governments, they should ensure that IPs have the means to provide for their own housing needs by restoring a land and economic base. Forced evictions constitute a gross violation of human rights, efforts have been undertaken to set up a legal unit to monitor evictions all around the world and make recommendations.

**FAO** refers to the main fields in which it is currently working with IPs, such as biodiversity, sustainable agriculture and forest management, traditional knowledge systems in agriculture, forestry and fisheries, food security (as per PF recommendation), farmers’ rights, and rural participation. FAO underlines that gender is a cross-cutting theme in its activities and recognises that IPs need to be more involved in its policy management.

The PF’s input would be valuable in finding ways to disseminate its work.

The **Economic Commission for Latin America and the Caribbean** (ECLAC) declares that the equitable development of IPs has become a regional priority, forming part of an overall objective to decrease poverty and to allow ethnic groups to fully enter society as citizens.

The **UN Division for the Advancement of Women** (DAW) states that while concerted efforts have been made within the UN system to improve indigenous women's situation, there should be a more systematic approach in addressing gender perspectives. Indigenous women and girls should not be seen solely as victims but also as major actors, agents of change and contributors to development at all levels.

**Ole Magga** defines culture as a distinctive way of life, enabling empowerment and knowledge of diversity. The PF should: focus on the vital recognition that IPs’ culture is intimately connected to their lands, territories and resources; contribute to moral international guidelines to label IPs’ products as environmentally friendly; bring the UN system together in working towards the protection of cultural heritage (also **RNP**), with the participation of IPs; and play an active role in the preservation of IPs' languages (also **TF**).

**Ayitegan Kouevi** notes the vast amount of information collected by FAO on the promotion of farmers’ and IPs' rights, which is not disseminated.

**Willie Littlechild** makes a presentation on the participation of indigenous women athletes in the Olympics. There has been an increase in the number of indigenous female athletes competing at an elite level.

**Marcos Matías Alonso** presents some information on the Fund for the Development of the Latin American IPs and on a training programme for IPs in Latin America (also **MEXICO**).

**Mililani Trask** commends the very concrete and transparent reports presented by the UN agencies, as well as the collaboration with the IASG to work on the implementation of recommendations (also **Wayne Lord**). **UN-HABITAT**’s report states why the right to self-determination is basic to IPs, enabling the issue of free, prior and informed consent to be concretely addressed. UNDP is thanked for funding the seminar of the PF members on data collection and IFAD for funding projects for IPs.
Wayne Lord suggests that UNDP inform the PF not only on its activities during the passed year, but also on issues of the forthcoming reports on human development. IPs' diversity is not sufficiently accounted for in the consultative procedures for the preparation of UNDP reports.

Parshuram Tamang acknowledges the importance for IPs of FAO’s work. An appropriate framework on IPs and forests needs to be created. The newly established focal point on indigenous issues in FAO is a good example for other agencies.

Referring to FAO Inter-agency initiative on globally important agricultural heritage systems, Ida Nicolaisen asks how this is linked with the transmission of knowledge systems, and with the formal educational system. Agriculture and education ministries seldom collaborate, as some work with adults and others with children.

Njuma Ekundanayo condemns the distribution of inappropriate foodstuffs, including artificial food products and seeds that provoke dependence, degrading the earth and IPs’ health. She questions the existence of a dialogue between industrial production aimed at combating hunger and traditional agricultural methods that secure food for IPs.

FEWF recall the vision and fight of Ingrid Washinawatok, from the Meninomee Nation, in promoting the education, human rights and languages of all IPs’ worldwide. The PF should promote higher education for IPs on their own land, and education subsides for indigenous persons of all ages.

WCC inform that in the near future, as many as 90% of North American indigenous languages will be lost. Indigenous languages should comprise the theme of the next session of the PF. Moreover, the Forum should support the declaration of an International Year of Indigenous Languages for 2006. Clear strategies should be developed for effective intervention in the processes of indigenous languages loss, based on the conclusions presented by Ms. Tove Skutnabb-Kangas (also TF).

DEPIEA stress the link between education and culture and urge all IPs to make visible the symbols of their diversity and equality, such as the wiphala flag of the Andean IPs.

The International Indigenous Women’s Caucus emphasizes the urgency of protecting indigenous culture, as the only meaningful way for survival (also ICN). States should adopt the DD (supported by youth representatives of LL/SBIMI/ITC/IAVE/IDF/WLB/SCIT/KCHS/KLH/IC; by OPNA/ORIP/OPDP, KF/WHCC/PKHCC, Pacific Caucus, Asia IPs’ Caucus, MCN, COAJ) or report to the PF’s fourth session on the exact nature of their objections. The Decade should be expanded (also AAGKTD, OPNA/ORIP/OPDP, KCHS/NKIKLH/WHCC/PKHCC/KLH/KF/IC) until the DD is adopted. The PF should arrange for a report on the Universal Declaration on Cultural Diversity at its fourth session. It should advocate for the development of culturally relevant curricula and educational practices.

ICN acknowledge the fact that WIPO has started another round of negotiations on intellectual property, and the increasing number of IPs involved.

IPCB/NKIKLH/AIPP/AIVLS/ITC/Indigenous Youth Caucus/RNP/TCEY/WCC/CWAPS/AIWO/INN/KCHS/KLH underline some of the ten recommendations submitted in writing to the PF19 (also WHCC, PKHCC, KF, IC): it should advise WIPO and the CBD that they are not the appropriate place to develop an international regime for the protection of genetic resources, traditional knowledge and folklore of IPs (also ICC, SC), this should be done in the WGIP. “Indigenous knowledge” should be the special theme for the PF’s next session.

KCHS/NKIKLH/WHCC/PKHCC/KLH/KF/IC ask the PF and all UN agencies to recognise and implement IPs’ collective recommendations related to the protection and promotion of their traditional knowledge. ICC/SC recommend that prior to its next session, the PF organise, together with the CBD, OHCHR, UNESCO, WHCC, and WTO amongst others, and with the full cooperation of IPs, a workshop aiming to establish a framework to protect IPs’ cultural heritage (also COAJ), so that the work of the UN in this area adopt a cohesive approach.

CAIPCD state that the Kweyol culture is the dominant culture of Saint Lucia IPs, but is inappropriately used for profit by non-indigenous people, without any benefit for IPs. CAIPCD restate several unfulfilled recommendations of the PF’s second session such as the constitutional and educational recognition of IPs’ culture by the State of Saint Lucia and the inclusion of an indigenous representative in the National Commissions for UNESCO (also Fortunato Turpo), amongst others.

Youth representatives of LL/SBIMI/ITC/IAVE/IDF/WLB/SCIT/KCHS/KLH/IC say that indigenous youth should be allowed to inherit and practice their traditional cultures, as it is through them that such cultures will survive. UN agencies should encourage the creation of indigenous media to promote positive images and accurate representations of IPs. UNESCO and UNITAR should support the formulation of prime time media programmes.

SGF/TOTSNICT/AILA appeal to the PF and relevant UN agencies to participate in a global campaign on the Protection of Sacred Species. The Lakota people coexisted with the buffalo until the US army slaughtered 60 million of them in the 1800’s in order to subjugate the Plains Peoples. The buffaloes are still threatened.

19 The full statement, including discussion of the recommendations, is available at doCip.
The Pacific Caucus (supported by TRNT, FAIRA) declares that states should ensure the protection of sacred and significant places, including IPs’ burial areas (also Brazilian IPs), as well as their restoration in accordance with indigenous values. In addition, the Pacific region must be demilitarised, and lands and waters acquired without the IPs’ free, prior and informed consent must be restored.

TRNT acknowledge previous efforts in the codification of the right to cultural diversity by UNESCO, the General Assembly, WGIP and WGCD and aspire to a domestic regime that implements cultural pluralism. States should unreservedly respect customary law and practices, and New Zealand should immediately implement cultural pluralism by abandoning the Foreshore and Seabed Bill (supported by Pacific Caucus).

In this last international intervention, since they have been abolished by the Australian government, ATSC refer to the complex issues that arise in relation to the practice of Aboriginal customary law and its relationship with the international human rights obligations of states. In Australia, distorted customary law has been used for several decades by the judiciary to deny indigenous women their personal safety and fundamental human rights, particularly in cases related to rape and sexual abuse. The PF should compile, with the assistance of the OHCHR, a comprehensive paper documenting how indigenous customary law can be practised, consistent with international human rights obligations of states. BIPF/JPNI/PCJSS/PCG/Trinamul/Taungya support such a compilation regarding customary law in the CHT and recommend that the WGIP prepare a study on IPs and the administration of justice.

SERVINDI express their concern to the process of the World Summit on the Information Society (WSIS), which promotes the technological aspect of communication without due attention to its objectives and values, and issues such as IPs’ spirituality and diversity. States and the private sector have been the fundamental actors of the WSIS, leaving little space to the civil society and IPs. In addition, State officers should speak IPs’ languages, and indigenous names of places must be unrestrictedly respected.

The Latin American Caucus states that IPs’ cannot tolerate the turning of their culture into mere folklore to be promoted by governments as tourist attractions. IPs cultures are dynamic and able to incorporate modern elements. States should: include indigenous knowledge in their domestic laws, and respect IPs’ own forms of judicial administration in accordance with ILO Convention 169 (also BIPF/JPNI/PCJSS/PCG/Trinamul/Taungya). ECOSOC should monitor the PF’s recommendations; and the PF should monitor UNESCO and other UN agencies activities, with IPs’ full and effective participation.

IPAA/Tamaynut particularly recommend that governments undertake institutional reforms in order to constitutionally recognise and protect IPs as is already the case of Amazigh identity in Morocco and Amazigh language in Algeria. Assimilation policies should be eliminated.

TF recommend that the PF support the decisions at the CBD COP7 to develop cultural and social criteria and indicators for monitoring the implementation of the CBD’s work. TF also welcome UNDP’s work on free, prior and informed consent, but further developments and support by states and UN agencies are needed for its effective application (also Asia Caucus). The 2001 Workshop on IPs, private sector, natural resources energy and mining companies and human rights laid the basis for a dialogue between IPs and the corporate sector, and should be continued.

FAIRA express their appreciation to the few states that have presented their responses to the PF’s recommendations. UNESCO has referred to a number of projects regarding IPs all over the world, but this cannot be considered as a global programme for IPs (also COAJ). While intending to hijack the DD process and to participate in all IPs’ international fora on behalf of IPs, Australia does not contribute funds to any indigenous project or to the Voluntary Funds.

MoF refer to the ongoing cultural annihilation of the Degar, who are not free to practice their traditional way of farming and religion, and are forced to leave their ancestral lands for the production of cash-crop government-run plantations. Human rights monitors should be granted immediate access to Vietnam’s Central Highlands and to refugee camps in Cambodia.

KKF claim that the once glorified culture of the Khmer Krom people is now ignored by the world, due to Vietnamese encroachment, occupation of their homeland and assimilation practices. KKF call for the UN support of the cultural practices of the Khmer Krom.

WHPC recall the support that Hmong leaders and people gave to the French and US military during the Vietnam War. Hmong peoples claim their right to maintain their own culture and be allowed self-determination, a right that is forbidden by Laos’ government.

ACINC recommend that the PF support the SR’s recommendations to Colombia and that the PF begin and end its daily meetings with an indigenous ritual. Preserving their ritual and cultural practices enable IPs to resist violence and build a more humane world.

The Asia Caucus states that in Asia, IPs’ right to land and culture is threatened by violence, militarisation, oppression, colonisation and globalisation (also COAJ for IPs worldwide). The UN system should establish, together with IPs, monitoring processes and examination of the effects of development and globalisation on IPs’ cultures.
The Brazilian IPs’ delegation recalls that the 230 different IPs of Brazil have kept, against all odds, 190 different languages and cultures alive. The PF should recommend Brazil to support the training of indigenous professionals in research and evaluation of public institutions related to indigenous culture. RIXI support the Declaration of the Fourth Continental Meeting of Indigenous Women of the Americas and say that, disconnected from their historical cultures and land base, undocumented indigenous migrant women are vulnerable to discrimination, violence and exploitation, and pressured into abandoning their identities. The Mexican and US policies of maintaining a free transnational labour pool that has no obvious recourse in either countries, is based on an institutionalised cultural genocide. The US and Mexico should approve the DD, sign ILO Convention 169 and the CEDAW, and put an end to the continued exploitation and disappearance of indigenous women and children in border regions. The PF, ECOSOC and UN agencies should promote the rights of migrant IPs throughout the world (also CCNM).

Due to the inhumane policies of the US, the Muskogee (Creek) Nation has paid a high price historically to maintain its self-governing laws, sovereignty, structure and culture, but has finally been recognized by the US government (MCN). The UN system should recognize indigenous governments.

FNNS explain that the O’odham people’s ancestral territory and traditional routes in the Sonora Desert cross borders between what is now the US and Mexico, whose governments have used their laws and the threat of force to prevent the O’odham from crossing international boundaries freely to visit traditional territories. Those governments have also violated their spiritual/religious rights by allowing mining companies and universities to encroach on their land and sacred sites. The PF, CHR, and SRs for Religious Intolerance, for IPs, for Torture, and for Internally Displaced Persons, should conduct fact-finding missions regarding the above violations.

ArS refer to the 1915 Armenian genocide, where 60% of the peoples were killed and 90% of their land stolen. Human rights abuses in Turkey and Azerbaijan are causing mass unemployment in Armenia, as well as massive emigration resulting in a great cultural loss. ArS call for support and contacts with other IPs’ organisations. ICSCA encourage IPs to unite strengths to overcome the violence and discrimination against indigenous women. ICSCA are concerned by the growth in the Aymara region of what IPs consider pornography and recommend to investigate the consequences of this phenomenon for indigenous women.

GDA express their deepest concern about the violence against Anuak peoples in the Gambella region, Ethiopia, where children are living in fear after experiencing the horrors of war, and suffering from lack of food, clean water, education and medical care. The PF and UN system must intervene urgently and exert their influence in assisting the Anuak people, who are being robbed of their children and future (also ASO).

The Saami parliament in Finland, recommends that the PF urge UNESCO and other relevant bodies to include an Indigenous Media Programme into their activities.

MEXICO refers to the creation of a National Institute for Indigenous Languages, dedicated to the study and promotion of indigenous languages.

GUATEMALA offers the following recommendations: 1) Recommendations 95 and 101 of the PF’s second session should be reiterated; 2) ensure that private and transnational economic activities do not affect IPs’ cultural and natural heritage and 3) States where IPs live should establish multicultural policies to implement the content of the Universal Declaration on Cultural Diversity. VIETNAM claims that its 54 nationalities have been living together from time immemorial and their diversity does not hinder the common development of the country.

NORWAY and the Saami Parliament in Norway highlight the special attention given to Saami culture in Norwegian cultural policies, based on democracy, pluralism and decentralisation, and aiming at promoting cultural identity and language in a multicultural and multilingual society.

Education

Education has a social, cultural and cosmological basis, Ole Magga states. So-called neutral education can drive the children away from IPs. All peoples have a fundamental right to develop their own knowledge. As the means to convey knowledge from one generation to the next, language is crucial to education and all languages have the same educational potential. Qin Xiaomei adds that education is a basic human right for IPs and a prerequisite for their individual and collective rights, particularly for indigenous women and girls (also MBOSCUDA, ECUADOR). Investment in education for IPs is the most efficient means to enhance their living standards. The right to education requires non discrimination of indigenous students, accessible and affordable schools, acceptable contents and forms, free choice of schools according to IPs’ cultures, and establishment and management of their own culturally appropriate institutions. Intercultural education can play a significant role in this diversifying world. Indigenous teachers’ opportunities for employment should be increased and indigenous education should remain a priority issue for UN agencies.

Tobe Skutnabb-Kangas, from the Roskilde University, Denmark and Abo Akademi University, Finland, says research results demonstrate that bilingualism and educational success benefit significantly from education in the mother tongue of the student rather than teaching them in their native language for one to two years and then switching to the dominant language. Regular submersion programmes, which are the dominant type of
UNESCO stresses that education is important in improving not only the lives of indigenous girls and women, but of everyone in their society, as prove recent studies on economic opportunities, child mortality, democratic citizenship, and protection against HIV/AIDS. Yet, girls are still discriminated in access to and permanence in school. Factors for a good quality indigenous education include a supportive policy environment and political commitment to allow IPs’ participation in decision making and to support their own educational system; a cooperative, interactive and reflexive learning-teaching process based on indigenous experience; innovative solutions for incorporating indigenous knowledge and value systems as equal and complementary to western systems; culture-based curricula that are appropriate to the community and promote positive aspects of indigenous cultures; and the use of indigenous languages.

UNICEF stresses that a mother tongue education is an explicit right included in the CRC, and an obligation for states. Strengthening and promoting indigenous languages in all dimensions of life is an important political challenge for states and UN agencies. The Economic Commission for Africa asks whether UNESCO and UN agencies recognise indigenous pedagogy, in contrast to Western concepts of education. Indigenous literacy concept incorporates the whole body of traditional knowledge.

UNITAR is conducting international and regional training programmes on conflict resolution for the UN staff and IPs’ representatives, aiming at strengthening the participants’ capacity to negotiate more effectively, while promoting constructive relationships between their communities and the dominant society.

Erica-Irene Daes asks whether UNESCO has any concrete forthcoming project to promote the right of IPs to education. Willie Littlechild recalls that if linguistic genocide is achieved, IPs’ prayers will disappear too. The SR on the right to education must pay special attention to treaty rights to education (also Guatemala as to indigenous women’s right to education). Ida Nicolaisen calls upon states to support UNITAR’s work, as it is most significant for IPs.

Fortunato Turpo Choquehuana describes efforts to set up an indigenous community-based university in Peru, which would include courses on conserving environments, upholding human rights and improving IPs’ lives. Technical and financial support from ECOSOC should be requested to carry on this project.

UNESCO is trying to understand and incorporate indigenous pedagogy in its thinking, and is working on several concrete projects on the promotion and protection of IPs’ right to education at a national level, as well as with the SR at an international level.

To be Skutnabb-Kangas states that the CRC does not explicitly recognise the right to a mother tongue education. No legally binding international instrument positively recognises this right.

The Indigenous Women’s Caucus states that indigenous women continue to be denied the most basic of human rights – education. Indigenous women should be involved in all phases of education, as students and graduates, and in decision-making processes. UN agencies should strengthen their links with indigenous universities to support indigenous women’s mainstreaming in academic curricula and to promote study of their role as custodians of sacred and traditional knowledge (also ECM1).

The Pacific Caucus recommends that UNESCO fund: 1) a world forum on education and IPs in order to better understand indigenous educational concepts and practices (also SC/ICC, Marcos Matias Alonso); 2) research on an education system based on indigenous models. All UN world conferences should have parallel events related to, and with the full participation of IPs. Educational systems in the Pacific region fail to meet the needs of IPs, who are the majority of the students. High failure rates are related to past colonial structures foreign to IPs.

The Latin American IPs’ Caucus recommend that States recognise indigenous women’s fundamental contribution to IPs’ education (also Pacific Caucus, ONZAE). The PF should: encourage UNESCO to consider the outcomes of the GFIPIS regarding education; support the establishment of clear strategies to disseminate information on IPs’ educational processes at all levels (also Pacific Caucus); and continue supporting IPs’ universities, (also Qin Xiaomei, Aya/ICSA/ANIS, KC/H/S/NKI/KLH/WHCC/PKHCC/KLH/KF/IC).

A 13-year old Zapotec girl representing the UNICEF NGOs Working Group on Girls recalls the Beijing Declaration and Platform of Action’s recommendation for states to uphold all women’s and girls’ rights. To support indigenous girls’ rights and dignity, all discrimination, negative cultural practices, economic exploitation and violence must be ended, and their rights promoted as well as their participation in social, economic and political life (also OPNA/ORIP/OPDP). Indigenous girls must become visible in all UN documents, events and research (also CNMIM as to indigenous women, AIWO/INN as to their education in Africa). The IV Continental Meeting of Indigenous Women of the Americas recommends that coordinated and complementary concrete actions be undertaken to address the various aspects of indigenous women’s life.
Kichwa girls are marginalized since birth, discriminated against in education and media (also ECUADOR, ECMI) and sent into early marriages (CONMIE, also OPNA/ORIP/OPDP as to Ogiek women). CONMIE recommend that intercultural bilingual teachers be trained regarding dignity and equity for indigenous girls, and that information on their rights be disseminated in indigenous languages (also CNMIM). Governments should stop child labour increase caused by poverty, and ILO should monitor it (AIWO/IIN).

AAGKTD underline that the increasing economic needs of Guarani families have driven the men out of the families, and education of the next generation of children is increasingly in the women’s hands (also HC, Latin American IPs’ Caucus, MBOSCUDA), who have recently achieved some local progresses for indigenous education in Brazil. But youth still has little opportunities to study after primary education.

SC/ICC recall their struggle to make institutional education holistic and relevant to the Inuit and Saami peoples. Culturally appropriate indigenous curricula must enable IPs to continuously learn from the land and the past how to go on living, by developing knowledge, judgment and skill (also ONZAE, CNMIM, CPINM).

CPINM urge Mexico to educate its public officers on IPs’ fundamental and specific rights. IPs have the right to education in their own languages and through their institutions, based on local control, adequate funding and the full responsibility and control of indigenous parents, as well as adjusted states policies to enable the full participation of IPs in all decisions connected with their education (UBCIC). The UN should support such education, which is not granted to IPs by Canada unless they accept conditions adverse to their political and territorial rights.

Indigenous education must also open up access to global knowledge and scientific research progress (ECMI, HC, SC/ICC).

ILO Convention 169 calls for the promotion of the practice and development of IPs’ languages. MCTP claim that Ukraine is not giving due support to the Tatar people’s constitutional right to education in their fast disappearing language, although it is the only means for their integration in the Ukrainian society. KCHS/NKIKL/KHCC/PKHC/LKH/KF/IC call for the recognition of the right of the Kanaka Maoli people of Hawaii to speak and educate their children in their own language.

ONZAE recommend that states include the history and perspectives of IPs in current educational systems so as to combat stereotypes and racism (also HC, LL/SBIMI/IITC/IAVE/IDF/WLB/SCTI, Qin Xiaomei, GUATEMALA as to universities and indigenous women’s rights).

In states, such as the US and Canada, which have histories of boarding schools policies, the legacy of child abuse and violence against indigenous women can be largely attributed to these policies. BSHIP recommend that they be included in a study on genocide against IPs. Indigenous children forced to attend such schools, suffer all kind of violence and are cut off from their culture and language, thus contributing to colonisation and genocide. HC say (also LL/AHF). States must now recognise and support IPs’ own holistic educational systems (also ONZAE), that allows their traditional teachers – elders and women, to teach their children.

Accessibility to schools is IPs’ main educational problem in several parts of the world (IPACC/Tamaynut, CNMIM, OPNA/ORIP/OPDP, SC/ICC). Information and Communication Technologies could help overcome this problem (SC/ICC).

KKF recommend actions to improve the educational situation of the Khmer Krom people in Vietnam. LL/AHF make recommendations to the UN system and Thai government so as to ensure food security and community-based education in their language to Akha children, as well as protection of their rights.

Cultural and linguistic diversity among Africa’s IPs must be recognised (AIWO/IIN). Most African governments do not recognise the PF, nor its recommendations; it should sensitise them on indigenous issues (MBOSCUDA).

Recommendations to the UN system include: financing of indigenous education (Qin Xiaomei, MBOSCUA, ONZAE, KCHS/NKIKL/KHCC/PKHC/LKH/KF/IC, GUATEMALA, SC/ICC as to bilingual and intercultural education, Indigenous Women’s Caucus as to women’s participation in education); technical and material support for states to implement quality education for indigenous children and youth (MCTP, NEW ZEALAND); for the WSIS to ensure meaningful indigenous participation and to study indigenous media experience (SC/ICC); resources to revitalise IPs’ languages (HC); re-evaluation of domestic laws that deprive IPs from their rights and fundamental freedoms relating to education (KCHS/NKIKL/KHCC/PKHC/LKH/KF/IC); a memorial to indigenous women in the UN Headquarters premises and an international day (or decade, MBOSCUA) of indigenous women (CAIPCD, CNMIM).

Youth representatives of LL/SBIMI/IITC/IAVE/IDF/WLB/SCTI call for an analysis of the impact on IPs and their knowledge of the WTO General Agreement on Trade in Services; and for specific mechanisms of accountability on indigenous education (also GUATEMALA).

Indigenous women’s access to educational opportunities is increasing. ECUADOR declares. Its Constitution guarantees a bilingual intercultural education system with particular attention to indigenous women. CHILE has improved its intercultural bilingual education for IPs, but indigenous languages still weaken, as they also depend on IPs’ institutions and territories. Governments should incorporate the promotion of IPs’ heritage and rights in their global public policies, not only in some sectors. VENEZUELA is promoting IPs’ rights and opportunities,
particularly regarding malnutrition, loss of identities due to occupation of their lands, illiteracy, languages and traditional knowledge, and citizenship.

GUATEMALA’s indigenous women delegation requests UNESCO to provide information on the inclusion of IPs’ issues in the Dakar Plan of Action (also Latin American IPs’ Caucus). The PF and UN agencies should organise regional indigenous women’s summits to inform about their action plans and dialogue mechanisms with governments and IPs (also GUATEMALA, MBOSCUDA), and assess the progress of IPs’ education and integral development.

MEXICO suggests design of actions to combat indigenous women’s illiteracy and to promote their access to grants to follow formal education (also GUATEMALA, MBOSCUDA).

CANADA stresses the usefulness of the concept of life-long learning and of partnerships between the State and indigenous women. NEW ZEALAND refers to the improvements in Māori education at all levels, by developing a partnership with increasingly successful Māori initiatives, based on Māori pedagogy and quality infrastructure provided by the State.

**Future Work**

As a means of reinforcing the use of French in international conferences regarding and of interest to IPs, obtaining the publication of official documents in French simultaneously to the publication in the original language, and creating network amongst IPs from Francophone countries, a Coordination Autochtone Francophone (Francophone Indigenous Co-ordinating Committee) was set up in cooperation with doCip and IWGIA France (Ayitegan Kouevi).

Zinaida Strogalschikova draws attention to the inaccurate census of IPs from Northern Russia, for example they have been considered as a homogenous group, which they are not. It is essential to have accurate statistics on IPs and which are adapted to IPs’ particular situation (also KKF).

AILA, TOTSNTC, NCS, SGF, Tonatierca, ICSA, BRDN, SCN, LP and ELP have no doubt that “the single most critical issue in the […] equal application of international law and standards is ensuring the right to self-determination as set forth in Article 3 of the DD” (also BIPF, PCJSS, JPIC). Furthermore, the PF is recommended to request the ECOSOC, General Assembly, and UN to consider an unqualified resolution of their own, proclaiming IPs’ right to self-determination (also HC, SNGR). The recommendation of the Indigenous Women’s Caucus to add a section on Governance, Treaties and International Agreements to the PF’s mandate is also supported (also COMMONWEALTH OF DOMINICA). The PF should request the SR to examine the effects of international borders on indigenous communities. The PF is to examine the exclusion of North American and European indigenous communities from the UN programs simply because they are located in “developed countries”.

CAIPCD recommend that: 1) the PF encourage subsidiary bodies of the UN to establish contact with Secretariats of Regional IPs’ Caucuses and that the PF Secretariat use the latter as focal points; 2) that the theme of the next PF be “the Indigenous Family”; 4) the PF establish a working relationship through the UN with the OAS.

The Asia Caucus recommends for the next PF: the theme of “Peace Building, Resolution/Transformation and Restoration of Balance”, that it be held in Bangkok, and support the nomination of a woman chairperson for the next term (2005-2007).

ICC/SC call for efforts to adopt rules of procedures to enable indigenous elected bodies to appear in their own capacity. The PF should adopt a more long-term work plan that stretches over several years.

The International Youth Delegates urge the PF to encourage a member position for a youth at the PF and to enable more youth to attend the PF. They strongly recommend “Self-Determination” as the theme for the next session.


ATSI, AIWO, APP, BLF, BRDN, CSI, CTT, ICFA, CORE, FAIRA, IN, HHIR, IWGIA, ICC, JPNI, KKCR, NCS, PCG, SC, Taungya, TOTSNTC, TF and Trinamul state their immense discontentment with DESA’s continued patronizing attitude towards IPs, yet again no indigenous candidate was recruited for the PF Secretariat, despite the qualified candidates, the repeated recommendations of IPs’ organisations and the PF, with substantial support from states.

The “1995 Beijing Declaration of Indigenous Women” is the only international public declaration by indigenous women with specific reference to self-determination. The Beijing Caucus recommends that the PF set up a Gender desk in the PF Secretariat and that it request monetary assistance from the UN for the “Beijing+10” conference, which the PF should attend (also Ida Nicolaisen).

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20 Representing IPs from Canada, South Africa, United States, Asia, Pacific Region, Hawai’i, Philippines and Tanzania.
ITC and INBRAPI recommend that “Traditional Knowledge” be the theme for the next session, at which point an evaluation of the PF’s mandate should be carried out.

UBCIC recommend that the PF adopt the themes of self-determination, sovereignty and land rights for future sessions.

The limited resources of the Voluntary Fund calls for a clear distinction between non-indigenous NGOs and organisations directly representing IPs (SERVINDI).

ArS suggest the creation of a world map to visualise where IPs’ territories are, collect statements of IPs prior to the PF, enable the creation of contact list of the participants (also KKF including IPs’ organisations, NGOs and UN agencies), and ensure that the panels are representative of the world’s regions.

HC/SNGR recall the leading role of their ancestor Deskaheh, in 1922 he tried to be heard at the League of Nations. Not much has changed, IPs still don’t have an equal seat with “member states” even though they also represent a collective voice.

In order to optimise doCip’s technical support to the PF, the UN technical services should be more sensitive to their role. They also recommend that the Indigenous Caucus’ meetings be held in the evening, and that it have a say on the future location of the PF.

KKF recommend the PF to provide training for IPs to develop media skills and to create an international University of the IPs.

CPNAB recommend the PF to analyse the possibility of changing the procedures of ILO in order to allow IPs to present claims even if they are not trade unions (also IV Continental Meeting of Indigenous Women of the Americas) and that the PF sponsor a technical support group, to brief new participants before the sessions for more efficiency.

INDONESIA is disturbed by the fact that West Papua was presented as an independent state during the process of selecting a new Asian expert, this encroaches on its territorial integrity and violates the UN Charter.

The COMMONWEALTH OF DOMINICA supports international law being applied to IPs in an equal and just manner, as well as the continuation of the WGIP (also Indigenous Caucus by consensus). The PF should be given adequate funding to carry out its mandate (also KKF).

IPACC request that more time be dedicated to the theme of human rights in future PF sessions.

BRAZIL urges states to make the needed compromises to adopt the DD.

Agenda for the 2005 PF’s session

The President of the General Assembly Mr. Julian Hunte commends the PF and its participants for the work it has accomplished thus far and declares that IPs can “rely on the General Assembly […] to continue to welcome them in good faith, […] listen to their voices and learn from them.”

Ida Nicolaisen recommends to work along the MDG for the next session, specifically on poverty reduction, asking for recommendations but also best practices (also ICC).

DESA commends the participants on the impressive body of recommendations the PF has adopted in the third session. Mr. Magga is congratulated for his wise leadership, availability and commitment throughout his mandate.

IPACC request that more time be dedicated to the theme of human rights in future PF sessions.

In his closing statement the chairperson Ole Magga declared that the PF should be proud as it has managed to begin to address the six mandated areas. It has done much to raise awareness on indigenous issues within the UN system. Mr. Magga specifically mentions the work of doCip without whom many IPs’ organisations would not be able to actively participate in the sessions. Those States and UN agencies that have not yet joined the Forum are urged to do so. As of next year the new structure of the sessions’ discussions will be applied. Finally, all those present should keep in mind that the vast majority of IPs do not have the opportunity to share their experiences at the UN, they must always be the focus of the Forum’s activities.

| Permanent Forum on Indigenous Issues |
| Membership for the period from January 1, 2005 to December 31, 2007 |

**MODIFICATIONS**

**State-nominated experts**

Ms. Liliana MUGANZI MBELA (Democratic Republic of Congo)

Ms. Merike KOKAJEV (Estonia)
List of Abbreviations

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Full Name</th>
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<tr>
<td>AAGKTD</td>
<td>Associaciao Awaetè Guaraní Kaiawá e Terena de Dourados</td>
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<tr>
<td>AAPDMAC</td>
<td>Support Action for the Protection of Minority Rights in Central Africa</td>
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<td>Asociación de Cabildos Indígenas del Norte del Cauca</td>
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<td>Action Chrétienne pour la Promotion des Défavorisés</td>
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<td>Assembly of First Nations</td>
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<td>AHF</td>
<td>Akha Heritage Foundation</td>
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<td>AIAI</td>
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<td>American Indian Law Alliance</td>
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<td>AN</td>
<td>Asociación Napguana</td>
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<td>Congress of Aboriginal Peoples in Canada</td>
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<td>COBASE</td>
<td>Cooperativa Tecnico Scientifica di Base</td>
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ECMI: Enlace Continental de Mujeres Indígenas
ECUARUNARI: Confederación de Pueblos Indígenas del Ecuador
ELP: Euchee Language Project
FAIA: Feminist Alliance for International Action
FAIRA: Foundation for Aboriginal and Islander Research Action
FEWF: Flying Eagle Women Fund
FIAAH: Foundation for Indigenous Americans of Anasazi Heritage
FNNS: First Nations North and South
FPDC: Fundación para la Promoción del Conocimiento Indígena
GCC: Grand Council of the Crees
GDA: Gambella Development Agency
GSC: Gwichin Steering Committee
HAP: Habitat Pro Association Peru
HC: Haudenosaunee Confederacy
HHI: Hui Ho'olu Incorporated
HIHR: Hawai'i Institute for Human Rights
HWHRF: Hill Watch Human Rights Forum
IAVE: International Association for Volunteer Efforts
IC: Ilio ulaokalani Coalition
ICC: Inuit Circumpolar Conference
ICTP: Indian Confederation of Indigenous and Tribal Peoples
ICN: Innu Council of Nitassinan
ICS: Indigenous Connectivity Survey
ICSA: Indian Council of South America
IDF: Indigenous Dialogue Foundation
IIA-SNC: Institute for Indigenous Affairs - Sierra Nevada College
INN: Indigenous Information Network
IPPT: International Indigenous Peoples Think-Tank
IITC: International Indian Treaty Council
IYCY: International Indigenous Youth Caucus
IMN: Indigenous Media Network
INAWGT: Indigenous North American Working Group on Treaties
INBRAPI: Instituto Indígena Brasileiro para a Propriedade Intelectual
INET: Indigenous Network on Economics and Trade
INTII: International Native Tradition Interchange, Inc.
IOIRD: International Organisation of Indigenous Resource Development
IPA: International Presentation Association
IPACC: Indigenous Peoples of Africa Co-ordinating Committee
IPCB: Indigenous Peoples Council on Biocolonialism
ITC: Intertribal Committee
IWA: Indigenous World Association
IWBAN: Indigenous Women's Biodiversity Network
IWGIA: International Work Group for Indigenous Affairs
IYPF: Indian Young Professional Foundation
JPIC: Justice and Peace Integration of Creation
JPN: Jumma Peoples' Network International
KCHS: Kamakakuokalani Center for Hawaiian Studies, University of Hawai'i
KF: Kouni Foundation
KKCR: Kus-Kura Costa Rica
KKF: Khmer Kampuchea-Krom Federation
KLH: Ka Lahui Hawai'i
LL: Land is Life
LMPF: Lummad Mindanao Peoples' Forum
LP: Laguna Pueblo
LWU: Lamkang Women Union
MAWEED: Maasai Women for Education and Economic Development
MBOSCUDA: Mbororo Social and Cultural Development Association
MCN: Muskogee (creek) Nation
MCTP: Mejlis of Crimean Tartar People
MIP: Movimiento Indígenas Pachacutec del Perú
MM: Makak Maku
MoF: Montagnard Foundation
MOSOP: Movement for the Survival of the Ogoni People
MRN: Mother of Red Nations
MWO: Maasai Women Organisation
NACCHO: National Aboriginal Community Controlled Health Organisation
NAICLC: National Association of Community Legal Centres
NCS: Native Children’s Survival
NIWFN: National Indigenous Women's Federation of Nepal
NKIKLH: Na Koo Ikaika o Ka Lahui Hawaii
NT: Ngati Tuwharetoa
NWAC: Native Women's Association of Canada
ONIC: Organización Nacional Indígena de Colombia
ONZAEC: Organización de la Nacionalidad Zápara de la Amazonia Ecuatoriana
OPDP: Ogiek Peoples' Development Programme
OPNA: Ogiek Peoples' National Assembly
ORMIP: Organización Regional de la Mujer Indígena de Perú
OVIHO: Ogoni Volunteers Indigenous Humanitarian Organisation
PCG: Peace Campaign Group
PCJSS: Parbatya Chattargram Jana Samhati Samiti
PCRC: Pacific Concerns Resource Center
PIA: Parlamento Indígena de América
PPIP-KIVU: Programme d'Intégration et de Développement du Peuple Pygmée au Kivu
PIPE: Partnership for Indigenous Peoples Environment
PIWA: Pauktuutit Inuit Women's Association
PKHCC: Prince Kuhio Hawaiian Civic Club
QNWA: Quebec Native Women Association
RAIFON: Russian Association of Indigenous Peoples of the North
RDS: Rural Development Society
RE: Roje Eshanshali
RMW: Red de Mujeres Indígenas Wayuu
RNP: Rapa Nui Parliament
RXI: Red Xicana Indígena
SAIWF: South Asia Indigenous Women Forum
SAN: Sherpa Association of Nepal
SBIMI: Saartjie Baartman Indigenous Medicine Institute
SC: Saami Council
SCIT: Saginaw Chippewa Indian Tribe
SCN: Samson Cree Nation
SERVINDI: Servicios en Comunicación Intercultural
SGF: Seventh Generation Fund
SNGR: Six Nation Grand River
SPIE: Salud de los Pueblos Indígenas del Ecuador
SPP: Solidaritas Perempuan Papua
TCIEY: Traditional Circle of Indian Elders and Youth
TF: Tebtebba Foundation
TIPS: Threatened Indigenous Peoples Society
TNA: Taino Nation of Antilles
TOL: Traditional O'odham Leaders
TOTSNTC: Tetuwan Oyate Teton Sioux Nation Treaty Council
TRNT: Te Rūnango o Ngāi Tahu
TRP: Transnational Radical Party
UBCIC: Union of British Columbia Indian Chiefs
UCTP: United Confederation of Taino Peoples
UEFA: Union pour l'émancipation de la femme autochtone
UNIPROBA: Unissons-nous pour la promotion des Batwa
WCC: World Council of Churches
WGAAC: Working Group on Armed Conflict
WHCC: Waikiki Hawaiian Civic Club
WHPC: World Hmong Peoples’ Congress
WLB: Women's League of Burma
ZOIPU: United Zo Indigenous Peoples
ZWU: Zeliangrong Women's Union
3. INDIGENOUS PEOPLES AND THE EUROPEAN UNION POLICY:
European Union Action Programmes with mention of IPs in their legal basis

Five European Union programmes – as well as two Council resolutions of 1998 and 2002 – mention in their legal basis and sometimes prioritise indigenous peoples. This article gives an overview of how they are put into practice.

By Mardoek Boekraad

Legal basis

There are five European Union (EU) action programmes that explicitly mention indigenous peoples (IPs) in their legal basis, in some cases as a priority, these are: (1) the European Initiative for Democracy and Human rights (EIDHR), (2) Conservation and sustainable management of tropical forests and other forests in developing countries and (3) the Promotion of the full integration of the environmental dimension in the development process of developing countries, (4) Co-financing operations with European non-governmental development organisations in fields of interest to the developing countries and (5) Decentralized cooperation with NGOs, (see text box on pages 33-34). These are all programmes with a budget that support concrete actions of other organisations in order to implement EU policies.

These inclusions in the legal basis are the result of a process of awareness raising within the different European institutions about the importance of IPs within their political priorities. This process started in the middle of the nineties and continues to this day. The European Parliament is responsible for mentioning IPs in the EIDHR since 1999, in Forests since 2000, in Environment since 2000, and the Council is responsible for introducing the specific mention of IPs in the NGO - Co-development since 1998 and Decentralized NGO cooperation since 2002. A common characteristic of the programmes is that they provide, with some exceptions (see below), relatively high funding starting at about 75 000 EUR/year and work on a co-financing basis, which means that the EU contributes between 60% and 90% of the total amount and the rest has to come from other sources.

Indigenous communities as a “target group”

The two Council resolutions ask, amongst other requirements, for consultation of target groups during the elaboration and realization of the projects and the use of special methodologies for the development of work with IPs. In the application forms there is always a question on what methodologies are used and only sometimes (in the forms for the development through NGOs for instance) there is a question on how the target groups have been consulted. The questions are never specific to IPs.

One could have the opinion that it is unnecessary to ask for an explicit mention of IPs. Are they not automatically included in the target groups of the most deprived ethnic groups or minorities, in the support to cultural diversity and the struggle against discrimination and racism, among other issues? In theory this is true. There are many programmes of the Union that support projects in favour of or done by IPs without them being mentioned in the legal basis at all. But as it is the case with many disadvantaged groups in society, if they are not explicitly targeted and if no special efforts are taken to work with them and to adapt to their viewpoint, then actions can fail to comply with the real needs of the target group.

It is impossible to give a list of all the projects that have indigenous communities as a target group because an obligatory and systematic tracking in the project identification files has still not been introduced in the internal registration system of the European Commission. The introduction of such a formal criterion is one of the explicit aims of the Commission since 2002.

One other aspect to keep in mind is the particular way the EU distributes this type of funds. They use the system of “call for proposals” which implies that complete applications have to be sent in before precise deadlines. Specific criteria are strictly applied and all applicants are treated equally. The Commission does not make any enquiries on the ground and does not ask any supplementary questions after the deposit of the application. It decides on basis of the knowledge of consulted experts and its own staff. Investigations and controls only take place after the adoption of a project.

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21 The author of this article maintains an informative website on the EU and IPs: www.eu-indigenous.org
22 For the Conclusions of the Council of 30.11.1998 and 18.11.2002 and other texts of the EU, see the website of the European Commission on IPs: http://europa.eu.int/comm/external_relations/human_rights/ip/index.htm
(1) **European Initiative for Democracy and Human Rights, EIDHR**


This is the most active programme regarding IPs and it acts as a motor for the other programmes. Since around 1998 there have been several projects directed by indigenous organisations and a few dozen projects that have had IPs as their target group. The indigenous expert nominated by Denmark, Mrs Tove S. Pedersen from Greenland, works at EUROPAID for the EIDHR unit since January of this year. It is the first time an indigenous expert occupies this function.

There are generally speaking three types of projects:

(a) Micro-projects with a maximum of 50,000 EUR, decided by the national delegations. As no central micro-projects list is available at the moment it is difficult to make statements on them. We think the situation is comparable to the rest of the programme.

(b) Normal projects with a Brussels-based decision-making body. In this category, a specific sum of 10 millions EUR for a five-year period is reserved for IPs. Of that total sum, six millions EUR are to be allocated this year through the call for proposals. According to Tove S. Pedersen this priority has had a greater positive impact on IPs than the Commission itself is aware of. In response to the question of whether IPs are consulted in the projects that concern them, she was careful to reply that she could still not provide an answer. No official study has been made on this subject.

(c) Targeted projects that the Commission decides on in Brussels upon invitation

Even in this unit an effective consultation of IPs does not take place. One example: The author of this article has found out that a relatively important project led by a university, with IPs as a target group, was adopted in 2003. The local and national indigenous organisations had never even heard of this project. After that discovery, a contact has been established and a fruitful cooperation has followed.

Non-indigenous well-known NGOs working at the global level for IPs, such as IWGIA and doCip, have received subsidies. Some indigenous NGOs that received ‘normal’ subsidies after participating in a call for proposals are the Saami Council, PIDP in the Democratic Republic of Congo and CAURWA in Rwanda.

Since 2002 a national expert has been hired and an inter-service group has been set up to coordinate between the administrators inside the Commission and those working in the field on projects that are of interest to IPs. A national expert is kind of EU-officer that is nominated and paid for by one Member state. Their contract mostly lasts between one and three years. The IPs expert is Tove S. Pedersen from Greenland, nominated and supported by Denmark. An inter-service group is a group of EU-officers from various services that meet regularly to discuss a specific topic, in this case IPs.

(2) and (3) **Forests and Environment in Developing Countries**


The legal text of the programme for the protection of forests is the most complete of all legal texts studied here. It demands previous consultation, and active participation and full information of local populations. At the moment of submitting an application, only a statement of the intention to cooperate signed by a local partner is requested. This local partner does not have to be an organisation that represents the populations themselves. In the case studies of the 2002 European Union Conference on IPs and Development, it was indicated that not all projects financed by this programme had fully consulted or even informed the targeted IPs.

Despite the fact that it is legally possible, there has been no indigenous-led project in the programmes on the protection of forests in developing countries and the integration of the environmental dimension in development. The fact that the populations are not seen as separate from the forests, demonstrates a progressive approach. Solutions for environmental protection can therefore provide answers to the social and economic problems of local populations that depend on the forests. This offers many interesting possibilities for local indigenous grassroots communities.

(4) and (5) **Development through Non-governmental organisations**


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“Co-financing operations with European non-governmental development organisations in fields of interest to the developing countries” and “Decentralized cooperation with NGOs” are two cooperation programmes that are directly administered from Brussels. None of these programmes has ever supported a project led by an indigenous NGO.

The first programme is large as it has a budget of about 200 millions EUR/year. It is reserved to NGOs that are registered in the EU. The other programme has a more modest budget and can be used by NGOs from third countries. These programmes are different from the large development programmes that are agreed to in the framework of the Cotonou Convention and the European Development Fund. Developing country governments administer the latter. The Commission has flexible funds available outside of the call for proposals that can be used for studies or special projects. They are not considered in this article. They have been used by the Saami Council, amongst others.

This programme for European NGOs has two main action strands: they can support activities for social and economic development in communities in developing countries or awareness-raising campaigns on development issues inside the EU. According to the Commission, about 1%, which means about 15 of 1500 ongoing projects, have IPs as a target group. Some of them concern Guarani, Mapuche, Quechua, Aymara communities in Latin America; Touareg, Pygmy, Bushmen, Maasai communities in Africa; and Bawm, Dalit and Hazara communities in Asia. Like in the Forest programme, at the moment of submitting an application only a statement of the intention to cooperate signed by a local partner that does not have to be an organisation representing the populations themselves has to be attached. A debate on the implementation of the Council resolutions has, according to the Commission, not been possible because their managing units do not consider target groups one by one and do not have specific reserved budgets for them.

The programme for decentralized cooperation, also called programme for the strengthening of the civil society in third countries, is directly addressed to capacity building of third country organisations. It has a relatively low budget. Last year it was about 6 millions EUR. During the last call for proposals, out of 450 applications only 15 projects were adopted. The programme works with a changing list of priority countries. In the 2004 list some have indigenous populations: Venezuela, Colombia, Paraguay, RDC, Guinea Conakry. IPs have not been singled out in the selection process either.

Conclusion

As a conclusion it is clear that only the EIDHR makes specific efforts to work with IPs and their organisations. In all the programmes, previous consultation, participation of IPs and veto right are not systematically and clearly requested, and are most probably, in the vast majority of projects, not applied. Indigenous organisations only succeed in very few cases, and only in the EIDHR, in receiving subsidies through the call for proposals. The implementation of the Council resolutions has not yet been achieved.

Regardless of the above, the EU is already making a significant contribution to the improvement of the situation of IPs in the whole world through above and other programmes. Since the conference and the resolution of 2002, the awareness on the theme of IPs has increased.

Legal texts are periodically reviewed and renewed. After the end of the International Decade for IPs, we can only hope that the explicit mention of IPs in the texts will be maintained in the long term, though a lot of the implementation remains to be done. The monitoring of the decision-making processes inside the EU, through the European Parliament, the national governments and the Commission, continues to be fundamental.

To improve the participation of IPs in the programmes all sides have to make efforts. Tove S. Pedersen recommends for instance that indigenous organisations establish partnerships with NGOs that have already successfully submitted a project at a call for proposals and successfully managed it through regular intermediate reports, and followed the very strict budget management requirements. In a partnership of this nature, it is important that a real transfer of knowledge takes place. The IPs should be directly involved in the writing of the official documents. At the Commission level, training of staff, and the discussion and introduction of adapted methodologies are is crucial.

The EU with its large flexible programmes offers unique possibilities for the development of indigenous communities at the local and international level.
The EU makes significant efforts for transparency. The legal basis, as well as guides and lists of adopted projects with amounts are available free of charge on the Internet, most of the time in French and English.

All calls for proposals are published at the following official website:
http://www.europa.eu.int/comm/europeaid/index_en.htm

Texts of Regulations or Legal basis

Council Regulation of 17.July 1998 on co-financing operations with European non-governmental organisations (NGOs) in fields of interest to the developing countries

“Art. 2, par. 1
Within those fields of activity (...)
Particular attention shall also be paid to:
- the protection of threatened cultures, especially endangered indigenous cultures”


Extending and amending Regulation 1659/98 of the Council on decentralised cooperation

“Art. 3:
1. the cooperation partners eligible for financial support pursuant to this Regulation shall be decentralised cooperation agents in the Community or in developing countries, such as: local (including municipal) authorities, non-governmental organisations, organisations of indigenous peoples, (...)


Council Regulation 975/1999 of 29.April 1999, JO L 120, 8.5.1999, p. 8-14
Laying down the requirements for the implementation of development cooperation which contribute to the general objective of developing and consolidating democracy and the rule of law and to that of respecting human rights and fundamental freedoms.

and

Laying down the requirements for the implementation of Community operations, other than those of development cooperation which contribute to the general objective of developing and consolidating democracy and the rule of law and to that of respecting human rights and fundamental freedoms.

(Same text regarding IPs in both regulations).

“ Art. 2
(...) the European Community shall provide technical and financial aid for operations aimed at:
1. Promoting and defending the human rights and fundamental freedoms proclaimed in the Universal Declaration of Human Rights and the other international instruments concerning the development and consolidation of democracy and the rule of law, in particular:
(...)
(d) support for minorities, ethnic groups and indigenous peoples;
(...)”

On measures to promote the full integration of the environmental dimension in the development process of developing countries

”Art 3 par 2.
Activities eligible for funding include:
- schemes to build up institutions and operational capacities of actors in the development process, i.e. government, non governmental organisations, private sector, civil society, indigenous peoples, at national, regional and local level;
Art. 3 par. 3:
In the selection, preparation, implementation and evaluation of activities, particular attention shall be paid to:
- active involvement, support and ownership of local population, including indigenous communities;

Art 4
Cooperation partners which might receive assistance under this Regulation shall include (...) associations representing local people, in particular indigenous peoples.”


Council Regulation 2494/2000. JO L 288, 15.11.2000, p.6-10
On measures to promote the conservation and sustainable management of tropical forests and other forests in developing countries

”Art. 2
5. forest-dependent people means the indigenous peoples who inhabit the forests or claim it as their traditional home and any people who live in or near the forest and have traditionally been directly and to large extend dependent on the forest;

The forest-dependent people:
- should actively participate in the development and nation forest policies and development planning (Art. 3)
- be supported in economical, social, cultural self development (art 4 par. 1 a)
- receive prior information and participate in activities carried out in the regulation (art 4. par.3)
- activities under the regulation shall be preceded by environmental and socio-cultural impact assessments including the assessment of the congruence of the envisaged operations with the development priorities of the forest-dependent people (art 4 par. 5)
- cooperation partners can be: non governmental organisations and associations representing local people in particular forest-dependent people.(art.5)”


* * *
4. OTHER MATTERS

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Thanks!

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