

**Agenda Item 6:** Comprehensive dialogue with six United Nations agencies and funds  
**Presented by:** Les Malezer – Foundation for Aboriginal and Islander Research Action (FAIRA)

**JOINT STATEMENT ON BEHALF OF**

**National Native Title Council (NNTC)  
Foundation for Aboriginal and Islander Research Action (FAIRA)  
Marninwarntikura Women's Resource Centre  
New South Wales Aboriginal Land Council (NSWALC)  
Human Rights and Equal Opportunity Commission (HREOC)  
National Indigenous Higher Education Network (NIHEN)  
Aboriginal and Torres Strait Islander Women's Legal and Advocacy  
Service Aboriginal Corporation (ATSIWLAS)  
Aboriginal Legal Rights Movement (ALRM)  
Bullana, The Poche Centre for Indigenous Health  
National Indigenous Youth Movement of Australia (NIYMA)  
Aboriginal Legal Service of Western Australia Inc  
National Aboriginal Community Controlled Health Organisation  
(NACCHO)  
Indigenous Peoples Organisation Network Youth Delegation**

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**1. Office of the United Nations High Commissioner for Human Rights (OHCHR):**

We would like to begin by congratulating the Office of the High Commissioner for Human Rights for the long-term support given to the Indigenous Peoples of the world.

The Office has to the best of its capacity assisted the development of Indigenous mechanisms and Indigenous representation in the UN system. It is now imperative that the office give attention to the priority to mainstreaming and embedding Indigenous interests in the Office structure and staffing.

- **Can Indigenous persons be appointed to senior positions specifically relating to Indigenous Peoples?**
- **Shouldn't Indigenous persons also hold a cross-section of the positions generally available in the OHCHR, with the stipulation that such appointments be outside the regional quotas applying to UN positions?**

- **Why is it not possible to have an autonomous structure of an Indigenous Peoples Unit in OHCHR, rather than the current Indigenous Peoples and Minorities Unit?**

The Human Rights Committee apparently refuses to consider the right of Indigenous Peoples to self-determination under Article 1 of the Covenant.

Also the Committee on Economic, Social and Cultural Rights prefers to identify any Indigenous rights under Article 15 pertaining to cultural life, but ignores the right of Indigenous Peoples to self-determination under Article 1. Appointments to these two bodies should ensure there is not a bias in the committees against Indigenous Peoples. We hope there will be Indigenous experts appointed to pending vacancies.

- **What can be done to encourage the Treaty Bodies to recognise Indigenous Peoples' right to self-determination?**

The Human Rights Council sits for 12 weeks a year. Indigenous Peoples delegations are unable to participate in mainstream agenda items, or the UPR procedures, without further attention to their capacity needs.

- **Will the OHCHR direct financial resources to the establishment and maintenance of an Indigenous Permanent Office in Geneva to assist Indigenous delegations?**

## **2. United Nations Development Programme (UNDP)**

The United Nations Development Programme does not have country programs in Australia, nor support the Aboriginal and Torres Strait Islander peoples in our human development. We note that UNDP are on the ground in 166 countries.

Our Aboriginal and Torres Strait Islander people, like Indigenous Peoples anywhere and everywhere in the world, suffer the most extreme political, social, economic and culture disadvantages of any group in Australian society. Statistically we have a lower standard of living than populations in neighbouring Asia and Pacific States.

Even the most basic needs for education on our human rights as Indigenous Peoples are not being met. We do not have organizations or capacity to advocate for our human development. Moreover, we are in need of assistance to ensure that services and programs provided by government are framed by principles of development under a human rights approach.

- **We ask why we are not able to access or benefit from the programs and services of the UNDP?**

## **3. Department of Economic and Social Affairs of the Secretariat (DESA)**

- **We ask what new or additional actions is DESA taking in response to the adoption of the Declaration on the Rights of Indigenous Peoples, in respect to Article 42 of the Declaration which calls upon DESA, inter alia, to promote respect for and full application of the provisions of the**

**Declaration and follow up the effectiveness of the Declaration? In particular, has DESA taken note of Articles 26, 29, 31 and 32?**

- **Specifically, apart from the mid-term review of the progress made since 2005, how will DESA promote the program of action for the 2nd Decade of the World's Indigenous Peoples, noting the Declaration has been adopted in 2007?**
- **Have governments contributed more towards the Voluntary Fund for the Second Decade and how can they be urged to contribute further?**
- **What initiatives have been undertaken in the Pacific Region, and Australia, to promote and implement the Declaration and the Plan of Action for the Second Decade?**

We welcome the Department's policies to increase participation by Indigenous Peoples, as peoples, in all areas of DESA's mandates, include Sustainable Development, Forest and Climate Change.

- **What actions and strategies have been and are being implemented in that regard, noting that in CSD in particular there is limited participation by Indigenous Peoples?**
- **Should the role of existing Voluntary Funds be revised?**

Finally,

- **Does DESA have strategies to increase the employment of Indigenous Peoples in the Department both in mainstream and specialised positions, and what success has been achieved in those strategies?**