**TABLE OF CONTENTS**

1. Editorial ......................................................................................................................... 3

2. The Human Rights Council's Universal Periodic Review ............................................. 4


   I. Universal Periodic Review Mechanism......................................................................... 4

      A. Basis of the review ........................................................................................................ 4

      B. Principles and objectives ............................................................................................... 4

      1. Principles....................................................................................................................... 4

      2. Objectives ..................................................................................................................... 4

      C. Periodicity and order of the review ............................................................................... 5

      D. Process and modalities of the review .......................................................................... 5

         1. Documentation ......................................................................................................... 5

         2. Modalities .................................................................................................................. 5

      E. Outcome of the review ................................................................................................. 6

         1. Format of the outcome ............................................................................................... 6

         2. Content of the outcome .............................................................................................. 6

         3. Adoption of the outcome ........................................................................................... 6

      F. Follow-up to the review ............................................................................................... 6

   Indigenous peoples in the UPR reports and outcomes ...................................................... 7

      Algeria............................................................................................................................... 7

      Argentina......................................................................................................................... 8

      Botswana........................................................................................................................ 9

      Brazil............................................................................................................................... 10

      Burkina Faso .................................................................................................................. 11

      Burundi........................................................................................................................... 11

      Colombia......................................................................................................................... 11
Ecuador .................................................................................................................................................. 12
Finland .................................................................................................................................................. 13
France .................................................................................................................................................... 14
Gabon .................................................................................................................................................... 14
Guatemala ............................................................................................................................................. 15
India ....................................................................................................................................................... 17
Indonesia ............................................................................................................................................... 17
Japan ..................................................................................................................................................... 18
Morocco ............................................................................................................................................... 19
Peru ....................................................................................................................................................... 19
Philippines ........................................................................................................................................... 20
Tunisia ................................................................................................................................................... 21
Ukraine ............................................................................................................................................... 22

3. Human Rights Council ......................................................................................................................... 23
   Indigenous Peoples at the Human Rights Council’s eighth session ......................................................... 23
      Item 1: Appointment of mandate holders ............................................................................................ 23
      Item 2: Report by the High Commissioner and Interactive Dialogue ................................................... 23
      Item 3: Protection and promotion of human rights ............................................................................ 23
   Abbreviations ......................................................................................................................................... 24

4. Durban Review Conference .................................................................................................................. 25
   Rights of Indigenous Peoples protected at UN Racism Conference ....................................................... 25
      Governments boycott .......................................................................................................................... 25
      The outcome document ...................................................................................................................... 25
   Indigenous Caucus Statement ............................................................................................................... 26
      Racism Violates the Rights of Indigenous Peoples ............................................................................... 26
      Diversity is Valued ............................................................................................................................... 26
      Review of Durban Declaration and Programme of Action ................................................................. 27
      Indigenous Peoples have Rights ......................................................................................................... 27
      Durban is an Opportunity to End Racism ........................................................................................... 27
      The UN Charter Places Obligations on States .................................................................................... 27
      Renewed Will and Partnership for Change ........................................................................................... 28

5. The European Union and Indigenous Peoples ....................................................................................... 29
   The Participation of Indigenous Peoples in the Struggle Against Illegal Timber Exploitation: the opportunity of negotiating Voluntary Partnership Agreements with the European Union .......................................................... 29
      The VPAs ......................................................................................................................................... 29
      VPAs and civil society .......................................................................................................................... 30

6. Indigenous Peoples’ Global Summit on Climate Change ........................................................................ 32
   The Anchorage Declaration .................................................................................................................. 32
   Calls for Action ..................................................................................................................................... 32

7. Upcoming Meetings and Deadlines for Indigenous Peoples, November to December 2009 .................. 35
1. EDITORIAL

Approximately 300 delegates participated in the 2\textsuperscript{nd} session of the Expert Mechanism on the Rights of Indigenous Peoples (EMRIP) on 10-14 August 2009. Present at the opening session were, in particular, Ms. Navanethem Pillay, High Commissioner for Human Rights and Mr. Carlos Portales (Chile), Vice-Chair of the Human Rights Council. Ms. Pillay was pleased to note Colombia and Australia’s endorsement of the Declaration on the Rights of Indigenous Peoples (Declaration); she affirmed that her Office intends to play a key role in promoting universal acceptance and implementation of the Declaration, and that the rights of indigenous peoples are, and will remain, a priority for her Office.

Mr. Portales announced that reports by the High Commissioner, the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous peoples (SRIP) and of the EMRIP will all be considered at the 12\textsuperscript{th} session of the Human Rights Council (HRC), from 14 September to 2 October 2009 (but not necessarily on close dates – Editor’s note). He noted that the EMRIP is entitled to suggest proposals to the HRC, for its consideration and approval, within the scope of its work as set out by the HRC, and in this sense there is room for the EMRIP to propose to the Council how best to provide its expertise.

The EMRIP, having opted for a revolving chairmanship, named Ms. Jannie Lasimbang Chair-Rapporteur for this 2\textsuperscript{nd} session. Ms. Lasimbang informed that the organisation of debates combined the various categories of speakers in order to encourage dialogue. She also presented an advanced draft of the study on application of indigenous peoples’ right to education and emphasized the difficulties faced during its elaboration: a limited number of contributions and of concrete proposals, and the diversity of situations.

The first day of the session also marked the celebration of the International Day of the World’s Indigenous People, opened by an Ainu prayer that was followed by well-received cultural presentations from all regions of the world. On the second and third days the SRIP received indigenous delegates who wished to speak with him and inform him of any complaints they might have.

The EMRIP session was preceded by a half-day orientation session (organised by doCip) on Complaint Procedures, Treaty Bodies, and the Universal Periodic Review (UPR). A preparatory meeting of the Indigenous Peoples Global Caucus was also held; it presented the EMRIP with three themes that might be proposed to the HRC: the right to health, implementation of the right to self determination, and the right to consultation and to free, prior and informed consent. The experts of the EMRIP proposed to the HRC “the right to participate in decision making.”

All documents from this session, including participants’ statements, are on our website: www.docip.org, Documentation, Human Rights Council.

The current issue of the Update is primarily dedicated to the UPR. It summarises its first annual cycle of reviews, from the elaboration of national reports to the Council’s final reports, by country. Drafted in the same way as our reports (much appreciated by their indigenous readers) on the UNPFII and the EMRIP, this summary is meant to serve as tools to help indigenous peoples identify where and how to intervene in the review process, including by identifying gaps in their lobbying efforts regarding the States already examined.

* * *

Published on August 31, 2009
2. THE HUMAN RIGHTS COUNCIL'S UNIVERSAL PERIODIC REVIEW

The Human Rights Council's Universal Periodic Review (UPR) began in September 2007 with the first session of the Working Group on the Universal Periodic Review (WGUPR). Its first annual cycle was completed with the consideration of the WGUPR third session's outcomes by the Human Rights Council (HRC) at its 10th session, in March 2009. Here is a report on the inclusion of indigenous issues in the reviews of countries where indigenous peoples (IPs) live. Before that, we publish the part of HRC Resolution 5/1 on institution-building, which sets the UPR basis, followed by some suggestions on possible avenues for IPs' engagement in the UPR process.


I. Universal Periodic Review Mechanism

A. Basis of the review

1. The basis of the review is:
   (a) The Charter of the United Nations;
   (b) The Universal Declaration of Human Rights;
   (c) Human rights instruments to which a State is party;
   (d) Voluntary pledges and commitments made by States, including those undertaken when presenting their candidatures for election to the Human Rights Council (hereinafter “the Council”).

2. In addition to the above and given the complementary and mutually interrelated nature of international human rights law and international humanitarian law, the review shall take into account applicable international humanitarian law.

B. Principles and objectives

1. Principles

3. The universal periodic review should:
   (a) Promote the universality, interdependence, indivisibility and interrelatedness of all human rights;
   (b) Be a cooperative mechanism based on objective and reliable information and on interactive dialogue;
   (c) Ensure universal coverage and equal treatment of all States;
   (d) Be an intergovernmental process, United Nations Member-driven and action-oriented;
   (e) Fully involve the country under review;
   (f) Complement and not duplicate other human rights mechanisms, thus representing an added value;
   (g) Be conducted in an objective, transparent, non-selective, constructive, non-confrontational and non-politicized manner;
   (h) Not be overly burdensome to the concerned State or to the agenda of the Council;
   (i) Not be overly long; it should be realistic and not absorb a disproportionate amount of time, human and financial resources;
   (j) Not diminish the Council’s capacity to respond to urgent human rights situations;
   (k) Fully integrate a gender perspective;
   (l) Without prejudice to the obligations contained in the elements provided for in the basis of review, take into account the level of development and specificities of countries;
   (m) Ensure the participation of all relevant stakeholders, including non-governmental organizations and national human rights institutions, in accordance with General Assembly resolution 60/251 of 15 March 2006 and Economic and Social Council resolution 1996/31 of 25 July 1996, as well as any decisions that the Council may take in this regard.

2. Objectives

4. The objectives of the review are:
   (a) The improvement of the human rights situation on the ground;
   (b) The fulfillment of the State’s human rights obligations and commitments and assessment of positive developments and challenges faced by the State;
   (c) The enhancement of the State’s capacity and of technical assistance, in consultation with, and with the consent of, the State concerned;
   (d) The sharing of best practice among States and other stakeholders;
   (e) Support for cooperation in the promotion and protection of human rights;

C. Periodicity and order of the review

5. The review begins after the adoption of the universal periodic review mechanism by the Council.
6. The order of review should reflect the principles of universality and equal treatment.
7. The order of the review should be established as soon as possible in order to allow States to prepare adequately.
8. All member States of the Council shall be reviewed during their term of membership.
9. The initial members of the Council, especially those elected for one or two-year terms, should be reviewed first.
10. A mix of member and observer States of the Council should be reviewed.
11. Equitable geographic distribution should be respected in the selection of countries for review.
12. The first member and observer States to be reviewed will be chosen by the drawing of lots from each Regional Group in such a way as to ensure full respect for equitable geographic distribution. Alphabetical order will then be applied beginning with those countries thus selected, unless other countries volunteer to be reviewed.
13. The period between review cycles should be reasonable so as to take into account the capacity of States to prepare for, and the capacity of other stakeholders to respond to, the requests arising from the review.
14. The periodicity of the review for the first cycle will be of four years. This will imply the consideration of 48 States per year during three sessions of the working group of two weeks each.¹

D. Process and modalities of the review

1. Documentation

15. The documents on which the review would be based are:
   (a) Information prepared by the State concerned, which can take the form of a national report, on the basis of general guidelines to be adopted by the Council at its sixth session (first session of the second cycle), and any other information considered relevant by the State concerned, which could be presented either orally or in writing, provided that the written presentation summarizing the information will not exceed 20 pages, to guarantee equal treatment to all States and not to overburden the mechanism. States are encouraged to prepare the information through a broad consultation process at the national level with all relevant stakeholders;
   (b) Additionally a compilation prepared by the Office of the High Commissioner for Human Rights of the information contained in the reports of treaty bodies, special procedures, including observations and comments by the State concerned, and other relevant official United Nations documents, which shall not exceed 10 pages;
   (c) Additional, credible and reliable information provided by other relevant stakeholders to the universal periodic review which should also be taken into consideration by the Council in the review. The Office of the High Commissioner for Human Rights will prepare a summary of such information which shall not exceed 10 pages.¹

16. The documents prepared by the Office of the High Commissioner for Human Rights should be elaborated following the structure of the general guidelines adopted by the Council regarding the information prepared by the State concerned.
17. Both the State’s written presentation and the summaries prepared by the Office of the High Commissioner for Human Rights shall be ready six weeks prior to the review by the working group to ensure the distribution of documents simultaneously in the six official languages of the United Nations, in accordance with General Assembly resolution 53/208 of 14 January 1999.

2. Modalities

18. The modalities of the review shall be as follows:
   (a) The review will be conducted in one working group, chaired by the President of the Council and composed of the 47 member States of the Council. Each member State will decide on the composition of its delegation;²

¹ The universal periodic review is an evolving process; the Council, after the conclusion of the first review cycle, may review the modalities and the periodicity of this mechanism, based on best practices and lessons learned.
² See textbox on page 7 (Editor’s note).

² A Universal Periodic Review Voluntary Trust Fund should be established to facilitate the participation of developing countries, particularly the Least Developed Countries, in the universal periodic review mechanism.
(b) Observer States may participate in the review, including in the interactive dialogue;
(c) **Other relevant stakeholders may attend the review in the Working Group.**
(d) A group of three rapporteurs, selected by the drawing of lots among the members of the Council and from different Regional Groups (troika) will be formed to facilitate each review, including the preparation of the report of the working group. The Office of the High Commissioner for Human Rights will provide the necessary assistance and expertise to the rapporteurs.

19. The country concerned may request that one of the rapporteurs be from its own Regional Group and may also request the substitution of a rapporteur on only one occasion.
20. A rapporteur may request to be excused from participation in a specific review process.
21. Interactive dialogue between the country under review and the Council will take place in the working group. The rapporteurs may collate issues or questions to be transmitted to the State under review to facilitate its preparation and focus the interactive dialogue, while guaranteeing fairness and transparency.
22. The duration of the review will be three hours for each country in the working group. Additional time of up to one hour will be allocated for the consideration of the outcome by the plenary of the Council.
23. Half an hour will be allocated for the adoption of the report of each country under review in the working group.
24. A reasonable time frame should be allocated between the review and the adoption of the report of each State in the working group.
25. The final outcome will be adopted by the plenary of the Council.

**E. Outcome of the review**

1. **Format of the outcome**

26. The format of the outcome of the review will be a report consisting of a summary of the proceedings of the review process; conclusions and/or recommendations, and the voluntary commitments of the State concerned.

2. **Content of the outcome**

27. The universal periodic review is a cooperative mechanism. Its outcome may include, inter alia:
   (a) An assessment undertaken in an objective and transparent manner of the human rights situation in the country under review, including positive developments and the challenges faced by the country;
   (b) Sharing of best practices;
   (c) An emphasis on enhancing cooperation for the promotion and protection of human rights;
   (d) The provision of technical assistance and capacity-building in consultation with, and with the consent of, the country concerned;
   (e) Voluntary commitments and pledges made by the country under review.

3. **Adoption of the outcome**

28. The country under review should be fully involved in the outcome.
29. Before the adoption of the outcome by the plenary of the Council, the State concerned should be offered the opportunity to present replies to questions or issues that were not sufficiently addressed during the interactive dialogue.
30. The State concerned and the member States of the Council, as well as observer States, will be given the opportunity to express their views on the outcome of the review before the plenary takes action on it.
31. Other relevant stakeholders will have the opportunity to make general comments before the adoption of the outcome by the plenary.
32. Recommendations that enjoy the support of the State concerned will be identified as such. Other recommendations, together with the comments of the State concerned thereon, will be noted. Both will be included in the outcome report to be adopted by the Council.

**F. Follow-up to the review**

33. The outcome of the universal periodic review, as a cooperative mechanism, should be implemented primarily by the State concerned and, as appropriate, by other relevant stakeholders.
34. The subsequent review should focus, inter alia, on the implementation of the preceding outcome.
35. The Council should have a standing item on its agenda devoted to the universal periodic review.
36. The international community will assist in implementing the recommendations and conclusions regarding capacity-building and technical assistance, in consultation with, and with the consent of, the country concerned.

---

* A decision should be taken by the Council on whether to resort to existing financing mechanisms or to create a new mechanism.
37. In considering the outcome of the universal periodic review, the Council will decide if and when any specific follow-up is necessary.

38. After exhausting all efforts to encourage a State to cooperate with the universal periodic review mechanism, the Council will address, as appropriate, cases of persistent non-cooperation with the mechanism.

When and How IPs Can Participate

In order to include and mainstream IPs’ human rights issues in the UPR for greater State accountability to IPs, as well as for inclusion of the UN Declaration on the Rights of IPs as a basis for the review, IPs can participate in the following ways.

Before the UPR session

1. During national broad consultation: IPs can present their human rights issues and concerns, and lobby for inclusion.

2. During the State’s preparation of its report, IPs can generate public awareness on their human rights issues and launch their shadow report at the national level.

3. Five to six months prior to the scheduled UPR session, IPs can submit shadow reports to the Office of the High Commissioner for Human Rights (OHCHR), to include concrete recommendations to the HRC: please take note of the “Technical guidelines for the submission of stakeholders’ information” and the deadline for submission on http://www.ohchr.org/EN/HRBodies/UPR/Pages/NgosNhris.aspx.

4. IPs can prepare a written response to government report for submission to the Troika (the group of three rapporteurs from the Council’s members formed to facilitate each review) and for advocacy/awareness raising on promotion of the Declaration.

5. IPs can lobby members of the Troika to look into indigenous issues and to include them in the report.

6. At least 2-3 weeks prior to the UPR schedule, IPs can lobby friendly States and submit a list of questions to them, to raise comments and questions during the inter-active dialogue, where only States can take the floor.

7. IPs can do alliance work and networking with human rights organizations/Institutions for support/joint events/statements, with regard to inclusion of the Declaration, among others.

During the UPR session

- Attend the UPR session and lobby HRC Members
- Organize press conference and issue press releases
- Organize side events and briefing sessions with support from others to draw greater participation
- Distribute copies of IPs’ shadow report, response to State report and recommendations to the HRC
- Do networking and solidarity building with NGOs, human rights institutions

After the UPR session

- After the UPR report is adopted, it is also important to present IPs’ views on the report and to monitor implementation of commitments and to lobby for positive recommendations made by States.
- It is important to continue to conduct documentation work on human rights violations and related issues to be used for the next UPR session.
- And to use other mechanisms of the HRC: Treaty Bodies, Special Procedures.

Based on the presentation by Joan Carling (AIPP) for the orientation on the UPR and EMRIP, held in Geneva on October 2, 2008. See whole presentation on doCip’s website at www.docip.org (Documentation – Online Documentation – Conferences – Human Rights Council – Training and Documents)

Indigenous peoples in the UPR reports and outcomes

Algeria

First session of the WGUPR, 7-18 April 2008

Information submitted to the WGUPR

In the **Summary of information by stakeholders** [A/HRC/WG.6/1/DZA/3], CMA report (paras. 6 & 7) non recognition of the Amazigh and Tuareg people and identity. In spite of constitutional recognition of Tamazight (after the 2001 Kabyle uprising) and of institutional reforms, no tangible effort has been made in effective promotion of the Amazigh language and culture, which remains eclipsed. Further (paras. 43 & 44), CMA express concerns about serious undermining of freedom of expression, both by the Criminal Code and the state of emergency decree. In addition, Kabyle communities faced destruction of their fields in the conflict between the military and Armed Islamic Group.

None of the **questions presented in advance** to Algeria by Member States were related to IPs.

**Outcome**

The **report of the WGUPR** [A/HRC/ 8/29] highlights Algeria’s constitutional recognition of Tamazight (para. 16). The **conclusions and recommendations** of the report do not mention IPs.


---

### UPR Documentation

All documentation prepared for the UPR is available on the Internet at [http://www.ohchr.org/EN/HRBodies/UPR/Pages/Documentation.aspx](http://www.ohchr.org/EN/HRBodies/UPR/Pages/Documentation.aspx) (select country and/or session of the WGUPR)

We are listing here, for each country, the reports submitted to the UPR process by indigenous or support organisations, or other stakeholders, and reported on in the “Summary of information submitted by stakeholders”, which include information on IPs. These documents, in original language, are available on the UPR documentation website (click on the small “3” after “Summary of stakeholders’ information”) and will also be posted on doCip’s website [www.docip.org](http://www.docip.org) (Documentation – Online Documentation – Conferences – Human Rights Council – HRC Universal Periodic Review).

- Algeria: CMA
- Argentina: UNPO, STP, CELS, LWF
- Botswana: RETENG
- Brazil: CIR/RF-US/FPP/IPLPP-UA, STP, COHRE, AI, IEDC
- Burkina Faso: none
- Burundi: none
- Colombia: OIDHACO, AI, IDMC-NRWC, AI/HRW
- Ecuador: INREDH, CEDHU, CS/HCSA
- Finland: STP, Commissioner on Human Rights and Committee of Ministers of the Council of Europe
- France: STP
- Gabon: STP
- Guatemala: COHRE, CS, STP, ICJ, CESR/ICEFI, AI
- India: AITPN, IWGIA, STP, HRW, CORE, People's Forum for UPR, AI, AAI
- Indonesia: AITPN, INGOFID, CCIA-WCC, STP
- Japan: STP, CS
- Mali: none
- Morocco: CMA, Tamazgha, LADH, CS
- Peru: MAM-F, STP
- Philippines: AITPN, OMCT, PIPRM/TF/PIPLinks, STP, UNPO
- South Africa: CS, UNPO
- Tunisia: CMA, Tamazgha
- Ukraine: UNPO, Commissioner on Human Rights of the Council of Europe

---

### Argentina

First session of the WGUPR, 7-18 April 2008

**Information submitted to the WGUPR**

The **National Report** [A/HRC/WG.6/1/ARG/1] informs on: constitutionally and legally recognized rights for IPs, while acknowledging land ownership as IPs' principal demand (paras. 88-90); establishment and activities of the National Institute of Indigenous Affairs (INAI), in securing IPs' land, improving their living conditions and participation in decision making (paras 91-95); and on assistance programmes to the Chaco IPs (paras. 96 & 97).

The **Compilation of UN documents** [A/HRC/WG.6/1/ARG/2] notes (para. 7) the creation of INAI and constitutional recognition of IPs; and reports CRC's recommendations on discrimination against indigenous
children (para. 21) and concerns at high disparities (para. 44) in the rates of indigenous child and maternal mortality [CRC/C/15/Add.187, paras. 29, 30, 46 & 47]. CAT recommends (para. 27) protecting the integrity of IPs [CAT/C/CR/33/1, paras. 6g & 7g]. CERD reiterates its concern (para. 44) at the lack of a social security system sensitive to IPs' needs [CERD/C/65/CO/1, para. 20]. Paragraphs 47 - 49 report the HR Committee welcoming devolution of land to indigenous communities [CCPR/CO/70/ARG, para. 7]; and CERD stressing inadequate protection of IPs' possession of ancestral lands, lack of IPs' representation in public institutions – including the INAI, lack of training for indigenous teachers – facing discrimination – and the need to fully implement ILO Convention 169 [CERD/C/65/CO/1, paras. 16-19]. UNDP notes (para. 48) that environmental degradation, inadequate health care, lack of transport, communication and educational services deprive IPs of a decent life.

In the Summary of information by stakeholders [A/HRC/WG.6/1/ARG/3], UNPO acknowledge (para. 35) recent efforts to consider IPs' unique situation; however, the mechanisms set up by INAI to ensure IPs' participation in natural resources management should give a more central role to the Mapuche people. CELS note (para. 36) ongoing violations of IPs' rights and emphasize encouraging specific action to guarantee land and resource rights. LWF reports on the plight of the Toba indigenous communities. STP expresses concern (para. 37) on lack of access to adequate healthcare, malnutrition, and land rights of IPs in the Gran Chaco and Patagonia, and on Mapuche facing impossibility to access their holy sites due to land privatization. Among the questions presented in advance to Argentina by Member States, Denmark enquires on specific measures to improve the situation of IPs' rights.

Outcome

In the Report of the WGUPR [A/HRC/8/34], UK underscores (para. 46) IPs' social exclusion. Korea asks (para. 54) how the government assesses its efforts to recognize and fulfil IPs' rights. Argentina recognizes (para. 57) the delay in implementing international and national frameworks on IPs' rights, but underlines progresses in the areas of land and culture. Among the conclusions and recommendations of the WGUPR report, UK and Mexico recommend further steps to address discrimination against IPs (2)². Korea recommends to intensify measures to fully realize IPs' rights and representation in civil service (15). Nigeria recommends adequate protection to IPs and respect for their land ownership right (16).

In the Report of HRC 8th session [A/HRC/8/52, para. 613-634], CAPAJ urge (para. 628) taking into account recommendations 15 and 16 above for the resolution of potential conflicts related to mining industries on IPs' lands. COHRE regret (para. 629) failure to address insecurity of IPs' land tenure and the continuing increase in forced evictions.

Botswana

Third session of the WGUPR, 1-15 December 2008

Information submitted to the WGUPR


The Compilation of UN documents [A/HRC/WG.6/3/BWA/2] reports (para. 7) CERD's recommendation to invite the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people (SRIP) and Special Rapporteur (SR) on racism (para. 7); recommendation to the State to protect all ethnic groups within its territory and to review its policy regarding IPs (para. 11); concerns about difficulties experienced by poor people, among which the San/Basarwa peoples, in accessing common law courts (para. 22); and concerns (para. 31) about linguistic barriers in education for children belonging to non-Tswana tribes [CERD/C/BWA/CO/16, paras. 9, 14, 15 & 22]. The SR on education, too, recommends that Botswana develop educational approaches more responsive to nomadic populations [E/CN.4/2004/45/Add.1, para. 76m].

Paragraphs 32 to 36 relate communications by the SRIP, SRs on adequate housing and on food, and CERD, with regard to the degrading situation of the San people living within the Central Kalahari Game Reserve (CGCK) and those relocated out of it, in spite of a 2006 High Court ruling in their favour [E/CN.4/2004/80/Add.1, paras. 75-76; E/CN.4/2006/78/Add.1, paras. 17-18; CERD/C/BWA/CO/16, para. 12; A/HRC/7/5/Add.1, paras. 13-14]. Attention is drawn to termination of basic services to residents, dismantling of infrastructures, ill-treatment by police and wildlife officers, prohibition of hunting and restriction on freedom of movement. Botswana claims to fully apply the High Court ruling in the CKGR, but did not provide further information on alleged cases of ill-treatment. In 2008 the HR Committee recommended Botswana to ensure that all relocated persons are granted the right to return to the CKGR [CCPR/C/BWA/CO/1, para. 23].

In the Summary of information by stakeholders [A/HRC/WG.6/3/BWA/3], RETENG recall (para. 19) that Botswana laws permit discrimination on the basis of ethnicity, language and culture, and deny rights to non-

² In brackets are the numbers that the recommendations bear in the WGUPR report.
Tswana tribes. RETENG also report (para. 20) that the CKGR Basarwa are struggling for the implementation of the 2006 High Court ruling to return to their ancestral land with basic services provided. Among the questions presented in advance to Botswana by Member States, UK enquires on implementation of the 2006 High Court ruling.

Outcome

In the Report of the WGUPR [A/HRC/10/69] Finland (para. 35) recommends immediate action regarding relations between the diamond business and IPs forcibly evicted and prevented from accessing their resources and practising their livelihoods. Mexico (para. 39) urges respect for the High Court ruling and IPs' appeals. Maldives (para. 67) calls for international assistance to help Botswana solve the challenges its faces, particularly on IPs' rights. Norway (para. 70) underlines that outstanding issues remain on IPs' right to land and education.

In the Response to these recommendations [A/HRC/10/69/Add.1], Botswana only accepts the SRIP's visit (4) and Denmark's recommendation to develop mother-tongue education in conjunction with national languages; Canada, Denmark and Spain recommend ways to solve the dispute with the San people over the CKGR land (17).

In its Response to these recommendations [A/HRC/10/69/Add.1], Botswana only accepts the SRIP's visit (4) and Denmark's recommendation to develop mother-tongue education in conjunction with national languages; Canada, Denmark and Spain recommend ways to solve the dispute with the San people over the CKGR land (17).

In the Report of the HRC 10th session [A/HRC/10/29, para. 263-279], Botswana reiterates that all indigenous groups are accorded opportunities guaranteed to every citizen.

Brazil

First session of the WGUPR, 7-18 April 2008

Information submitted to the WGUPR

The National Report [A/HRC/WG.6/1/BRA/1] stresses: Brazil's plans to advance in the full implementation of the human right to education for indigenous communities (para. 40); the importance of regularizing IPs' lands as a first step in implementing their individual and collective rights, and Brazil's achievements in this area, with particular references to the Guarani Kaiowa and Nandeva peoples, and to the registration process and ongoing removal of non-Indian settlers in the Raposa Serra do Sol Indian Land (paras. 73-77).

The Compilation of UN documents [A/HRC/WG.6/1/BRA/2] relates (paras. 6 & 30) CERD's concerns about IPs' situation in Raposa Serra do Sol. Paragraph 9 reports concerns by CESCR (2003), CERD and CRC (2004) and corresponding recommendations about discrimination faced by IPs [CRC/C/15/Add.241, paras. 29 & 30; CERD/C/64/CO/2, paras. 12, 13 & 18; E/C.12/1/Add.87, paras. 20 & 44]. Paragraph 23 reports concerns over under representation of IPs in the top posts of the judiciary [E/CN.4/2005/60/Add.3, para. 98; CCPR/C/BR/A/CO/2, para. 10] and CERD’s concern about ineligibility to public office of illiterate citizens, as are many indigenous persons [CERD/C/64/CO/2, para. 20]. Paragraph 30 reports: CERD’s concerns about limitation of IPs' effective land possession and use due to threats and aggressions; the HR Committee’ concerns over the slow pace of demarcation of indigenous lands, evictions of IPs and lack of legal remedies; and corresponding recommendations by both bodies [CERD/C/64/CO/2, para. 15; CCPR/C/BR/A/CO/2, para. 6].

The Summary of information by stakeholders [A/HRC/WG.6/1/BRA/3] reports CIR/RF-US/FPP/IPLPP-UA calling for guarantee of constitutional protection to IPs, their land rights, social organisation, and culture (para. 3); and denouncing (para. 11) Brazil’s inability to carry out its international obligations towards the IPs of Raposa Serra do Sol, in spite of the fact that Brazil refers to this case as a great achievement, demonstrating lack of political will to address the human rights violations denounced by IPs and the recommendations by CERD and the Inter-American Commission on Human Rights (paras. 30, 43 & 46). STP denounce severe deterioration of the Yanomami people's health following the introduction by the State of a new healthcare concept (para. 39). Paragraphs 42 & 43 relate reports by COHRE and STP that forced evictions disproportionately affect IPs, due to failure to inform them and denial of legal remedies; denunciation by AI of violence against IPs, particularly when fighting for their land rights, while absence of state protection turns these lands into lawless zones (also COHRE); AI's recommendation that the government speed up the demarcation of ancestral indigenous lands, and investigate human rights violations against land activists and IPs (also STP and IEDC for the Kaiowa-Guarani people).
Among the questions presented in advance to Brazil by Member States, Sweden enquires on policies to ensure enjoyment by indigenous persons of equal protection under the law with regard to land issues.

Outcome

In the Report of the WGUPR [A/HRC/8/27], Brazil stresses (para. 20) promotion of sustainable development in order to protect environment and end disputes over IPs’ land. Korea highlights (para 36) repeated reports of violations of IPs’ human rights. Canada requests information (para. 57) on measures to address IPs’ low level of participation. In the conclusions and recommendations, Korea recommends a more thorough consideration by Brazil to violations of IPs’ human rights (5).

In the Report of the HRC 8th session [A/HRC/8/52, paras. 424-455], Brazil acknowledges the challenge of achieving respect for IPs’ rights (para. 432).

Burkina Faso

Third session of the WGUPR, 1-15 December 2008

Information submitted to the WGUPR


Outcome


Burundi

Third session of the WGUPR, 1-15 December 2008

Information submitted to the WGUPR


The Summary of information by stakeholders [A/HRC/WG.6/3/BDI/3] does not mention IPs. None of the questions presented in advance to Burundi by Member States were related to IPs.

Outcome


Colombia

Third session of the WGUPR, 1-15 December 2008

Information submitted to the WGUPR

The National Report [A/HRC/WG.6/3/COL/1] mentions mechanisms and measures to protect IPs’ human rights (paras. 15, 61 & 80). It stresses recent efforts to promote IPs’ rights through legislation, jurisprudence and State policies, while acknowledging threats to their existence (para. 59); highlights IPs’ participation in political assemblies, recognition of their authorities and collective title to land, established channels of communication with the State, and constitutional jurisprudence requesting consultation (para. 60); and remaining challenges in policy formulation, in ensuring prior consultation and the right to land, and in strengthening indigenous institutions and communication with the State (para. 62).

The Compilation of UN documents [A/HRC/WG.6/3/COL/2] reports concerns: by the HR Committee and CRC (para. 12) on continued discrimination against indigenous communities and children [CCPR/CO/80/COL, para. 20; CRC/C/COL/CO/3, para. 35]; and by CEDAW (para. 39) on under representation of indigenous women in elected bodies [CEDAW/C/COL/CO/6, para. 26]. UNICEF reports on high inequality in income distribution and the continued widespread poverty among IPs (para. 43), and on the severe effects of violence generated by illegal armed groups on IPs (para. 50). CRC highlights (para. 49) the serious challenges and threats that IPs confront to enjoy their rights to ethnic diversity, autonomy, and collective land rights [CRC/C/COL/CO/3, para. 94]. The ILO Committee of Experts expresses concerns at violation of IPs’ right to life (para. 50). The HCHR notes that IPs have been affected by large-scale projects imposed on their collective
territories, by legislation unfavourable to traditional forms of production, and the aerial spraying of illegal crops [A/HRC/7/39, p. 18]. The HR Committee underscores (para. 51) lack of forums for consultation on land issues (also ILO Committee of Experts).

In the Summary of information by stakeholders [A/HRC/WG.6/3/COL/3], the OIDHACO network reports (para. 8) non-compliance of Colombia with recommendations by UN human rights mechanisms with regard to displaced indigenous communities' land restitution rights. AI denounce (para. 26) the State's failure to grant collective reparations for organizations affected by the conflict, such as indigenous communities. AI/HRW report increase of internally displaced persons, in particular indigenous communities, and IDMC-NRWC note that indigenous communities are among those proportionally more exposed to conflict, violence and displacement (para. 37).

Among questions presented in advance to Colombia by Member States, UK enquired on protection of IPs' legal rights when considering investments, including in the extractive and energy sectors.

Outcome

In the Report of the WGUPR [A/HRC/10/82 and Add.1], Colombia highlights legislative, policy and budgetary measures in favour of IPs (para. 13), points out the decrease in IPs' homicides and reiterates its commitment in this area (para. 72). Spain asks about policies protecting IPs and their rights to their ancestral lands (para. 20). Guatemala asks about strengthening promotion of their rights, and their representation in politics (para. 28). Switzerland asks about reducing vulnerability of indigenous women, and the re-emergence of forced displacements (para. 30). Denmark expresses concerns about IPs' security situation, and enquires upon governmental measures to ensure legal consultations with IPs on distribution and use of indigenous land (para. 35). Japan requests more efforts to protect IPs' human rights (para. 41). Canada notes that indigenous groups are among the most affected by the conflict (para. 45). Korea requests information on national measures to protect IPs' human rights (para. 50).

South Africa asks how Colombia will address the disparities in literacy between IPs and mainstream society (para. 52). Jamaica expects further enhancement of the attention given to IPs, especially their participation in decision making (para. 53). Romania requests further elaboration on the policies envisaged to ensure full implementation of the right to education for IPs (para. 56). Bolivia asks about measures to implement the SRIP's recommendations after his 2004 visit (para. 58). Panama asks about recent measures and future expectations regarding access to health care for IPs (para. 59). The Russian Federation asks about measures to effectively defend IPs' rights and about cooperation between the Government and IPs' organizations (para. 61). Among the report's conclusions and recommendations enjoying Colombia's support, Bolivia recommends inviting the SRIP for a follow-up visit (2). Brazil recommends reinforcing the full enjoyment of human rights by internally displaced IPs (38). Denmark recommends stepping up efforts to protect IPs and consult with them (59). Canada recommends following up on the SRIP 2004 recommendations (60). Bolivia recommends taking into account the UN Declaration on the Rights of Indigenous Peoples (the Declaration) in the implementation of public policies (61). South Africa recommends accelerating poverty alleviation programmes to address IPs' social exclusion (64).

In the Report of the HRC 10th session [A/HRC/10/29, paras. 622-665], Colombia underscores (para. 627) the invitation extended to the SRIP. Switzerland calls (para. 640) for a full investigation of the murder of Edwin Legarda, husband of the indigenous representative Aida Quilque, who had, a few days prior to the murder, participated in the UPR of Colombia in Geneva. CCJ/OMCT note (para. 647) persistence of human rights issues raised during the review. WFTU welcome (para. 649) statements recommending that Colombia protect IPs and report continuing threats against them, in particular Wayuu communities. Colombia recalls (para. 660) its regret for the death of Mr. Legarda and that investigations are under way; and informs on safeguarding indigenous communities.

Ecuador

First session of the WGUPR, 7-18 April 2008

Information submitted to the WGUPR

The National Report [A/HRC/WG.6/1/ECU/1] refers to the 2006 SRIP visit and to ILO Convention 169 (para. 34) and the Declaration (para. 141); informs on constitutional recognition, legal promotion and mechanisms to protect IPs' rights (paras. 38, 142 & 143); highlights measures on IPs' participation in decision making (paras. 144 & 147); and presents (paras. 145 & 146) development of State institutions with regard to indigenous issues in the context of rewriting the Constitution. Paragraphs 148-150 present the situation of voluntarily isolated IPs and State measures to guarantee their fundamental rights.

The Compilation of UN documents [A/HRC/WG.6/1/ECU/2] acknowledges (paras. 7 & 49) recent State institutional development on IPs' rights. Paragraph 18 notes concerns by CERD about remaining discrimination against IPs [CERD/C/62/CO/2, para. 11] and by the SRIP about indigenous women migrants [A/HRC/4/32/Add.2, paras. 44 & 45]. CERD and CAT express concerns (paras. 23 & 56) about excessive use of
force by armed forces against IPs [CERD/C/62/CO/2, para. 12; CAT/C/ECU/CO/3, paras. 17 & 30]. The SRIP notes (para. 30) the challenge of legal implementation of constitutional principles on indigenous rights [A/HRC/4/32/Add.2, para. 72]. Paragraph 40 highlights concerns by CERD, CESCR and the SRIP about discrimination against IPs in access to the labour market, land and means of agricultural production, health services, education [CERD/C/62/CO/2, para. 13; E/C.12/1/Add.100, paras. 13 and 35; A/HRC/4/32/Add.2, para. 75]. The SRIP also notes (para. 41) impact of oil exploration on IPs' environment and living conditions [A/HRC/4/32/Add.2, para. 18]; CESCR and CERD request Ecuador to seek IPs' free, prior and informed consent and ensure equitable sharing of benefits [E/C.12/1/Add.100, para. 35; CERD/C/62/CO/2, para. 16]. Paragraph 57 reports the SRIP's recommendations to Ecuador [A/HRC/4/32/Add.2, paras. 81-97].

In the **Summary of information by stakeholders** [A/HRC/WG.6/1/ECU/3], INREDH and CEDHU denounce (para. 27) the State's use of armed forces to repress social demonstrations by indigenous communities. Paragraph 38 informs on IPs' situation and oil development, the most significant source of dispute with the State, due to non-recognition of free, prior and informed consent, and of adequate benefit sharing. The new government's commitment to address this might provide remedies and set precedents for all IPs. CS/HCSA inform on the State's obligation to obtain IPs' free, prior and informed consent for development projects on their lands, and request Ecuador to ensure IPs' full participation in law making (para. 39); inform on the deteriorating effects on IPs' life of Colombia's aerial spraying (paras. 40 & 41); call on Ecuador to address illegal logging in areas occupied by voluntarily isolated IPs (para. 42); and recommend guaranteeing IPs' rights in rewriting the Constitution (para 43). Paragraphs 44-46 contain related recommendations.

Among the **questions presented in advance** by Member States to Ecuador, UK enquires on ensuring IPs' rights in rewriting the Constitution. Denmark enquires on improvement of IPs' situation of discrimination and on the security of IPs' human rights defenders.

**Outcome**

In the **Report of the WGUPR** [A/HRC/8/20, and Corr.1], Ecuador recalls its support of IPs' rights (paras. 10, 20 & 30) and explains (para. 30) how it implemented the SRIP’s recommendations on IPs' participation, education (also in para. 49), health, recognition of their institutions, and employment (para. 48). Korea enquires on protection of the rights of IPs living in regions of oil exploration (para. 26). Bolivia requests more information on protection of IPs' rights (para. 40). Ghana asks about protection of IPs' rights in the new Constitution (para. 46).

In the **Report of the HRC 8th session** [A/HRC/8/52, paras. 215-233], Ecuador informs (para. 222) on efforts to implement its commitments on IPs' collective rights and on the SRIPs' recommendation on access to justice. Brazil welcomes Ecuador's commitment to harmonize national law on IPs' collective rights (para. 226). CAPAJ underlines IPs' special relationship with their ancestral lands and resources, violation of their collective rights by oil companies, and the need for the State to strengthen IPs' constitutional rights by including self-determination, and free, prior and informed consent (para. 228).

**Finland**

First session of the WGUPR, 7-18 April 2008

**Information submitted to the WGUPR**

The **National Report** [A/HRC/WG.6/1/FIN/1] explains (para. 19) Finland's position on ratification of ILO Convention 169 (also para. 65); recalls (para. 39) strengthening of IPs' rights among Finland pledges as candidate to the HRC; reports on (paras. 54 & 57) ongoing discrimination against the Saami people, and on (para. 65) negotiations on a agreement on the rights of the Saami to the regions they traditionally used.

The **Compilation of UN documents** [A/HRC/WG.6/1/FIN/2] stresses (para. 10) treaty bodies’ concerns about discrimination and recommendations on societal integration of the Saami people. The HR Committee expresses regret (paras. 31 & 43) over unclear information on the constitutional recognition of the rights of the indigenous Saami peoples [CCPR/CO/82/FIN, paras. 17 & 19], while CERD calls upon Finland to give more weight to the criterion of indigenous self-identification [CERD/C/63/CO/5, para. 11]. The HR Committee, CESCR and CERD express concerns about failure to settle the question of Saami rights to land ownership and the uses of land that affect the Saami traditional means of subsistence; CESCR urge ratification of ILO Convention 169 [CCPR/CO/82/FIN, paras. 17; E/C.12/FIN/CO/5, paras. 11 & 20; CERD/C/63/CO/5, para. 12]. The SRIP raised concerns with Finland (paras. 32 & 33) about the situation of traditional Saami reindeer herders and allegations of reindeer slaughter. Also reported are Finland's acknowledgement (para. 37) that uncertainty on Saami land rights is potentially harmful to inter-ethnic relations [CERD/C/FIN/19, paras. 76-80]; and its commitment to further strengthen IPs' rights (para. 42).

In the **Summary of information by stakeholders** [A/HRC/WG.6/1/FIN/3], STP report (para. 2) on Finland's failure to settle the question of Saami land rights and to sign ILO Convention 169. The Committee of Ministers of the Council of Europe stresses the adoption of the Saami Language Act and shortcomings in its implementation (para. 5); as well as the insufficient state support to communication media in Saami language.
None of the questions presented in advance to Finland by Member States were related to IPs.

Outcome

In the Report of the WGUPR [A/HRC/8/24], Finland reiterates (para. 10) its commitments to safeguarding the Saami people’s language and culture rights and to settle the rights of the Saami to the regions they traditionally used (also para. 26).

The Russian Federation underlines remaining discrimination against ethnic groups (para. 20). Bolivia enquires about the situation of, and enjoyment of rights by, the Saami people (para. 22). Brazil welcomes the advisory body for Saami Affairs (para. 24). UK welcomes plans to combat discrimination against the Saami and efforts to strengthen their rights, language and culture, while encouraging an agreement on Saami land rights (para. 36). Ecuador enquires on the Saami people’s right to consultation on collective lands, and on enforcement of regulations to protect their rights (para. 40).

On participation of the Saami people in decision making on the use of their land, Finland is looking for a solution that would include ratification of ILO Convention 169 (paras. 26 and 47); and highlights the building and establishment in Saami homeland of a Saami cultural centre.

Among the report’s conclusions and recommendations enjoying Finland’s agreement, the Netherlands and the Russian Federation recommend increasing efforts to eliminate discrimination and to promote ethnic minorities’ rights (1). Bolivia recommends considering ratification of ILO Convention 169 (5).

In the Report of the HRC 8th session [A/HRC/8/52, para. 307-332], Finland restates (paras. 315 & 330) its commitment to enhance the Saami people’s rights; its objective to settle the issues of land use and of Saami participation in decision making on their homeland; and its establishment of a Saami cultural centre in Saami homeland. Paragraph 326 refers to Saami language in basic education.

France

Second session of the WGUPR, 5-16 May 2008

Information submitted to the WGUPR


In the Summary of information by stakeholders [A/HRC/WG.6/2/FRA/3], STP report (para. 20) IPs’ concerns: in French Guyana, regarding social discrimination and alcoholism, French assimilationist policy, and large-scale exploitation of natural resources; in French Polynesia, regarding France’s unwillingness to comply with their duty towards former employees of the Moruroa and Fangataufa nuclear testing facility.

None of the questions presented in advance to France by Member States were related to IPs.

Outcome

Among the recommendations of the Report of the WGUPR [A/HRC/8/47], the Russian Federation recommends realizing the rights of individuals belonging to ethnic minorities (29); and Canada recommends reviewing the recognition of minorities’ rights and collecting disaggregated data to identify social problems affecting ethnic minorities (30).

In its Response to these recommendations [A/HRC/8/47/Add.1], France reiterates (para. 10) that it does not recognize specific rights to IPs, but claims that the particular constitutional framework of the overseas territories guarantees consideration of specific local characteristics in policies. France does not plan to review its position on minorities (paras. 78 & 79).

In the Report of the HRC 8th session [A/HRC/8/52, para. 923-935] FAIRA enquire (para. 933) on an invitation to the SRIP to Tahiti and Kanaky and on implementation of the Declaration; address issues of health (linked to France’s nuclear tests) and of human rights training in Tahiti, and issues of land, health and environmental rights threatened by corporate mining projects in Kanaky, asking France to ensure free, prior and informed consent. 

Gabon

Second session of the WGUPR, 5-16 May 2008
Information submitted to the WGUPR

The National Report [A/HRC/WG.6/2/GAB/1] relates (paras. 29-31 & 80-83) the State’s efforts, together with UNICEF, to promote Pygmies’ health and civil rights.

The Compilation of UN documents [A/HRC/WG.6/2/GAB/2] relates concerns by the HR Committee (para. 36) on inadequate protection of the Baka people’s rights [CCPR/CO/70/GAB, para. 17]; and (para. 37) by CRC on indigenous children’s limited access to health care and education, and the violation of their right to development and to their culture [CRC/C/15/Add.171, paras. 69-70].

In the Summary of information by stakeholders [A/HRC/WG.6/2/GAB/3], STP inform (in paras. 2-5) on the Bayoka, Babongo and Baka IPs as the poorest, most vulnerable, discriminated and exploited group in Gabon. Their very survival and way of life are threatened by state-encouraged deforestation and mining.

Among the questions presented in advance to Gabon by Member States, Denmark enquires on concrete measures to ensure that IPs enjoy the same constitutional rights as the majority, as exploration of national resources does not appear to ensure IPs’ basic human rights.

Outcome

In the Report of the WGUPR [A/HRC/8/35], Gabon (paras. 9 & 56) repeats previous information, adding that Pygmies live in perfect harmony with the rest of the population and informing on creation of national parks, which would protect the environment and forest inhabitants. Algeria recommends international assistance regarding health and the strengthening of institutional capacities, especially for the forest people (para. 14). The DR Congo requests more information about Pygmies’ social integration and involvement in political life (para. 15). France enquires on discrimination against IPs and on implementation of the Declaration (para. 20). Brazil notes IPs’ vulnerable and discriminated situation (para. 41). Sweden requests information on ensuring the right to education to Pygmy children (para. 42). Cameroon asks what collaboration Gabon might seek from neighbouring countries to address the issue of Pygmies (para. 47). Gabon recognizes the limitation of its actions, while highlighting the successes. The Pygmies’ wish to live in their natural environment may create obstacles to governmental efforts, which might be considered as a violation of their rights (para. 56). The conclusions and recommendations of the report do not mention IPs.

In the Report of the HRC 8th session [A/HRC/8/52, para. 635-655], Gabon reiterates (para. 645) all measures described during the review to protect the Pygmy population and its rights.

Guatemala

Second session of the WGUPR, 5-16 May 2008

Information submitted to the WGUPR

The National Report [A/HRC/WG.6/2/GTM/1] highlights the attention to IPs as a priority of Guatemala's new government (para. 21), and State mechanisms that address IPs’ human rights ( paras. 41 & 42).

The Compilation of UN documents [A/HRC/WG.6/2/GTM/2] reports (para. 2) the SRIP’s concerns at insufficient budgetary allocation and institutional backing to implement the Peace Accords regarding IPs [A/HRC/4/32/Add.4, para. 64]. CERD expresses concerns (para. 6) at entrenched racial discrimination against IPs, which public policies inadequately address [CERD/C/GTM/CO/11, paras. 12, 13 & 22]. Paragraph 8 reports concerns by CEDAW about indigenous women’s lack of enjoyment of their rights and vulnerability to discrimination, and lack of effective enforcement of laws aiming at eliminating discrimination in State ministries [CEDAW/C/GUA/CO/6, para. 15, 35 & 36]. UNICEF notes particular concerns regarding indigenous children (also the SRIP, see A/HRC/4/32/Add.4, para. 62; E/CN.4/2003/90/Add.2, para. 77). The SRIP notes (para. 20) that the justice system needs ensuring redress to victims of human rights violations, particularly indigenous women, and recognizing indigenous customary law [A/HRC/4/32/Add.4, para. 64]. CERD expresses concern (para. 22) about competent communication media towards IPs, and recommends a multicultural approach and ensuring proper functioning and broad covering of community radio stations [CED/A/GTM/CO/11, para. 23]. CEDAW and CERD note (para. 23) the under representation of IPs, especially women, in public positions [CEDAW/C/GUA/CO/6, para. 27; CERD/C/GTM/CO/11, para. 16].

CESCR and UNICEF note (para. 26) the uneven distribution of wealth and land, and high level of social exclusion for IPs; as well as high percentage of malnourished indigenous children and adolescents [A/HRC/7/38/Add.1, para. 55; and E/C.12/1/Add.93, para. 24]. CERD highlights (para. 27) IPs' high illiteracy rate and low primary school attendance, especially in rural areas and among women, and urge increasing the number of bilingual schools and adopting culturally relevant curricula [CERD/C/GTM/CO/11, para. 20].

Paragraph 28 reports concerns by CERD, special procedures and CAT on obstacles to IPs’ enjoyment of their land rights [CERD/C/GTM/CO/11, para. 17; E/CN.4/2005/72/Add.3, para. 11; A/HRC/4/18/Add.1, paras. 26 and 27; CAT/C/GTM/CO/4, para. 21]. Paragraph 29 reports concerns by CERD about obstructions to IPs’ use of traditional sacred sites; and granting of mining licences on indigenous territories without consultation. The HCHR states the need for comprehensive regulation on consultation, in line with ILO Convention 169.
In the **Summary of information by stakeholders** [A/HRC/WG.6/2/GTM/3], COHRE underlines (para. 6) racial discrimination as the root of IPs' social exclusion; CS add that anti-discrimination judicial mechanisms are not easily accessible to IPs. COHRE also highlight (para. 7) discrimination against indigenous women, leading to poverty and lack of access to land, job opportunities and basic public services; and absence of statistical information on indigenous women – including as victims of violence (STP, para. 18). ICJ stress (para. 22) that the State still fails to provide access to the justice system for IPs, particularly women. CESR/CEDEFI report on malnutrition among indigenous children (para. 33). AI and COHRE express concerns (para. 37) about non-recognition of indigenous land ownership, unequal judicial resolution of land disputes, and forced eviction of indigenous communities.

CS denounce (para. 40) IPs’ political exclusion and economic marginalisation, resulting in precarious land tenure, delayed land restitution, extreme poverty, geographical remoteness, poor access to health care and clean water, impunity for perpetrators of crimes against IPs while indigenous communities are criminalized for defending their lands (also STP, COHRE in para. 20). COHRE add (para. 41) that indigenous communities continue to be threatened with forced evictions due to mega-development projects, without due consultation, participation and information, in breach of ILO Convention 169. CS state (para 42) that constitutional protection of IPs’ cultural rights is not legally implemented; the State has failed to introduce bilingual education and to protect community radio stations.

Among questions presented in advance to Guatemala by Member States, Canada enquires on ensuring IPs’ full enjoyment of all human rights. Denmark enquires on securing IPs’ rights, access to land and to consultation before exploiting traditional indigenous land. Germany enquires on special measures and programmes to assist indigenous women, especially vulnerable to sexual violence.

**Outcome**

In the **Report of the WGUPR** [A/HRC/8/38], Guatemala informs (paras. 13 & 22) on mechanisms to protect IPs’ rights and address related international commitments (in para. 37, Venezuela requests further information); IPs’ rights are enhanced through indigenous defenders and Maya interpreters within the court system, bilingual education, a forum for agrarian conflicts, a land identification system and an Ombudsman on agrarian affairs. Consultations with IPs on issues of sacred lands and mining exploitation are under way.

Slovenia refers to treaty bodies’ concerns about IPs’ rights to land and sacred sites, and vulnerability of indigenous women to discrimination (para. 28). Canada notes IPs’ situation, particularly women (para. 32). Azerbaijan encourages efforts to secure IPs’ rights and enquires on measures to address low school attendance among IPs (para. 46). Peru enquires on indigenous women’s political representation (para. 48). South Africa enquires on IPs’ high illiteracy rate and recommends addressing uneven distribution of wealth and IPs’ high level of social exclusion (para. 58). Denmark expresses concern on IPs’ rights, their living conditions and discrimination (para. 60). Finland underlines CERD’s concerns at discrimination against IPs in access to justice and in the media (para. 61). Australia congratulates Guatemala on its promotion of IPs’ rights internationally (para. 62). Switzerland asks about measures to improve the situation of IPs, in particular women and children (para. 64). Tunisia welcomes measures to improve IPs’ lives (para. 67). UK supports the advancement of IPs’ rights (para. 68). Korea welcomes the new Government’s priorities on IPs (para. 70). Jordan recommends ensuring IPs’ participation in political life (para. 76). Norway recommends guaranteeing proper and free functioning of local radios (para. 77).

Guatemala mentions increasing resources for human rights bodies addressing IPs’ rights (para. 79); coordination among State bodies to raise awareness on discrimination, and the increasing number of indigenous women in State functions (para. 53); and measures to improve education on human rights and IPs’ access to education and the media (para. 86).

Among the report’s **conclusions and recommendations**, Switzerland recommends full commitment to the improvement of indigenous rights and the situation of indigenous children; and a law criminalizing discrimination and racial violence against IPs (3, 11 & 13). Slovenia recommends following up treaty bodies’ recommendations on equal protection for IPs (also Finland, para. 61) and ensuring indigenous women’s access to bilingual education, health services, credit facilities and decision making (7 & 15). South Africa recommends providing appropriate legal remedies for victims of racial discrimination, in particular IPs (10). Canada recommends ensuring indigenous individuals’ full enjoyment of all human rights; Denmark recommends ensuring IPs’ rights (also Korea, para. 70), namely to be heard before exploitation of indigenous land (12).

In the **Report of the HRC 8th session** [A/HRC/8/52, paras. 677-691], Guatemala notes (para. 681) the necessity to adopt additional measures to ensure equality for IPs. COHRE requests (para. 690) addressing the issue of IPs’ lands and property rights; express concern on threatened evictions of indigenous communities due to development projects, without due consultation, participation and information; and call for enhancing IPs’ equal protection and recognition of their collective territorial rights.
India
First session of the WGUPR, 7-18 April 2008

Information submitted to the WGUPR
The National Report [A/HRC/WG.6/1/IND/1 and Corr.1] informs (paras. 30-36) on constitutional and legal non-discrimination provisions, protecting members of scheduled tribes by abolishing “untouchability” and providing for educational measures, affirmative action, promotion of their economic interest and protection from injustice. Paragraphs 35 & 36 inform on recognition of the rights of forest-dwelling scheduled tribes, including responsibility and authority for sustainable use, and recognition of traditional occupation and use.
The Compilation of UN documents [A/HRC/WG.6/1/IND/2] reports: (para. 1) invitations by treaty bodies to ratify ILO Convention 169; CERD’s concerns about cases of custodial deaths, rape and torture of members of scheduled tribes in custody (para. 17) and (para. 21) about tribal women trafficked and forced into prostitution [CERD/C/IND/CO/19, paras. 14 & 15]; concerns raised by CRC, CEDAW and CERD (para. 30) about the effective enforcement of the act that abolishes “untouchability” practices [CRC/C/15/Add.228, paras. 27-28; CEDAW/C/IND/CO/3, paras. 28-29; CERD/C/IND/CO/19, paras. 14, 15 & 26]. UNICEF and CERD (para. 39) draw attention to the standard of living of scheduled tribes, particularly infant mortality and access to safe drinking water, health facilities and food [CERD/C/IND/CO/19, para. 24]. Paragraph 40 relates concerns over denial of access to land and evictions disproportionately facing tribal communities, reflecting serious discrimination against them. CEDAW and CERD urge full respect and implementation of the individual and collective land ownership rights of tribal communities [CEDAW/C/IND/CO/3, paras. 46-47; CERD/C/IND/CO/19, paras. 19-20].
In the Summary of information by stakeholders [A/HRC/WG.6/1/IND/3], STP highlight (para. 10) ongoing multifaceted discrimination against tribal peoples. HRW (para. 7) underscore India’s failure to implement laws and policies protecting tribal groups, and the additional impunity of the army when deployed under the Armed Forces Special Powers Act (AFSPA). CORE recommend repealing the AFSPA. The People’s Forum for UPR, STP, AI and AAI underline (para. 46) that the tribal peoples continue to be disproportionate victims of displacement and dispossession, as their traditional lands are increasingly targeted for industrial development, thus threatening their culture and very survival. Lack of transparency, inclusiveness and consultation has sparked protests from socially and economically marginalized communities fearing displacement, and Indian security forces and police have been engaged in rape and killing to suppress such protest. AITPN and IWGIA (para. 47) note that almost all the areas affected by internal armed conflicts in India are home to tribal peoples, who constitute over 40% of conflict-induced internally displaced persons and suffer serious human rights violations. Among the questions presented in advance to India by Member States, Ireland enquires about plans to amend or repeal the AFSPA provisions which show potential for impunity.

Outcome
In the Report of the WGUPR [A/HRC/8/26 and Add.1], India restates (para. 15) its commitment to empower scheduled tribes and to tackle discrimination through existing constitutional provisions and legal measures; and its position that since independence all its people are considered indigenous (para. 16). The AFSPA’s constitutionality has been upheld and the Acts governing the armed forces ensure expeditious dealing of any violations, and respect for human rights (para. 47). Italy enquires on human rights education relating to scheduled tribes (para. 53); and Azerbaijan (para. 58), on the difficulties experienced by scheduled tribes regarding their human rights.
In the Report of the HRC 8th session [A/HRC/8/52, para. 393-423], India restates its commitment (para. 420) to empower scheduled tribes and tackle discrimination against them.

Indonesia
First session of the WGUPR, 7-18 April 2008

Information submitted to the WGUPR
The Compilation of UN documents [A/HRC/WG.6/1/IDN/2] reports the SRIP’s concerns (para. 30) over heavy militarization and continuing arrival of settlers in West Papua [A/HRC/6/15/Add.3, para. 42]; and CERD’s concerns (paras. 37, 38 & 44) that national interest and modernization are used to justify overriding IPs’ rights, as large-scale oil-palm plantations constitute threats to IPs’ culture and land ownership. CERD recommends reviewing laws on plantations, securing local communities’ ownership rights and ensuring their meaningful consultations [CEDAW/C/IDN/CO/5, paras. 16 & 17].
In the Summary of information by stakeholders [A/HRC/WG.6/1/IDN/3], paragraph 7 recalls persistence of torture in Papua, in particular against IPs. AITPN note (para. 17) that impunity to the security forces is encouraging widespread human rights violations, and that many serious conflicts take place between settlers planted on IPs’ lands (para. 37). AITPN and INGOFID underscore (para. 36) legislation inconsistencies resulting...
in discrimination against IPs and threatening their ownership over land. CCLA-WCC (also STP) note (para. 38) denial of genuine indigenous rights (political representation, ownership and management of natural resources, participation in development matters) and the dire conditions imposed on Indigenous Papuans, destroying their special identity and culture. STP underscore serious legal abuses and human rights violations in most land conflicts between IPs and plantation companies. Large-scale oil palm plantations destroy IPs’ relation with their forests and are leading to possible food shortage.

None of the questions presented in advance to Indonesia by Member States were related to IPs.

**Outcome**

In the Report of the WGUPR [A/HRC/8/23], Korea enquires on better protection of IPs’ human rights, particularly in natural resources exploitation (Indonesia does not respond). The conclusions and recommendations of the report do not mention IPs.

In the Report of the HRC 8th session [A/HRC/8/52, para. 333-377], FI notes (para. 368) that the questions on the human rights situation in West Papua remained unanswered and that West Papua is not mentioned in the recommendations; and call for issuance of a standing invitation to all special procedures, including to West Papua, and engaging in an open dialogue on all outstanding human rights concerns, particularly in West Papua. AI note (para. 372) that human rights defenders in Papua operate in a climate of fear due to heavy militarization. Indonesia must guarantee the rights to freedom of expression and assembly in Papua and Maluku.

**Japan**

Second session of the WGUPR, 5-16 May 2008

**Information submitted to the WGUPR**


The Compilation of UN documents [A/HRC/WG.6/2/JPN/2] reports (para. 1) CESCR’s recommendation to ratify ILO Convention 169 [E/C.12/1/Add.67, para. 45]; the conclusion by the SR on racism (para. 10) on discrimination affecting the Ainu and Okinawan IPs through marginalization, economic and social vulnerability, and invisibility in State institutions [E/CN.4/2006/16/Add.2, para 69-72]. The HR Committee and CERD add concerns (para. 33) about non-recognition of IPs' rights [CCPR/C/79/Add.102, para. 14; CERD/C/304/Add.114, paras. 7 & 17]. The SRIP reports non-recognition of the Ainu, and jurisprudence affirming their rights based on international standards [A/HRC/6/15/Add.3, paras. 7 & 15].

In the Summary of information by stakeholders [A/HRC/WG.6/2/JPN/3], CS report (para. 26) on Japan's failure to implement laws protecting Ainu culture, in spite of symbolic measures to recognize the Ainu people. The Ainu still experience discrimination as a result of Japan's mono-cultural national identity and the lack of judicial remedies (also para. 3). STP add that the Ainu are among Japan’s poorest inhabitants.

None of the questions presented in advance to Japan by Member States were related to IPs.

**Outcome**

In the Report of the WGUPR [A/HRC/8/44], Algeria (para. 13), Guatemala (para. 40) and Peru (para. 58) address the issue of ensuring the Ainu IPs’ rights in line with the Declaration (also recommendation 19, by Algeria and Guatemala). Japan recognizes (para. 46) that the Ainu are a minority and indigenous inhabited northern Japan; promotes the Ainu culture, and supports the enhancement of the lives of the Ainu people. In its Response [A/HRC/8/44/Add.1], Japan mentions (in para. 1c) a recent parliamentary resolution and policy planning on the Ainu people.

In the Report of the HRC 8th session [A/HRC/8/52, para. 837-872], Japan (para. 856) recalls the parliament resolution on the Ainu people. IMADR applaud this but regrets (para. 864) Japan's established position on the human rights of the Ainu.

**Mali**

Second session of the WGUPR, 5-16 May 2008

**Information submitted to the WGUPR**


The Compilation of UN documents [A/HRC/WG.6/2/MLI/2] mentions (para. 8) cooperation between a Tuareg community and OHCHR in a community-led training on human rights. In 2002, CERD regretted lack of information on access to development and on distribution of wealth for the various ethnic groups, in particular nomadic peoples [A/57/18, para. 398].

The Summary of information by stakeholders [A/HRC/WG.6/2/MLI/3] does not mention IPs.

None of the questions presented in advance to Mali by Member States were related to IPs.
Outcome
In the Report of the WGUPR [A/HRC/8/50 and Add.1], Slovenia (para. 18) and the USA (para. 37) underline the hereditary servitude relationships that the Tamachek people continue to face and request measures to end all slavery-like practices in the country. In paragraph 55, Mali denies this and says that negotiations on the Tuareg question are continuing within the framework of the Algiers Agreement.

Among the recommendations that Mali agrees to examine, the USA recommend “to increase and raise awareness throughout the country against forced labour, paying special attention to… black Tamacheks”.

In the Report of the HRC 8th session [A/HRC/8/52, para. 991-1016], Mali responds (para. 1000) that forced labour is constitutionally prohibited in the country, and that persistent cultural practices tend to disappear as the school enrolment rate rise.

Morocco
First session of the WGUPR, 7-18 April 2008

Information submitted to the WGUPR

The Compilation of UN documents [A/HRC/WG.6/1/MAR/2] relates (para. 34) CESCR’s concerns about non-recognition of Amazigh as an official language in Morocco and CERD’s concerns about violations of rights to freedom of assembly and association of members of Amazigh associations [CERD/C/62/CO/5, para. 16]. CESCR and CERD invited Morocco to ensure that members of the Amazigh community could preserve and develop their cultural identity [E/C.12/MAR/CO/3, paras. 32 & 59; CERD/C/62/CO/5, para. 14].

The Summary of information by stakeholders [A/HRC/WG.6/1/MAR/3 and Corr.1] reports (para. 30) the assessment by Tamazgha and LADH that anti-Amazigh discrimination is deliberate and official. Absence of constitutional recognition of the Amazigh language or culture results in an assimilationist trend. CMA and LADH report (para. 31) on Amazigh farmers being evicted from their lands by the Moroccan Government; CS inform that the Amazigh have no effective means of enforcing their rights, and the Government frequently makes decisions about their lands without involving them. CMA (para. 32) emphasize lack of State support for Amazigh publications and call for competent UN bodies to request Morocco to recognize the Amazigh people and respect all its rights. Tamazgha (para. 33) add that non-recognition of Amazigh language in courts calls in question the notion of fair trial, and urge Morocco to implement legislation that promote the Amazigh language in education, the media, State administration, courts and health services.

None of the questions presented in advance to Morocco by Member States were related to IPs.

Outcome


Peru
Second session of the WGUPR, 5-16 May 2008

Information submitted to the WGUPR
The National Report [A/HRC/WG.6/2/PER/1] informs (para. 57) that IPs are identified among the most vulnerable to discrimination. Peru stresses its commitment to their rights, as shown in the negotiations on the Declaration (paras. 71-73). The main concerns regarding IPs’ development are: Indigenous communities’ land title and registration, including protection of voluntarily isolated IPs (para. 74 & 75); intercultural bilingual education (para. 76); health and environment (paras. 77-80), including mining impacts and cultural sensitivity; and participation in regional administration (para. 81).

The Compilation of UN documents [A/HRC/WG.6/2/PER/2] reports: CERD’s satisfaction (para. 5) at the Office of the Ombudsman’s activities for IPs [CERD/C/304/Add.69, para. 8]; CRC’s concerns (para. 10) about discrimination towards indigenous children, and weak quality of primary intercultural bilingual education [CRC/C/PER/CO/3, paras. 26 & 60]. CERD notes (para. 11) the link between socio-economic underdevelopment and ethnic discrimination against IPs, and illiterate indigenous individuals being unable to exercise their civil and political rights [CERD/C/304/Add.69, paras. 12, 18 & 24]. Paragraph 23 reports non-implementation of the Truth and Reconciliation Commission’s recommendations on reparations to IPs [CRC/C/PER/CO/3, para. 10; CAT/C/PER/CO/4, para. 21]. Paragraph 30 reports CEDAW’s concerns about indigenous women’s precarious living conditions and lack of access to justice, health care, education, credit facilities, social benefits and community services [CEDAW/C/PER/CO/6, paras. 28, 29, 33 & 36]. CAT, the HR Committee and CERD express concern (para. 32) about cases of indigenous women undergoing involuntary
sterilization [CAT/C/PER/CO/4, para. 23; CERD/C/304/Add.69, para.19; CCPR/CO/70/P, para. 21]. Paragraph 35 reports concerns by CRC and CEDAW about IPs’ poverty, precarious health situation, non-recognition of their land rights, pillaging of their resources, inadequate access to basic services, health and education, social exclusion and discrimination [CRC/C/PER/CO/3, para. 73; E/C.12/1/Add.14, para. 16]. Under its early warning and urgent action procedure, CERD considered water rights of the Altiplano indigenous communities, and pollution from oil extraction in the Amazon rainforest.

In the Summary of information by stakeholders [A/HRC/WG.6/2/PER/3], MAM-F address (para. 29) the issue of forced sterilizations and the obstacles encountered by affected poor, indigenous and rural women in obtaining justice – in spite of the State’s recognition of human rights violations in this context. STF reports (para. 32) on IPs in the Amazon rainforest suffering dire consequences of oil exploitation in their territories, without their consultation. The Government has only recently started to address these issues, but continued to grant concessions.

Among questions presented in advance to Peru by Member States, Denmark enquires about improving IPs’ access to health services.

Outcome

In the Report of the WGUPR [A/HRC/8/37], Peru refers (para. 7) to efforts to combat discrimination against IPs. Algeria requests further information on the Ombudsman’s actions on behalf of IPs (para. 15). Pakistan (para. 14), the Philippines (para. 16) and China (para. 36) note positive measures in support of IPs’ rights. Peru informs (para. 29) on measures to ensure, with the civil society, an adequate balance between key economic activities (such as mining), IPs’ living conditions and rights, and the environment.

Among the conclusions and recommendations of the report, Algeria recommends continuing improving IPs’ situation (1).

In the Report of the HRC 8th session [A/HRC/8/52, para. 692-705], CAPAJ urge (para. 703) immediate constitutional status to IPs’ rights; measures to counter effects of extracting industries on IPs’ rights; repealing the legislative decree that leaves IPs without the right to free, prior and informed consent; and ending uncontrolled pillaging of water resources.

Philippines

First session of the WGUPR, 7-18 April 2008

Information submitted to the WGUPR

The National Report [A/HRC/WG.6/1/PHL/1 and Corr.1] informs (paras. 17, 19 & 25) on constitutional provisions and legal mechanisms to protect IPs, in particular the 1997 Indigenous Peoples Rights Act (IPRA); and recognizes (para. 60) the need to redesign social welfare programmes to address IPs’ needs. The National Commission on Indigenous Peoples (NCIP) implements policies and programmes on IPs’ rights (paras. 90 & 92). The Indigenous Peoples Consultative Body (IPCB) serves as IPs’ collective advocating voice (para. 91). Paragraphs 93-95 underline IPs’ right to self-governance and upgrading of socio-economic development; measures to respect IPs’ rights during armed conflicts; and key factors to address IPs’ challenges, namely strengthening their institutional capacities and sustainability of traditional institutions, domains, and cultural well-being. Paragraphs 164-167 delineate the government’s commitments to improve IPs’ living conditions, in the areas of land tenure, human rights initiatives, participation in governance, and access to development and legal services.

The Compilation of UN documents [A/HRC/WG.6/1/PHL/2] reports (para. 10) concerns and recommendations by CRC about discrimination facing indigenous children [CRC/C/15/Add.259, paras. 92-94]. Special procedures (para. 13) and the HR Committee (para. 21) raised the issue of extrajudicial executions of indigenous leaders and ensuing impunity [A/HRC/6/15/Add.3, para. 34; CCPR/CO/79/PHI, para. 8]. CEDAW express concerns (para. 17) about indigenous women lacking access to health services, education, clean water and sanitation, credit facilities, and to justice in case of violence [CEDAW/C/PHI/CO/6, paras. 29 & 30]. Paragraph 27 informs on special procedures’ communications on eviction of indigenous families [E/CHR/4/2005/48/Add.1, para. 29; E/CN.4/2006/78/Add.1, para. 65]. The HR Committee, SRIP and CERD welcomed (para. 28 & 29) the adoption of IPRA and establishment of NCIP but regretted delays and limitations in implementation [CCPR/CO/79/PHI, para 16; E/CHR/4/2003/90/Add.3, paras. 60 & 61]. CERD also expresses concerns about displacement of IPs in development zones, while the IPRA requires IPs’ free, prior and informed consent [CERD/C/304/Add.34, para. 17]. The SRIP sent communications (para. 30) to the Philippines on attacks and threats against indigenous leaders and defenders to prevent them from carrying out their activities [A/HRC/6/15/Add.3, paras. 14-16].

The Summary of information by stakeholders [A/HRC/WG.6/1/PHL/3] reports that the Commission on Human Rights of the Philippines (CHR) underlines delays (para. 3) in passing laws that would protect IPs’ rights. AI TPN note lack of capacity-building programmes for the NCIP (para. 5); failure to extend a standing invitation to the special procedures (para. 6); ongoing extrajudicial killings and enforced disappearances of indigenous leaders (para. 8). OMCT highlight indigenous women’s vulnerability to violence (para. 12); and
threats posed by liberalization initiatives to IPs’ rights, in particular land rights. PIPRM/TF/PIPlinks and OMCT highlight IPs’ marginalisation and vulnerability (particularly for women and children) to abuse, violence and exploitation, social exclusion and poor living conditions (para. 36); and systematic undermining of the IPRA by other laws, resulting in widespread development of extractive industries and other projects on IPs’ territories without their consent (paras. 37 & 38). STP note (para. 38) cases of ill-obtained consent of indigenous communities to projects on their territories and OMCT suggest that the Philippines ensure adequate protection of IPs’ ancestral lands and enforce IPRA’s provision on free, prior and informed consent. AITPN and UNPO highlight (para. 39) non-realization of constitutionally recognized autonomy for the Cordilleran IPs and the Moro people in Mindanao.

None of the questions presented in advance to the Philippines by Member States were related to IPs.

Outcome

In the Report of the WGUPR [A/HRC/8/28, Corr.1 and Add.1], the Philippines repeats information (paras. 9 & 39) on protection of IPs’ rights, through the IPRA and NCIP, such as self-governance and participation to determining development, protection of ancestral lands, and traditional legal systems. Korea enquires (para. 37) on IPs’ protection in newly industrialized or remote regions. The conclusions and recommendations of the report do not mention IPs.

In the Report of the HRC 8th session [A/HRC/8/52, para 456-489], ICSA/IPNC recommend that the Philippines involve civil society more directly at high levels of government, address the root causes for extrajudicial killings and look for disappeared persons, and implement the corresponding recommendations of special procedures.

South Africa

First session of the WGUPR, 7-18 April 2008

Information submitted to the WGUPR

The National Report [A/HRC/WG.6/1/ZAF/1] refers (para. 13) to the visit by the SRIP and presents (paras. 67 & 77) governmental initiatives to protect IPs’ educational rights. Paragraph 76 refers to the San communities.


In the Summary of information by stakeholders [A/HRC/WG.6/1/ZAF/3] CS call for (para. 32) official recognition of IPs and ending police violence towards Khoisan peoples; welcomes the process of restitution of Khoisan lands, but request better resources for communities, as well as improving protection of their language and culture. UNPO acknowledge progress on protection of cultural heritage and promotion of indigenous participation in decision making, and urge implementing laws to incorporate IPs and provide access to their sacred sites.

None of the questions presented in advance to South Africa by Member States were related to IPs.

Outcome

In the Report of the WGUPR [A/HRC/8/32], Mexico enquires on inclusion of ethnic minorities in efforts to ensure the right to health and combat HIV/AIDS (para. 32). The conclusions and recommendations of the report do not mention IPs.


Tunisia

First session of the WGUPR, 7-18 April 2008

Information submitted to the WGUPR


The Summary of information by stakeholders [A/HRC/WG.6/1/TUN/3] relates (paras. 7-9) concerns by CMA and Tamazgha about lack of legal and institutional recognition of the existence of Tunisian Amazigh people, of their indigenous identity, culture and society, language and history, which are not included in the educational system, or otherwise promoted. Amazigh people do not have the right to form social or cultural associations, nor to cultural expression in their language. CMA reports that Amazigh people in Tunisia do not even recognize their own identity or speak their language in public, by fear of institutional threats. CMA and Tamazgha present recommendations to the Tunisian government to legally and effectively end this.
None of the questions presented in advance to Tunisia by Member States were related to IPs.

Outcome

Ukraine
Second session of the WGUPR, 5-16 May 2008

Information submitted to the WGUPR
The National Report [A/HRC/WG.6/2/UKR/1] informs (paras. 14-19) on legal mechanisms to prevent discrimination on the basis of ethnic identity, and implementation by the State of these legal dispositions (see also paras. 20-26).
The Compilation of UN documents [A/HRC/WG.6/2/UKR/2] reports concerns by several treaty bodies and special procedures (para. 11) about discrimination and violence against ethnic groups. CESCR expresses concerns (para. 35-36) about non-recognition of ethnic groups other than Ukrainians as indigenous, and about exclusion of most Crimean Tatar people from the land privatization process in Crimea [CESCR, E/C.12/UKR/CO/5, para. 24 & 47]. CERD also urges Ukraine (para. 35 & 43) to ensure that Crimean Tatar living in settlements enjoy legal security of tenure and access to basic infrastructures [CERD/C/UKR/CO/18, para. 15].

In the Summary of information by stakeholders [A/HRC/WG.6/2/UKR/3], UNPO: inform (para. 43) on the Crimean Tatar people facing discrimination in representation, recognition and land rights in the Autonomous Republic of Crimea; urge all parties involved to adequately address Crimean Tatars’ land rights; and call for a halt to police repression. The Commissioner for Human Rights of the Council of Europe recommends ensuring Crimean Tartar’s societal integration, and participation in public life and in land privatization.

Among questions presented in advance to Ukraine by Member States, Denmark enquires on ensuring human rights of, and non discrimination against, ethnic minorities. UK enquires on increasing intolerance towards ethnic minorities.

Outcome
In the Report of the WGUPR [A/HRC/8/45], Ukraine informs (para. 10) on resettlement of the Crimean Tatar people, and on education and teaching in Crimean Tatar language. Canada (para. 32) recommends protecting the rights of persons belonging to ethnic minorities (Ukraine did not support this, see para. 59). Turkey (para. 37) asks how Ukraine addresses discrimination against Crimean Tatars in line with CERD recommendations. Ukraine presents its measures to monitor observance of human rights in Crimea and to legally restore the rights of formerly deported persons, as well as financial support to the Crimean Tatar people (para. 52).

Among the conclusions and recommendations of the report, Germany recommends to continue combatting manifestations of ethnic hatred (25; Ukraine supports this). Romania recommends to recognize the right to self-identification of all ethnic groups and to ensure development of their cultural heritage (3; Ukraine will examine this).

3. HUMAN RIGHTS COUNCIL


Below is our report of written statements regarding IPs' issues delivered during the eighth session of the Human Rights Council, which saw the appointment of the EMRIP members. In our next Update, we will include a report on the next three sessions of the Council, covering its annual cycle from June 2008 to June 2009.

Indigenous Peoples at the Human Rights Council's eighth session

Item 1: Appointment of mandate holders

Thanking the HRC for its appointment of the Expert Mechanism on the Rights of Indigenous Peoples (EMRIP) members, whose expertise is acknowledged, IOIRD/AFNT6-7-8 propose a half-day discussion on the rights of IPs during the HRC ninth session, so that all participants can present proposals for approaches and relevant themes that the EMRIP could undertake, and initiate dialogue about promoting and implementing the UN Declaration on the Rights of Indigenous Peoples.

IMTA urge the HRC to consult NGOs with ECOSOC status, as the very UN Charter acknowledges the role of civil society as the conscience of the international community. After questioning the usefulness of special procedure mandates in finding remedies to human rights violations, IMTA denounce Member States' political interests in nominating candidates. Basic criteria and guidelines established by Resolutions GA 60/251 and HRC 5/1 are not being respected, in particular for the appointment of the EMRIP members.

Item 2: Report by the High Commissioner and Interactive Dialogue

As the world is facing new crisis, CAPAJ welcome the growing global attention towards IPs and the just acknowledgment of the respect due to them. CAPAJ reiterate their commitment to denounce every violation of international instruments and to reshape the philosophy of the HRC with regard to new human rights challenges, in particular the attention towards the Andean IPs, who hope that justice and their values will be recognized, and are willing to help with their ancestral knowledge.

Item 3: Protection and promotion of human rights

In the presentation of his report, the Special Rapporteur on the Right to Education, Vernor Muñoz, acknowledges the political will shown by Morocco, which he visited officially in December 2006, to progressively introduce the Amazigh language and culture in schools, within the framework of an educational system based on the values of Islam, the concept of citizenship and the interaction between Moroccan cultural heritage and universal human rights principles.

Discussing of the report by the SR on the independence of judges and lawyers, CAPAJ underline obstacles to IPs’ access to justice, as well as the non-recognition of their customary practices of conflict resolution in judicial systems, in contradiction with the Declaration. CAPAJ recommend that the SR take into account the recommendations of the International Expert Seminar on Administration of Justice and Indigenous Peoples organized in 2003 by OHCHR, and suggest that he realize a study on justice administration in States where IPs live, based on the relevant articles of the Declaration.

Under the Review of mandate of the SR on torture, CAPAJ recommend strengthening this mandate and that the SR pay special attention to indigenous leaders unjustly threatened, criminalized and tortured for defending their peoples’ rights. CAPAJ suggest that the SR conduct a study on the effects of torture on IPs, with visit to countries where IPs live and to indigenous leaders detained for defending their peoples' rights.

Commenting the report of the Special Representative of the Secretary-General on human rights and transnational corporations (TNCs), IITC encourage him to consider the OHCHR study on Human Rights and Climate Change [A/HRC/10/61], in particular the role of TNCs in contributing to climate change, through strategies and mechanisms that further contribute to worsening IPs’ situation. IITC also urge the SRSG to utilize the Declaration as a framework for assessing the impacts and providing solutions to human rights abuses by TNCs, and to take into account CERD's General Recommendation 23 (1997) on free, prior and informed consent, as well as its recent recommendations to Canada and USA to monitor compliance by TNCs they have licensed with the human rights of IPs, both within and outside their countries. Finally, the SRSG should consult with IPs and conduct, with the OHCHR, an expert seminar on IPs’ human rights and TNCs, in order to develop a comprehensive framework for assessment and a monitoring protocol.

Underlining links between food crisis, speculation, biopiracy, agro fuel production and economic liberalization, conducting to unequal development and unjust wealth distribution, IMTA stress that IPs are the majority among...
the poorest in developing countries. IMTA also underline the responsibility of TNCs, who appropriate in total impunity strategic resources found in indigenous territories, while the IPs are deprived of their resources and means of subsistence. Hence the urgent necessity to adopt international regulations for TNCs, in order to establish a jurisdiction to address their illicit activities and the offenses they commit against economic, social and cultural rights, the environment, by corrupting leaders and disappearing trade unionists and human rights defenders.

**Abbreviations**

AAI: Action Aid India
AFNT6-7-8: Assembly of First Nations of Treaties 6, 7 & 8 (Alberta)
AI: Amnesty International
AITPN: Asian Indigenous and Tribal Peoples Network
CAPAJ: Comisión Jurídica para el Autodesarrollo de los Pueblos Originarios Andinos
CAT: UN Committee against Torture
CCIA-WCC: Commission of the Churches on International Affairs of the World Council of Churches
CCJ: Comisión Colombiana de Juristas
CEDAW: UN Committee on the Elimination of Discrimination against Women
CEDHU: Comisión Ecuménica de Derechos Humanos, Quito (Ecuador)
CELS: Centro de Estudios Legales y Sociales
CERD: UN Committee on the Elimination of Racial Discrimination
CESCR: UN Committee on Economic, Social and Cultural Rights
CESR: Centre for Economic and Social Rights
CIR: Conselho Indígena de Roraima
CMA: Congrèse Mondial Amazigh
COHRE: The Centre on Housing Rights and Evictions
CORE: Centre for Organisation Research and Education
CRC: UN Committee on the Rights of the Child
CS: Cultural Survival
FAIRA: Foundation for Aboriginal and Islander Research Action
FI: Franciscans International
FPP: Forest Peoples Programme
HCUSA: Harvard College Student Advocates for Human Rights, Massachusetts (USA)
HRW: Human Rights Watch
ICEFI: Instituto Centroamericano de Estudios Fiscales
ICJ: International Commission of Jurists
ICSA: Indian Council of South America
IDMC-NRWC: Internal Displacement Monitoring Centre of the Norwegian Refugee Council
IEDEC: Instituto de Estudios Direito e Cidadania
IITC: International Indian Treaty Council
IMADR: International Movement against Discrimination and All Forms of Racism
IMTA: Indian Movement "Tupaj Amaru"
INGOFID: International NGO Forum on Indonesian Development
INREDH: Fundación Regional de Asesoría en Derechos Humanos, Quito (Ecuador)
IOIRD: International Organisation of Indigenous Resource Development
IPLPP-UA: Indigenous Peoples Law and Policy Program of the University of Arizona
IPNC: Indigenous Peoples and Nations Coalition
IWGIA: International Work Group for Indigenous Affairs
LADH: Ligue Amazighe des Droits de l’Homme
LWF: Lutheran World Federation
MAM-F: Movimiento Amplio de Mujeres Línea Fundacional-Peru
OIDHACO: Oficina Internacional de Derechos Humanos – Acción Colombia
OMCT: World Organisation against Torture
PIPlinks: Philippine Indigenous Peoples Links
PIPRM: Philippines Indigenous Peoples Rights Monitor
RETENG: The Multicultural Coalition of Botswana
RF-US: Rainforest Foundation – US
STP: Society for Threatened Peoples
TF: Tebtebba Foundation
UNPO: Unrepresented Nations and Peoples Organisation
WFTU: World Federation of Trade Unions
4. DURBAN REVIEW CONFERENCE

Geneva, 20 – 24 April 2009

The Durban Review Conference 2009 aimed at evaluating progress towards the goals set by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance held in Durban, South Africa, in 2001. We publish here a report by the representative of the Mohawk Nation at Kahnawake, Kenneth Deer, who attended the Durban Review Conference and all the previous preparatory meetings since January, where the outcome document was negotiated. Following is the statement presented on April 24 by the Caucus of Indigenous Peoples participating in the Conference.

Rights of Indigenous Peoples protected at UN Racism Conference

by Kenneth Deer, from the Mohawk Nation at Kahnawake

The much aligned world conference against racism in Geneva came to an end on Friday, April 24th. It started with a bang by an inflammatory speech by the President of Iran and concluded with a long list of non-governmental organizations giving interventions and observations on the fight against racism. But for Indigenous Peoples, the results were encouraging. There are four paragraphs in the outcome document that mention Indigenous Peoples, 70 to 73, with the most important one being 73, which welcomes the adoption of the UN Declaration on the Rights of Indigenous Peoples. This is critical because the Durban Declaration in 2001 states “We declare that the use of the term ‘Indigenous Peoples’ in the Declaration and Programme of action … cannot be construed as having any implications as to rights under international law.” This paragraph discriminated against Indigenous Peoples by treating Indigenous Peoples different from other peoples. This paragraph is now redundant by the passage of the Durban Review Conference outcome document with paragraph 73. This is important to the advancement of the rights of Indigenous Peoples.

The other paragraphs deal with elimination of barriers to political, economic, social and cultural spheres of society, and to grant special attention to the situation of women and employment. One paragraph mentions tackling the violence experienced by indigenous youth in urban situations. Another encourages special measures, including affirmative or positive measures, and strategies or actions, as well as new investments in health care, public health, education, employment, electricity, drinking water and environmental control, to communities of African descent and Indigenous Peoples.

You will note that people of African descent are mentioned along with Indigenous Peoples. There continues to be a strong delegation of people of African descent at the Conference and the preparatory meetings. They want many of the same mechanisms as Indigenous Peoples like a UN permanent forum and voluntary fund.

Governments boycott

A short list of governments have stayed away including Canada, Israel and the United States of America who have said for a long time that they will not attend. Seven other States joined them the day before the Conference started: the Netherlands, Australia, New Zealand, Poland, Italy and Germany when they were not satisfied with the final draft of the conference statement. The Czech Republic left during the speech of the President of Iran. While many participants lament the boycott by the United States and Canada, Indigenous Peoples probably fared better that they were not there. These two countries voted against the Declaration on the Rights of Indigenous Peoples and they continue their campaign against the Declaration whenever they get the chance.

Canada was very hostile toward inclusion of protections for the rights of Indigenous Peoples in the climate change meetings in Poland, in December 2008. If Canada had attended the racism conference, we could assume the same behaviour.

A more concrete example was the behaviour of the United States when they attended in February 2009 in one of the preparatory meetings where the text of the Durban Review Conference outcome document was being negotiated. The USA, which attended for only four days and resumed its boycott after the meeting, proposed text that would eliminate the application of the Declaration on the Rights of Indigenous Peoples in the fight against racism toward Indigenous Peoples.

When the US delegation was asked why it made this proposal, they said they had instructions from Washington. It appears that President Obama’s administration had not had an impact on the US position.

The outcome document

The Durban Review Conference outcome document has 143 paragraphs and is supposed to articulate the advances and further action in the fight against racism since the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, which occurred in 2001 at Durban, South Africa.
The debate on the outcome document raged for months as States could not agree on the wording with the Palestinian/Israeli conflict in the background, as well as the issue of religious intolerance.

The dividing line emerged between many Arab and African States against Western countries like those in the European Union and other areas. However, the final compromise document was finally agreed to at the very last minute of the last preparatory meeting on Friday, April 17, the last working day before the Conference itself.

In this atmosphere, the issue of Indigenous Peoples fared very well and avoided being caught in the political wrangling which tainted this conference.

Not many Indigenous representatives attended the preparatory meetings, sometimes only two. At the World Conference itself, perhaps fifteen or twenty in total were present, very few for a conference of such importance. A joint statement by the Indigenous Caucus was read by an Indigenous woman from Colombia in the plenary on the last day of the Conference.

The statement by the Indigenous Caucus at the Durban Review Conference (see text below) can also be viewed on the Durban Conference website at www.un.org/durbanreview2009. Click on the webcast button, then click on April 24 on the calendar. Scroll down about 8 speakers and click on Indigenous World Association to see the intervention in English or Spanish.

In conclusion, Indigenous Peoples fared very well under the circumstances. They were mentioned in four paragraphs and that is more than many other important issues. The Declaration on the Rights of Indigenous Peoples is having an impact on international standard setting and continues to inch toward implementation. Indigenous Peoples can use the Durban Declaration and Plan of Action of 2001 and the Durban Review Conference outcome document to combat racism against Indigenous Peoples.

### Indigenous Peoples in the Durban Review Conference Outcome Document

Below are the four paragraphs that mention indigenous peoples in the outcome document:

70. Urges States to bolster measures to eliminate the barriers and to broaden access to opportunities for greater and more meaningful participation by people of African and Asian descent, indigenous peoples and persons belonging to national or ethnic, religious and linguistic minorities in the political, economic, social and cultural spheres of society, and to grant special attention to the situation of women, in particular their practical incorporation into the labour market and in income and employment-generation programmes;

71. Urges States to adopt a social and human rights perspective when tackling the violence experienced by indigenous youth and youth of African descent, particularly in the peri-urban areas of major cities, and to focus on strengthening social capital, granting assistance to, and building the capacity of indigenous youth and youth of African descent;

72. Urges States to direct their special measures, including affirmative or positive measures, and strategies or actions, as well as new investments in health care, public health, education, employment, electricity, drinking water and environmental control, to communities of African descent and indigenous peoples;

73. Welcomes the adoption of the UN Declaration on the rights of indigenous peoples which has a positive impact on the protection of victims and, in this context, urges States to take all necessary measures to implement the rights of indigenous peoples in accordance with international human rights instruments without discrimination;

### Indigenous Caucus Statement

Mr. Chairman,

I bring greetings from our Chiefs, Clanmothers, Men, Women and Children of our Nations and Peoples to your Chiefs, Women leaders, Men, Women and Children,

**Racism Violates the Rights of Indigenous Peoples**

We, the delegations representing the Indigenous Peoples participating in the Durban Review Conference, Geneva, 20 to 24 April 2009, affirm that racism and racial discrimination constitute serious violations of and obstacles to the full enjoyment of all human rights and that the continued existence and observance of racism and racial discrimination against the Indigenous Peoples is a rejection of the self-evident truth that all human beings are born free and equal in dignity and rights.
Diversity is Valued

We confirm that cultural diversity is a cherished asset for the advancement and welfare of humanity at large and should be valued, enjoyed, genuinely accepted and embraced as a permanent feature which enriches our societies around the world. Indigenous Peoples represent a large percentage of cultural diversity of the world. Importantly, Indigenous Peoples are integrally connected to the biological diversity of the world, because our identities, existence and survival are bound by fundamental economic and spiritual links to mother earth and nature. As Indigenous Peoples we have the right to the full enjoyment of our civil, political, economic, social and cultural rights and these rights are essential for the survival and development of our societies.

Review of Durban Declaration and Programme of Action

Indigenous Peoples are not civil society but Nations and Peoples recognized with the equal right to self-determination as expressed in the Charter of the United Nations and international human rights instruments and international law. As such we assert the inherent God given right without any limitation to the status; we therefore reject paragraph 24 of the 2001 Durban Declaration and Program of Action which states that, “The term Indigenous Peoples…cannot be construed as having any implications as to rights under international law.” We strongly refuted that position in the 2001 document as it is founded in the entrenched racism maintained over five centuries: ‘the Indigenous Peoples are not peoples’. We assert that this position is now redundant and no longer applicable to the Durban-related documents.

Indigenous Peoples have Rights

As we are now aware, since the Durban World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance, the General Assembly has adopted the Declaration on the Rights of Indigenous Peoples. We assert GA resolution 60/251 that, “all human rights are universal, indivisible, interrelated, interdependent and mutually reinforcing, and that all human rights must be treated in a fair and equal manner, on the same footing and with the same emphasis” as such there can be no limitation in implementing the Durban Review Conference Outcome Document as Indigenous Peoples do have rights recognized under international law. The Declaration is a compact statement of the civil, political, economic, social and cultural rights that add to the existing obligations historically denied to us. Our rights are already guaranteed in the human rights treaties and other international treaties. But they are rights that have been overlooked because we have often been treated as ‘invisible peoples’ and in some cases as ‘sub-human’. Most of the human rights treaties have non-discrimination clauses but these clauses have not been sufficiently applied in the past to protect the rights of Indigenous Peoples.

The Declaration challenges and overthrows the widespread and discriminatory pretexts for keeping hidden the rights of Indigenous Peoples since the adoption of the Universal Declaration of Human Rights, sixty years ago. We are equal; we are free; and all racial discrimination against us must be eliminated. We demand the capacity to exercise our unqualified right to self-determination, including the capacity to control our lives, our territories and our futures.

Durban is an Opportunity to End Racism

The World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and this subsequent Durban Review Conference, must enhance and not be used to reduce or erase existing obligations to Indigenous Peoples. Our contribution to the richness and diversity of societies and civilizations must be fully realized. The social, political, economic, cultural and spiritual development can only support the challenges faced by Indigenous Peoples.

The UN Charter Places Obligations on States

We applaud the action taken by this Durban Review Conference to welcome the adoption of the United Nations Declaration on the Rights of Indigenous Peoples and to urge States to take all necessary measures to implement all the rights of indigenous peoples without discrimination. Racism and racial discrimination are an offence to the purposes and principles of the Charter of the United Nations. The Member States of the United Nations are bound by an inescapable duty to implement all the rights of Indigenous Peoples in this age of globalization. The Indigenous Peoples remind the States that they have a major role in ensuring that the Durban Program of Action and the Program of Action for the Second Decade of the World’s Indigenous Peoples are carried out. States must recognize and give full attention to the legal obligations arising from international rights and must be instituted in the constitutional order of Government for the full implementation of the rights of Indigenous Peoples. This includes the need for redress of past injustices through independent and fair procedures, and the right to social, cultural and economic development of Indigenous societies.
Renewed Will and Partnership for Change

Indigenous Peoples urge States to join together in a truly universal commitment to eliminate racism in all its manifestations. We offer to join with this commitment where there exists a genuine spirit of renewed political will and commitment to universal equality, justice and dignity.

As Indigenous Peoples we dedicate ourselves in this statement to combating the scourge of racism, racial discrimination, xenophobia and related intolerance fully and effectively as a matter of priority.
5. THE EUROPEAN UNION AND INDIGENOUS PEOPLES

The Participation of Indigenous Peoples in the Struggle Against Illegal Timber Exploitation: the opportunity of negotiating Voluntary Partnership Agreements with the European Union

Illegal exploitation and related trade are major problems in many timber-producing countries. They are responsible for environmental damage, for loss of revenue for Governments. They fuel corruption, destabilize the application of laws as well as forest governance. Illegal exploitation has even financed armed conflicts at times. Consumer countries contribute to these problems by importing raw or transformed timber without ensuring the legality of these products.

Faced with this observation, in 2003 the European Union adopted a FLEGT action plan that represents the Union’s response to the problem of illegal exploitation of forests and the associated trade. **FLEGT** is the English acronym for **Forest Law Enforcement, Governance and Trade**. This plan includes a number of actions, one of which involves supporting timber-producing countries. The following website offers detailed and up-to-date information:

http://ec.europa.eu/development/policies/9interventionareas/environment/forest/forestry_intro_en.cfm

The VPAs

To support interested timber-producing countries, the European Union (EU) is offering to establish **Voluntary Partnership Agreements (VPA)**. The voluntary quality of the agreement should be highlighted: the initiative, and therefore the political will to engage in the negotiation of an agreement, falls on the timber-producing country. Eventually, the timber produced legally in the partner country and exported to the EU will be identified thanks to FLEGT authorizations that attest to the legality of the timber. Timber from a FLEGT partner country arriving to an import point within the EU without this FLEGT authorization will be refused entry to the EU territory.

The VPAs therefore establish FLEGT authorization regimes that must be reliable. To put into place a credible FLEGT authorization issuance system, a number of directions for intervention can be identified, namely:

- Improved governance structures and the establishment of reliable verification systems;
- Policy reform that focuses on relevant laws and regulations for the country in question and that would favor the consultation with all intervening parties regarding these policies;
- More transparency and information exchange between the producer country and consumers, including the support of independent observation of forests and the independent audit of the FLEGT authorization system;
- Technical and human capacity-building and trainings in the producing country;
- The accountability of local populations with the aim of preventing the illegal exploitation of forests.

VPAs reflect the specificities of forest laws and governance of the partner countries. Indeed, they take into account national factors such as national forest governance, forest legislation, the nature of forests and land laws, the nature of timber trade, existing initiatives in the forest sector and the capacity to implement the agreement.

In certain countries, meeting these commitments requires considerable institutional strengthening and a strong capacity for construction. VPAs therefore identify the areas in which there is a need for technical and financial assistance that is necessary for the promotion of legality in the forest sector, which is a fundamental step in achieving the sustainable management of forests.

As such, the FLEGT partnership represents a delicate balance between:
- A system to ensure that only timber that has been legally harvested can enter the EU,
- A method of promoting improved forest governance and management,
- An opportunity to take into account the rights of indigenous peoples and to seek to remedy the weaknesses identified in the existing legal and regulatory framework,
- Respect for the sovereignty of partner governments to determine their laws,

The credibility of the agreement in the eyes of NGOs and public opinion, which hinges on their ability to express themselves and suggest positive developments in forest governance.

Several timber-producing countries have engaged in negotiations: Ghana (where negotiations led to an agreement in September 2008), Congo (where negotiations led to an agreement in May 2009), Malaysia, Indonesia, Cameroon, Liberia and the Central African Republic. Gabon, Vietnam, Madagascar, and the Democratic Republic of the Congo have expressed their interest in the process and are in informal discussions with the EU. Other countries are likely to be interested in the EU’s proposal: Sierra Leone, Ecuador, Ivory Coast, Papua New Guinea.
Which contact for NGOs?

In every country interested by or engaged in a VPA, the Government appointed a FLEGT focal point, who is the interlocutor to be contacted. This focal point is usually a member of the administration.

The European Commission Delegation in these countries can assist in identifying this national focal point.

If necessary, the European Commission services in Brussels can also help to identify this person: DEV-B2@ec.europa.eu.

VPAs and civil society

The EU places great value on the following areas:

- Social guarantees – VPAs must seek to attenuate the negative impacts on the most destitute communities and populations by taking into account the subsistence methods of indigenous and local communities that depend on the forest. Partner countries will also be encouraged to link FLEGT issues to their poverty reduction strategies and to monitor the effects of the agreements on poverty;
- Stakeholder involvement – Measures must be taken to hold regular consultations with stakeholders (private sector, civil society…) throughout the conception and implementation of these agreements. In the current negotiation processes of VPAs, civil society is generally significantly represented. Of course, the representation of indigenous peoples varies from one process to another according to the existing structures and associations in partner countries.

The interest in these two domains permeates the whole FLEGT process: during the conception of VPAs and during their implementation.

During the conception of VPAs, there are two essential steps: informal discussions prior to the start of negotiations and the agreement negotiations, in particular with the definition of the legality of timber exploitation and the establishment of terms of reference for the independent auditor of the FLEGT system.

VPAs are initiated by informal discussions between the EU and the potential partner countries, and are generally undertaken by the European Commission and one or more Member States of the EU. This approach aims to ensure that country stakeholders have a good understanding of the objectives of a VPA and of the mechanisms needed for its implementation. This also allows the EU to acquire knowledge of the country’s forest sector challenges, which will have to be taken into account in the conception of the agreement. This step is also essential for civil society to make itself known and to understand the procedure and the different positions of stakeholders. This is also an opportunity to raise certain issues, to share analysis. In fact, during the start of negotiations that are currently underway, it has often been observed that the foreseen role of indigenous peoples in forest sector management is one of the key questions raised.

It is during the VPA negotiation that the partner country can and should consult civil society and local communities. The partner country decides on the consultation procedure. The partner country’s Government can consider many systems, which imply various degrees of involvement, and are potentially complementary:

- introduce civil society into the partner country delegation that is preparing FLEGT negotiations with the EU;
- create a participatory forum, the goal of which is to formulate a consultative opinion on the negotiations;
- periodically inform civil society during negotiations.

The definition of legality of timber exploitation is an essential component of the voluntary partnership agreement. This definition is the partner country’s responsibility: it takes into account the totality of the laws and regulations to be respected, covering domains linked to forest management, the granting of permits, the felling, the transportation, the transformation, the commercialization of timber and derived products, duties and taxes, trade regulations, environmental aspects, such as environmental impact assessments, as well as social aspects (labour law, implication of communities, terms of reference and social issues, …). The potential detrimental effects of disregarding the laws can have an impact on the various stakeholders in a timber-producing country: government, private sector, citizens in general, and local and indigenous communities. Consequently, the decision about which laws to include in the definition must generally be taken at the end of a long consultation process with all affected parties. In current negotiations, this step is an opportunity for civil society to highlight the existence or non existence of such-and-such regulatory text regarding indigenous peoples. However, this exercise must remain pragmatic to reach a realistic and applicable definition of legality. The elaboration of terms of reference for the independent auditor requires the identification of various available sources of information. Indeed, the independent auditor will regularly examine the entirety of the FLEGT authorization system once it is operational, to attest to its reliability. In fact, its review will be even stronger when it rests on many sources of information. In this regard, civil society is likely to share its analysis.
and, to this day, civil society has been recognized in the VPAs as a source of information for the future independent auditor.

**During implementation of the VPAs, civil society will also have a role to play:**

- For one, by seeing that all components of the agreement are implemented, for example by seeing that the necessary information is made public, by being available for the independent auditor,… The VPA may also specify that civil society can formally participate in the management of the agreement through the creation of committees.

- Moreover, by actively participating in the application of forest legislation and regulation, by informing and training local populations, and by sharing the concrete impacts of the implementation of VPAs in the field, for indigenous populations.

The possibility of this participation implies that civil society must be structured to allow for internal debate of the messages it wishes to send to the Government. It is necessary that civil society have good knowledge of the forest’s heritage, of forest management, and of local practices.

---

**What financing is there for NGOs?**

Conscious of the need to build the capacity of national NGOs to contribute to the debates and negotiations on FLEGT and forest management, the European Commission, within the framework of its development assistance programme dedicated to the environment and management of natural resources, is publishing, every year or every two years, a call for projects specifically on this topic.

For more information, consult the following websites regularly:
http://ec.europa.eu/europeaid/work/funding/index_en.htm or http://ec.europa.eu/development/policies/9interventionareas/environment/forest/forest_bltp_en.cfm

A new call for proposals (n° 128320), published on 31 July 2009 under the European Commission’s external aid thematic programme Environment, Sustainable Management of Natural Resources, including energy (ENTRP), includes a specific lot with regard to FLEGT (lots number 4). The Guidelines for Grant Applicants and all relevant information are available at https://webgate.ec.europa.eu/europeaid/online-services/index.cfm?ADSSChck=1251209309185&do=publi.detPUB&userlanguage=en (select “search by reference” and enter 128320).

Please note that the deadline for the submission of the Concept Notes is October 1, 2009.
6. INDIGENOUS PEOPLES’ GLOBAL SUMMIT ON CLIMATE CHANGE

Anchorage, Alaska, 20 – 24 April 2009

The Anchorage Declaration

From 20-24 April, 2009, Indigenous representatives from the Arctic, North America, Asia, Pacific, Latin America, Africa, Caribbean and Russia met in Anchorage, Alaska for the Indigenous Peoples’ Global Summit on Climate Change. We thank the Ahtna and the Dena’ina Athabascan Peoples in whose lands we gathered.

We express our solidarity as Indigenous Peoples living in areas that are the most vulnerable to the impacts and root causes of climate change. We reaffirm the unbreakable and sacred connection between land, air, water, oceans, forests, sea ice, plants, animals and our human communities as the material and spiritual basis for our existence.

We are deeply alarmed by the accelerating climate devastation brought about by unsustainable development. We are experiencing profound and disproportionate adverse impacts on our cultures, human and environmental health, human rights, well-being, traditional livelihoods, food systems and food sovereignty, local infrastructure, economic viability, and our very survival as Indigenous Peoples.

Mother Earth is no longer in a period of climate change, but in climate crisis. We therefore insist on an immediate end to the destruction and desecration of the elements of life.

Through our knowledge, spirituality, sciences, practices, experiences and relationships with our traditional lands, territories, waters, air, forests, oceans, sea ice, other natural resources and all life, Indigenous Peoples have a vital role in defending and healing Mother Earth. The future of Indigenous Peoples lies in the wisdom of our elders, the restoration of the sacred position of women, the youth of today and in the generations of tomorrow.

We uphold that the inherent and fundamental human rights and status of Indigenous Peoples, affirmed in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), must be fully recognized and respected in all decision-making processes and activities related to climate change. This includes our rights to our lands, territories, environment and natural resources as contained in Articles 25–30 of the UNDRIP. When specific programs and projects affect our lands, territories, environment and natural resources, the right of Self Determination of Indigenous Peoples must be recognized and respected, emphasizing our right to Free, Prior and Informed Consent, including the right to say “no”. The United Nations Framework Convention on Climate Change (UNFCCC) agreements and principles must reflect the spirit and the minimum standards contained in UNDRIP.

Calls for Action

1. In order to achieve the fundamental objective of the UNFCCC, we call upon the fifteenth meeting of the Conference of the Parties to the UNFCCC to support a binding emissions reduction target for developed countries (Annex 1) of at least 45% below 1990 levels by 2020 and at least 95% by 2050. In recognizing the root causes of climate change, participants call upon States to work towards decreasing dependency on fossil fuels. We further call for a just transition to decentralized renewable energy economies, sources and systems owned and controlled by our local communities to achieve energy security and sovereignty.

In addition, the Summit participants agreed to present two options for action: some supported option A and some option B. These are as follows:

A. We call for the phase out of fossil fuel development and a moratorium on new fossil fuel developments on or near Indigenous lands and territories.

B. We call for a process that works towards the eventual phase out of fossil fuels, without infringing on the right to development of Indigenous nations.

2. We call upon the Parties to the UNFCCC to recognize the importance of our Traditional Knowledge and practices shared by Indigenous Peoples in developing strategies to address climate change. To address climate change we also call on the UNFCCC to recognize the historical and ecological debt of the Annex 1 countries in contributing to greenhouse gas emissions. We call on these countries to pay this historical debt.

3States Parties to the UNFCCC that were members of the OECD in 1992, plus countries with economies in transition, including the Russian Federation, the Baltic States and several Central and Eastern States. (Editor’s note)
3. We call on the Intergovernmental Panel on Climate Change (IPCC), the Millennium Ecosystem Assessment, and other relevant institutions to support Indigenous Peoples in carrying out Indigenous Peoples’ climate change assessments.

4. We call upon the UNFCCC’s decision-making bodies to establish formal structures and mechanisms for and with the full and effective participation of Indigenous Peoples. Specifically we recommend that the UNFCCC:
   a) Organize regular Technical Briefings by Indigenous Peoples on Traditional Knowledge and climate change;
   b) Recognize and engage the International Indigenous Peoples’ Forum on Climate Change and its regional focal points in an advisory role;
   c) Immediately establish an Indigenous focal point in the secretariat of the UNFCCC;
   d) Appoint Indigenous Peoples’ representatives in UNFCCC funding mechanisms in consultation with Indigenous Peoples;
   e) Take the necessary measures to ensure the full and effective participation of Indigenous and local communities in formulating, implementing, and monitoring activities, mitigation, and adaptation relating to impacts of climate change.

5. All initiatives under Reducing Emissions from Deforestation and Degradation (REDD) must secure the recognition and implementation of the human rights of Indigenous Peoples, including security of land tenure, ownership, recognition of land title according to traditional ways, uses and customary laws and the multiple benefits of forests for climate, ecosystems, and Peoples before taking any action.

6. We challenge States to abandon false solutions to climate change that negatively impact Indigenous Peoples’ rights, lands, air, oceans, forests, territories and waters. These include nuclear energy, large-scale dams, geo-engineering techniques, “clean coal”, agro-fuels, plantations, and market based mechanisms such as carbon trading, the Clean Development Mechanism, and forest offsets. The human rights of Indigenous Peoples to protect our forests and forest livelihoods must be recognized, respected and ensured.

7. We call for adequate and direct funding in developed and developing States and for a fund to be created to enable Indigenous Peoples’ full and effective participation in all climate processes, including adaptation, mitigation, monitoring and transfer of appropriate technologies in order to foster our empowerment, capacity-building, and education. We strongly urge relevant United Nations bodies to facilitate and fund the participation, education, and capacity building of Indigenous youth and women to ensure engagement in all international and national processes related to climate change.

8. We call on financial institutions to provide risk insurance for Indigenous Peoples to allow them to recover from extreme weather events.

9. We call upon all United Nations agencies to address climate change impacts in their strategies and action plans, in particular their impacts on Indigenous Peoples, including the World Health Organization (WHO), United Nations Educational, Scientific and Cultural Organization (UNESCO) and United Nations Permanent Forum on Indigenous Issues (UNPFII). In particular, we call upon the United Nations Food and Agriculture Organization (FAO) and other relevant United Nations bodies to establish an Indigenous Peoples’ working group to address the impacts of climate change on food security and food sovereignty for Indigenous Peoples.

10. We call on the United Nations Environment Programme (UNEP) to conduct a fast track assessment of short-term drivers of climate change, specifically black carbon, with a view to initiating negotiation of an international agreement to reduce emission of black carbon.

11. We call on States to recognize, respect and implement the fundamental human rights of Indigenous Peoples, including the collective rights to traditional ownership, use, access, occupancy and title to traditional lands, air, forests, waters, oceans, sea ice and sacred sites as well as to ensure that the rights affirmed in Treaties are upheld and recognized in land use planning and climate change mitigation strategies. In particular, States must ensure that Indigenous Peoples have the right to mobility and are not forcibly removed or settled away from their traditional lands and territories, and that the rights of Peoples in voluntary isolation are upheld. In the case of climate change migrants, appropriate programs and measures must address their rights, status, conditions, and vulnerabilities.

12. We call upon States to return and restore lands, territories, waters, forests, oceans, sea ice and sacred sites that have been taken from Indigenous Peoples, limiting our access to our traditional ways of living, thereby causing us to misuse and expose our lands to activities and conditions that contribute to climate change.

13. In order to provide the resources necessary for our collective survival in response to the climate crisis, we declare our communities, waters, air, forests, oceans, sea ice, traditional lands and territories to be “Food Sovereignty Areas,” defined and directed by Indigenous Peoples according to customary laws, free from
extractive industries, deforestation and chemical-based industrial food production systems (i.e. contaminants, agro-fuels, genetically modified organisms).

14. We encourage our communities to exchange information while ensuring the protection and recognition of and respect for the intellectual property rights of Indigenous Peoples at the local, national and international levels pertaining to our Traditional Knowledge, innovations, and practices. These include knowledge and use of land, water and sea ice, traditional agriculture, forest management, ancestral seeds, pastoralism, food plants, animals and medicines and are essential in developing climate change adaptation and mitigation strategies, restoring our food sovereignty and food independence, and strengthening our Indigenous families and nations.

We offer to share with humanity our Traditional Knowledge, innovations, and practices relevant to climate change, provided our fundamental rights as intergenerational guardians of this knowledge are fully recognized and respected. We reiterate the urgent need for collective action.

Agreed by consensus of the participants in the Indigenous Peoples’ Global Summit on Climate Change, Anchorage Alaska, April 24th 2009
7. UPCOMING MEETINGS AND DEADLINES FOR INDIGENOUS PEOPLES, NOVEMBER TO DECEMBER 2009

The dates for the sessions of the Human Rights Council are subject to changes. Please check with the Council’s website http://www2.ohchr.org/english/bodies/hrercouncil/index.htm (to access the Extranet, the username is “hrcrextranet” and the password is “1session”).

NOVEMBER

2 – 6 November 2009 (Barcelona, Spain)
Resumed ninth session of the Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol (AWG-KP)
Resumed seventh session of the Ad Hoc Working Group on Long-term Cooperative Action under the Convention (AWG-LCA)
UN Framework Convention on Climate Change
Haus Carstanjen, Martin-Luther-King-Strasse 8
P.O. Box 260124, D-53153 Bonn, Germany
Phone: +49 228 815 1000 Fax: +49 228 815 1999
E-mail: secretariat@unfccc.int Web: http://unfccc.int/meetings/items/2654.php

2 – 6 November 2009 (Kuala Lumpur, Malaysia) Tentative!
Sixth meeting of the Ad Hoc Open-ended Working Group on Article 8(j) and Related Provisions
Secretariat of the Convention on Biological Diversity
Contact: Mr. Ahmed Djoghlaf, Executive Secretary
413 St-Jacques Street, 8th floor, Office 800
Montreal, Quebec, Canada, H2Y 1N9
Phone: +1 514 288 2220 Fax: +1 514 288 6588
E-mail: secretariat@cbd.int Web: http://www.cbd.int/meetings/default.shtml

2 – 20 November 2009 (Geneva, Switzerland)
43rd session of the Committee Against Torture
Countries scheduled for consideration: Azerbaijan, Colombia, El Salvador, Moldova, Slovakia, Spain, Yemen.
Office of the High Commissioner for Human Rights
Contact: Ms. M. Morales Fernandez, Secretary
United Nations, 1211 Geneva 10, Switzerland
Phone: +41 22 917 9139 Fax: +41 22 917 9022
Web: http://www2.ohchr.org/english/bodies/cat/cats43.htm

2 – 20 November 2009 (Geneva, Switzerland)
43rd session of the Committee on Economic, Social and Cultural Rights (CESCR)
Countries scheduled for consideration: Republic of Korea, Poland, Chad, Madagascar, DR Congo, Gabon.
Office of the High Commissioner for Human Rights
Contact: Ms. Wan-Hea Lee, Secretary
United Nations, CH-1211 Geneva 10, Switzerland
Phone: +41 22 917 9154 Fax: +41 22 917 9022
E-mail: wlee@ohchr.org Web: http://www2.ohchr.org/english/bodies/cerscr/cescrs43.htm

9 – 15 November 2009 (Kuala Lumpur, Malaysia) Tentative!
Eighth meeting of the Ad Hoc Open-ended Working Group on Access and Benefit-sharing
Secretariat of the Convention on Biological Diversity
Contact: Mr. Ahmed Djoghlaf, Executive Secretary
413 St-Jacques Street, 8th floor, Office 800
Montreal, Quebec, Canada, H2Y 1N9
Phone: +1 514 288 2220 Fax: +1 514 288 6588
E-mail: secretariat@cbd.int Web: http://www.cbd.int/meetings/default.shtml

14 – 21 November 2009 (Rome, Italy)
36th session of the FAO Conference
UN Food and Agriculture Organisation – FAO
Viale delle Terme di Caracalla, 00153 Rome, Italy
Phone: +39 06 57051 Fax: +39 06 57053152
E-mail: FAO-HQ@fao.org Web: http://www.fao.org
30 November – 11 December 2009 (Geneva, Switzerland)

Sixth session of the Human Rights Council Universal Periodic Review

Countries scheduled for consideration (in this order): Eritrea, Cyprus, Dominican Republic, Cambodia, Norway, Albania, Democratic Republic of the Congo, Côte d’Ivoire, Portugal, Bhutan, Dominica, Democratic People’s Republic of Korea, Brunei Darussalam, Costa Rica, Equatorial Guinea, Ethiopia.

Office of the High Commissioner for Human Rights

Contact: OHCHR Civil Society Unit
United Nations, 1211 Geneva 10, Switzerland
Phone: +41 22 917 9656 Fax: +41 22 917 9011
E-mail: civilsocietyunit@ohchr.org
Web: http://www.ohchr.org/EN/HRBodies/UPR/Pages/UPRMain.aspx

DECEMBER

7 – 18 December 2009 (Copenhagen, Denmark)

15th session of the Conference of Parties (COP 15)
5th session of the COP serving as meeting of the Parties to Kyoto Protocol (COP/MOP 5)
Sessions of the Subsidiary Bodies for Scientific and Technological Advice (SBSTA) and for Implementation (SBI)

UN Framework Convention on Climate Change
Haus Carstanjen, Martin-Luther-King-Strasse 8
PO Box 260124, D-53153 Bonn, Germany
Phone: +49 228 815 1000 Fax: +49 228 815 1999
E-mail: secretariat@unfccc.int Web: http://unfccc.int/meetings/items/2654.php

INFORM US OF YOUR CHANGE OF ADDRESS

Please inform us each time you change your e-mail/postal address, or phone/fax number so that we may keep our address book up to date. Send an email to docip@docip.org, subject: Change of Address. Many thanks!
8. OTHERS

**OHCHR’s Indigenous Fellowship Programme**

The Office of the High Commissioner for Human Rights’ Indigenous Fellowship Programme aims at providing young indigenous men and women (preferably, but not exclusively between the ages of 25 – 35 years) the opportunity to gain knowledge on the UN system and mechanisms dealing with human rights in general and indigenous issues in particular so they can assist their organizations and communities in protecting and promoting the rights of their people. Furthermore, each fellow should also at the end of the Programme be capable of giving training within their communities and organizations in the fields of international human rights in general, and on IPs’ rights in particular, and be able to disseminate the information and knowledge gained during the Fellowship Programme.

Five fellows are selected to participate in each of the four linguistic components of the programme. The four-month English programme is based at the Office of the High Commissioner for Human Rights in Geneva, Switzerland. The four-month Spanish programme is implemented in collaboration between the OHCHR and the Human Rights Institute of Deusto University in Bilbao, Spain. The two-month Russian programme started in collaboration with the Russian Association of Indigenous Peoples of the North (RAIPON) and the Center for Support of Indigenous Peoples of the North/Russian Indigenous Training Centre (CSIPN/RITC), and was implemented in 2008 with the Peoples’ Friendship University of Russia. The two and a half-month French programme was organized until 2007 with the University of Bourgogne in Dijon, France, but was suspended in 2008 due to financial constraints; while the OHCHR is actively looking for a new partnership to re-start this programme, a shorter version of the programme will be organised in 2009.

For more information on the program, the conditions for application, the selection process and the application form, please visit the website mentioned below. Additional questions pertaining to this programme should be addressed to the Indigenous Fellowship Programme (see address below). Please note that the deadlines for applying to the 2010 Programme are:

- English-speaking component: the deadline expired on April 30, 2009
- Spanish-speaking component: the deadline expired on July 15, 2009
- French-speaking component: October 15, 2009
- Russian-speaking component: September 30, 2009

In order to be considered, applications must be fully completed and sent only by fax or post to the address below.

**Fellows of the 2009 Programme**

**English-speaking component**
1 April – 17 July 2009 (based in Geneva, Switzerland)

- Ms. Kuno Caroline Bena, Karimojong (Uganda)
- Ms. Margaret Raven, Onemulla, Yamatji (Australia)
- Ms. Eunice Santawan Lepariyo, Ichamus (Kenya)
- Mr. Ronald Waromi, West Papua (Indonesia)
- Mr. Datu Cosme Lambayon, Matigsalug (Philippines)

**Spanish-speaking component**
31 April - 17 August 2009 (based in Bilbao, Spain and in Geneva, Switzerland)

- Ms. Elida Urapuca Ariori, Gwarayu (Bolivia)
- Ms. Bertha Zapeta Say, Maya (Guatemala)
- Ms. Tania Edith Pariona Tarqui, Quechua (Peru)
- Mr. Pedro Manuel Loperena, Wiwa (Colombia)
- Mr. Abelino Cesar Palacios, Kolla (Argentina)

**French speaking component**
12 October – 18 November 2009 (based in Geneva, Switzerland and Paris, France)

- Mr. Nyongolo Betto, Batwa (Democratic Republic of Congo)
- Mr. Evariste Ndikumana, Batwa (Burundi)
- Ms. Mariama Walet Abdourhame, Touareg (Mali)
- Mr. Messe Venant, Baka (Cameroun)
- Ms. Manon Jeannotte, Micmac (Canada)

**Russian speaking component**
Information on the 2009 Russian-speaking fellows is not available yet. We will publish the names of selected candidates in an upcoming issue.
United Nations Voluntary Fund for Indigenous Populations

The forms for representatives of IPs to apply to the Voluntary Fund for travel grants to the 2010 sessions of the:
- Permanent Forum on Indigenous Issues
- Expert Mechanism on the Rights of Indigenous Peoples

are available on the OHCHR’s website at http://www2.ohchr.org/english/about/funds/indigenous/ along with more information on the Voluntary Fund.

The application has to be completed, signed, dated and accompanied by a letter of nomination and sent

by 1 OCTOBER 2009 to

Secretariat of the Voluntary Fund for Indigenous Populations
Ms. Mélanie Clerc
Office of the United Nations High Commissioner for Human Rights
CH-1211 Geneva 10 - Switzerland
Tél. +41 22 928 9164 / 9737 - fax +41 22 928 9066
E-mail: IndigenousFunds@ohchr.org

New DVD on the Permanent Forum on Indigenous Issues

doCip has recently launched its new DVD on the UN Permanent Forum on Indigenous Issues, which gathers documentation relative to the establishment of the PF and to its sessions from 2002 (first session) to 2008 (seventh session), such as UN Resolutions, reports and statements.

This executable DVD contains a database similar in structure and operation to doCip’s online documentation center at www.docip.org. It allows for search in the text of the documents, by author, year, subject, and organization or government.

The DVD is available upon request at doCip, by e-mail to docip@docip.org, by fax to + 41 22 740 34 54, or by sending a letter to: doCip – 14, av. Trembley – CH-1209 Genève.

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

Thanks!
Contributors to this issue
Pierrette Birraux, Kenneth Deer, Geneviève Herold

Special thanks to
Kenneth Deer, Mohawk Nation at Kahnawake

Translation
Virginia Alimonda, Claire Hobden, Karen Smith, Nathalie Stitzel.

The reproduction and dissemination of information contained in Update is welcome provided sources are cited. This issue is available in English, Spanish, French and Russian. Original version: printed and Internet (www.docip.org) English text.

With the support of:

This document has been produced with the financial assistance of the European Union. The contents of this document are the sole responsibility of doCip and can under no circumstances be regarded as reflecting the position of the European Union.
The Swiss Agency for Development and Cooperation
The Ford Foundation
The Canton of Geneva
City of Geneva