

# **Asian Indigenous and Tribal Peoples Network**

P.O. Box 927, Janakpuri, New Delhi-110058, India

Phone & fax: +91-11-562 0583

Email: aitpn@hotmail.com



**Permanent Forum on Indigenous Issues  
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## **Oral intervention of Mr Suhas Chakma, Coordinator of Asian Indigenous and Tribal Peoples Network under Agenda Item 5: General Comments**

Thank you Mr Chairman,

Mr Chair, a separate secretariat is indispensable for the healthy growth of the Permanent Forum on Indigenous Issues. Yet, the issue of the separate secretariat has been turned into a controversial one. It is essential to reflect upon the past debates on the issue.

During the Second Adhoc Working Group session on the establishment of the Permanent Forum, Mr. Giuliano Comba, representative of the Administration Section of the Office of the High Commissioner for Human Rights (OHCHR), quoting the unnamed UN authorities in New York, stated that UN Head Quarter in New York had informed that the Permanent Forum can not have a separate secretariat and therefore, the Permanent Forum has to be attached to the OHCHR. Moreover, Mr Comba explained that a separate secretariat could be established only through a convention or a treaty.

Mr Chair, the issue is - it was upto the Working Group to recommend on all relevant issues relating to the establishment of the Forum including a separate secretariat if it deemed fit; and it was upto the Commission on Human Rights and ECOSOC to either accept or reject these recommendations. The same situation exists today. It is upto the Permanent Forum to recommend what it deems fit; but it is upto the ECOSOC to accept or reject. Nonetheless that attempt to transgress on the mandate of the Working Group explains the present controversy surrounding the establishment of a separate secretariat.

Mr Chair, the establishment of the separate secretariat is the discretion of the Secretary General. The adoption of a resolution by ECOSOC in this regard and budgetary allocations by the Fifth Committee is helpful for implementation of such a decision by the Secretary General. But, a separate secretariat could be established only through a convention or a treaty is incorrect. Most specialised agencies like the UNICEF, FAO, WHO etc having separate secretariat, have been established through resolutions and not conventions. The Commission on Human Settlements, a Standing Committee of the ECOSOC, established through a resolution of the ECOSOC has a separate secretariat.

In addition, when the Permanent Budgetary Implications (PBI) was provided to the ECOSOC in July 2000 for adoption of the resolution on the Permanent Forum, there was no reference to the budgetary implications for a possible separate secretariat. The PBI included budget for travel fare of two staff of the OHCHR, in addition to the costs for conference services. The perennial lack of resources in the UN is nothing new. However, if the UN officials at the Secretariat level resort to self-censorship to address possible concerns of the Fifth Committee, even for a new body like the Permanent Forum, the struggle becomes more difficult. That is what the Forum needs to address.

The inter-agency task force that is facilitating the First Session of the Forum is all-right for the first session. Given the priorities of different agencies, it would be detrimental to the interest of the Forum to attach it to any particular agency. However, the whispering in the corridors of this building that no agency wants to have the Permanent Forum as echoed in the interventions of many indigenous peoples in the Indigenous Caucus is disturbing. Not that indigenous peoples like the idea of attaching the Secretariat of the Forum to any particular specialised agency - the question that I would like to pose is - why no agency wants to hold the secretariat of the Permanent Forum? In the last three days, all the UN agencies present here have made interventions extending their support for the Forum. If no agency wants to have the Secretariat of the Forum, are we to presume that their interventions were mere lip service or is it because a particular agency *or OHCHR* has been showing extra interest that others do not want show any interest to avoid inter-agency disputes.

What do the indigenous peoples mean by a separate secretariat is another question echoed. Indigenous peoples are certainly not talking about the creation of another secretariat like the ones for UNDP, UNICEF etc or the creation of a secretariat headed by an Under-Secretary General of the UN. There is no doubt that the Forum Secretariat has to be attached to some department of the UN. The issue is to locate that particular department in the UN system where the Forum could discharge its broad mandate effectively with sufficient autonomy.

Since locating the Permanent Forum Secretariat with any specialised agency including the OHCHR would be limiting the mandate of the Forum, Mr Chair, the separate secretariat should be attached to the Secretariat of the ECOSOC. All subsidiary bodies of the ECOSOC report to the ECOSOC. This would help the Forum to discharge its broad mandate. According to the PBI provided by OHCHR during the Second Session of the Adhoc Working Group, "a separate secretariat with a staff of five persons would cost about US\$ 1.5 million per annum" (E/CN.4/2000/86).

In addition to the Secretariat, the issue of staffing of the secretariat is crucial. I had been told like many other indigenous activists that there is no such positive discrimination system in the UN. Mr Chairman, I would like to inform and request all, including the UN officials to look into the job advertisements given by UN agencies. At the end of the advertisement, it states: "**Preference will be given to equally qualified woman candidates**". It is part of the integration of gender perspectives and women rights issues in the UN system. That is what the President of the ECOSOC had referred to in his inaugural address to the Forum: the difficult task to balance geographical and gender balance in the nomination of the indigenous experts.

Finally, Mr Chairman, the Permanent Forum either through an unanimous resolution or decision should recommend to the Secretary General through the ECOSOC to establish a separate secretariat for the Forum attached to the ECOSOC Secretariat. As a subsidiary body of the ECOSOC, it should be funded through regular budget of the UN and that preference be given to qualified indigenous candidates in the staffing of the Secretariat.

Mr Chair, we shall appreciate if you could kindly raise the issue when the Secretary General addresses the Forum on 24 May 2002.

Thank you for your attention.