

**Ninth Session of the Permanent Forum on Indigenous Issues
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**Statement (as delivered) by Ambassador Carsten Staur, Permanent Representative of
Denmark to the United Nations
on agenda item 4b: Human Rights: Dialogue with the Special Rapporteur on the
situation of human rights and fundamental freedoms of indigenous people and other
special rapporteurs.**

Thank you Mr. Chairman,

I would like to take this opportunity to thank the special Rapporteur for sharing his experiences over the last year and express our appreciation for the good work done and the good cooperation we have met.

It is with great satisfaction, that Denmark participates in the discussion of the Permanent Forum on the issue of human rights. The Permanent Forum can, and should, play a pivotal role in protecting and promoting human rights of indigenous peoples and in promoting the application of the provisions of the United Nations Declaration on the Rights of Indigenous Peoples.

It is therefore also with great pleasure that Denmark notes the rising support for the Declaration, and we wish to congratulate the governments of New Zealand, the US and Canada for their positive announcements in the past days. This is a very important development in the international effort to advance the rights of indigenous peoples all over the world.

Promoting and protecting the rights of indigenous peoples as well as strengthening the implementation of the Declaration, remains high on the Danish government's agenda. Accordingly, "indigenous peoples" is listed a key priority in the strategy of the government's approach to international human rights cooperation. In this context, we are happy to inform you and the members of the Permanent Forum, that Denmark has recently doubled our financial support to the UN Trust Fund for the Second International Decade of Indigenous Peoples for the period of 2010-2013.

Furthermore Denmark has actively promoted the rights of the people of Greenland. Since 1979, Greenland has enjoyed Home Rule. In June 2009 the Act on Greenland Self-Government entered into force after having been approved by the people of Greenland at a referendum held on 25 November 2008. With this new step – we are indeed implementing provisions of the UN Declaration of the Rights of Indigenous Peoples. It is acknowledged in the preamble of the Act on Greenland Self-Government, that the people of Greenland are a people with right to self-determination under international law. The new Act on Greenland Self-Government opens for expansion and transfer of further competences and responsibilities from the Danish authorities to the Greenland authorities. According to section 21 of the Act, decisions regarding Greenland's independence shall be taken by the people of Greenland. With Self-Government in place, the Government of Greenland has the right to take over the responsibility for and competences over, inter alia, administration of justice and the establishment of courts of law, the police, and mineral and oil resources. Public revenues from mineral and oil resource activities in Greenland shall accrue to Greenland. With Self-Government, Greenlandic has also become the official language in Greenland.

As another example of the work which Denmark is doing to ensure the actual implementation of the UN Declaration, we would like to draw attention to a Danish supported development program on the rights of indigenous peoples, which after 10 years was recently completed in Bolivia. The program was based on a concept of popular participation and decentralization, and involved indigenous peoples directly in the design of the development programme, and as direct beneficiaries. The implementation of the programme contributed to Bolivia's adoption of the United Nations Declaration on the Rights of Indigenous Peoples as national law in 2007 – making Bolivia the only UN Member State to make the Declaration legally binding. We hope, that you will have the opportunity to participate in the side event tomorrow on Lessons learned from the Danish Human Rights Programme in Bolivia.

Mr Anaya, turning to the issue at hand we would appreciate it if you could elaborate [further] on your experiences from your country visits and report on any substantial feedback from relevant partners during these visits. As an example we would like you to highlight indigenous peoples' rights to free, prior and informed consent and to access and benefit sharing. As you have mentioned in your Nepal report, there are cases where these rights are difficult to enforce: For instance during the establishment of protected areas where indigenous peoples have lost land. What has been the nature of the feedback you have received on this matter?

We also wish to strongly encourage you to focus on the indigenous peoples of Africa. Your 2010 Botswana report is a sign, we hope, of your renewed interest in the African continent. Denmark places high priority on Africa, and we would like to follow up on and support your recommendations in the countries where we are actively involved through our bilateral assistance.

Denmark would like to voice our agreement on your report and statements from 2009 concerning the right of indigenous peoples to participate in decision making processes as well as their right to free, prior and informed consent on matters that have an impact on their lives. We fully share your assessment as to what this right entails.

In this context, Denmark would also like to extend our gratitude to the chairperson of the EMRIP for her presence here today. We would like to stress the importance of continued coordination between the mechanism, the Rapporteur and the Permanent Forum. We are looking forward to the contribution of the expert mechanism to a more profound understanding of the issue of participation in decision making.

Lastly, Denmark look forward to following your continued work as Special Rapporteur and we will continue to support your effort to advance the rights of indigenous peoples.

Thank you for your attention.