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GUEST SPEAKERS

Statement by Ms. Victoria Tauli-Corpuz
Chairperson of the Board of Trustees of the United Nations Voluntary Fund
For Indigenous Populations

I thank you, Mr. Chairman, for giving me this opportunity to address the first session of the Permanent Forum on Indigenous Issues in my capacity as Chairperson of the Board of Trustees of the United Nations Voluntary Fund for Indigenous Populations.

On behalf of the other members of the Board of Trustees of the Fund I wish to extend our congratulations for your being elected as the Chairperson of the Forum. We are full of hope and optimism on the establishment of this Permanent Forum.

The members of the present Board, all of whom are indigenous peoples, have been appointed as UN experts by the Secretary-General for the past 4 years to advise him on the administration of the Fund. In this capacity we have performed our duties in accordance with the recommendations of several resolutions adopted by the General Assembly concerning the mandate of the Fund. Most of our recommendations have been approved by the Secretary-General who decided to allocate hundreds of travel grants to allow representatives of indigenous nations, communities and organizations to attend the Working Groups who have been dealing with issues concerning indigenous peoples including the Working Group on the Permanent Forum.

The mandate of the Fund was expanded by General Assembly resolution 56/140 of 19 December 2001 by deciding that the Fund should also provide assistance to representatives of indigenous organizations and communities to attend, as observers, the sessions of the newly established Permanent Forum on Indigenous Issues. This mandate was implemented immediately, relevant information is contained in the Note by the Secretariat on the mandate and activities of the Fund (document E/CN.19/2002/4) available at this session and I will report on its implementation under the relevant agenda item. This decision is very important especially because the only budget allotted so far for the Permanent Forum is limited to the expenses for this session and the participation of the members of the Permanent Forum.

I take this occasion to welcome the 25 indigenous observers assisted by the Fund to attend this session. We hope their participation will further enrich their leadership and activism for the promotion of the rights and welfare of indigenous peoples from their regions and communities. Again, on behalf of my colleagues I warmly thank the generous donors who have made it possible for these 25 indigenous observers to attend this historic first session. We look forward to increased contributions from the UN member states so that we can support more indigenous participants for the subsequent sessions.

Beyond talking about the mandate and what the fund has done, please allow me to contribute some preliminary comments how the Permanent Forum can become relevant to indigenous peoples. The Forum is a dream come true especially for those of us who lobbied for years for its establishment. We look at this development as a gain for indigenous peoples worldwide because, finally, the member-states of the UN made a political decision to provide for more meaningful participation of indigenous peoples within the UN system. However, we are also realistic enough to know that the creation of this body is not a panacea for the problems faced by us. It will go through growing pains before it will evolve into what we want it to be.

The uniqueness of this body is the fact that indigenous peoples, themselves, compose the majority of its members. Aside from the eight who were chosen by indigenous peoples, some of those chosen by governments are also indigenous. Then there are numerous indigenous observers who will be actively participating in the work of the Forum. Considering all these, there are indeed great potentials for indigenous peoples to become the key actors in shaping the Permanent Forum and influencing the UN as a whole. I say potential because if the conditions are not right the physical presence of indigenous peoples can just be tokenism at its worst.

Under what conditions then can this body become meaningful and relevant? Some of these are as follows;

- 1. The equal and effective participation of indigenous peoples in defining the agenda, the rules of procedure, the program of work and the formation of a secretariat of the Permanent Forum and its overall guidance should be ensured. The establishment of a secretariat for the Forum.**

The Forum's mandate which is to provide expert advice and recommendations, raise awareness and promote integration and coordination of activities related to indigenous issues, and to prepare and disseminate information is broad enough to cover a wide range of concerns. The coming together of the various UN bodies to form the Inter-agency Support Group is indeed a first step in promoting integration and coordination of their activities related to indigenous peoples. There is a need to sustain this formation for those purposes. However, the ISG should not, in any way, supplant the function and creation of a separate secretariat for the Forum..

A question asked repeatedly at the indigenous peoples' caucus held over the weekend, is what will the Permanent Forum members be doing after the ten-day annual session? How will we ensure that the recommendations of the meeting will be implemented? The answer is clear. There should be a secretariat which will be tasked to do the follow-up and implementation of the recommendations and program of work proposed in the meetings and approved by the Council. No doubt, each agency will receive recommendations on how their programs and projects can be made more relevant for indigenous peoples. And it would be their main responsibility to implement these.

However, there should be a body in charge of monitoring that these are being implemented. There will be recommendations which fall between the cracks, those not specifically addressed to a particular agency but which cuts across various agencies. Technical support to the members should be made available so they can dispense their tasks more efficiently and effectively. Will this be done by any of the existing UN agencies or funds? I don't think this is possible because all these bodies have their own mandates and governing bodies and not one of them is mandated to do these. The ISG cannot also do this because it is meant to be a coordinating body not the secretariat for the

Permanent Forum. These functions could be clearly be done by a separate secretariat. This brings me to the second condition.

2. The allotment of an adequate budget for the operations of the secretariat and the intersessional work of the Forum members.

The rationale for having a separate secretariat which will be mainly composed of indigenous peoples has been reiterated many times during the pre-formation meetings held before the establishment of the Forum. It is therefore an imperative to set this up the soonest time possible. If the reason for not setting it up is because there is no budget allotted for it, then, it might be a good idea to explore the possibility of various UN bodies and funds and member-states to contribute some money for the initial establishment of this secretariat. It is regrettable that no budget has been allotted for this at the Budget Committee meeting in 2001. At the next Budget Committee meeting, at the end of 2003, the UN should already allot resources for the continuing operation of the secretariat. The Permanent Forum members and the secretariat can meet intersessionally to talk about the budget which will be submitted at the Budget Committee meeting.

This will include not only the secretariat budget but also the intersessional meetings of the members and maybe some important consultations and conferences which they need to hold with indigenous peoples. This will be part of the regular budget of the UN. A clear budget line for indigenous peoples should be made visible in the UN budget. This is a concrete indicator of the level of commitment the UN is giving to indigenous peoples. The International Forum on Forests which was established around the same time as the Permanent Forum has a budget of around US \$6 M, while the Permanent Forum has only US\$240,000. Is the survival of indigenous peoples not equally or even more important than the conservation of forests?

3. An overarching framework, such as the UN Draft Declaration on the Rights of Indigenous Peoples, which can serve as a guide for the Permanent Forum when it sets its priorities and program of work.

Even while the Draft Declaration is still being deliberated at the CHR Working Group, it is already established that this draft contains the minimum standards needed for the survival and continuing existence of indigenous peoples. Thus, it makes perfect sense to use this as the basis for a general framework which will guide the work of the Permanent Forum. The draft is a result of more than ten years of work of the UN experts of the Working Group on Indigenous Populations and another ten years of deliberations by UN-CHR member states with the active participation of indigenous peoples. Furthermore, even while it remains as a draft, some governments are already using this as a model in formulating their legislation of the Indigenous Peoples' rights. The Philippine Indigenous Peoples' Rights Act has integrated many of the provisions of the Draft Declaration.

This is not to say that the Forum should usurp the mandates or the existence of the WGIP and the WGDD. The Working Groups on Indigenous Populations and Draft Declaration have their clear mandates. They should be allowed to co-exist with the Permanent Forum. The Forum should be able to complement and build upon the achievements of these Working Groups and not reinvent the wheel.

Having such a framework is also important in assessing how various UN programs, agencies, funds and policies are consistent or in conflict with each other. If we want to maximize the positive impacts of UN programs on indigenous peoples communities there should be indicators by which these impacts will be measured. These indicators can be created using provisions of the Draft Declaration as a basis.

4. The evaluation and review of the various UN bodies, agencies and funds in the implementation of their programs, projects and guidelines and policies related to indigenous peoples. Clear lessons culled from these and disaggregated data on indigenous peoples.

Since the declaration of the World Decade of Indigenous Peoples, various UN agencies set up their own indigenous focal points or created programs, projects and policies for indigenous peoples. It is important to review and evaluate what happened in almost ten years to draw lessons from these. The task of the Forum to coordinate and integrate UN programs related to indigenous peoples can be made more efficient and effective with these evaluations. However, it is crucial that indigenous peoples, especially those directly affected by these projects and policies, will be involved in designing and implementing the evaluation and review processes and mechanisms.

The reports submitted by the various UN bodies and even by the WTO for this First Session of the Forum are important. Indigenous Peoples should be able to make their own comments on these reports. The World Bank has undergone a review of its O.D. 4.20 and is in the process of finalizing its O.D./O.P. 4.10. Many indigenous peoples participated in this process. However, much remains to be desired in this whole process and even in the substance of the revised policy. Maybe the World Bank can already share what it has learned from this process. It is also undergoing another review of its support for extractive industries and indigenous peoples are going to do specific case studies on extractive industries done in their territories. The WTO remains an unknown territory for most indigenous peoples and yet its impacts on indigenous territories and peoples are far reaching. It is important to work out more participation of indigenous peoples in the WTO processes.

It would also be interesting to show how much of the budgets of these various UN agencies, programs and funds are allotted for indigenous peoples. The disaggregation of data to reflect the resources allotted to indigenous peoples, the population of indigenous peoples being supported, and other statistics which will give a clearer picture of the state of indigenous peoples is important. This would significantly show a clearer picture of the state of support being given to indigenous peoples compared to other sectors of society.

To contribute to this process, the Voluntary Fund for Indigenous Populations is making its own evaluation of how effective it has been in achieving its mandate. We would like to see whether we contributed in developing the capacity of indigenous peoples to become leaders and effective advocates for indigenous peoples' rights.

5. The creation of mechanisms which will allow for greater consultation and real partnerships with indigenous peoples in the international, regional and national levels.

The members of the Permanent Forum were chosen from the various regions and it is expected that they will be able to bring and address the concerns of the indigenous peoples from these areas. Meeting once a year is obviously not enough to do this. We all know that changes occur in the UN because there is a constituency which mobilizes and campaigns relentlessly for a particular cause. The gains achieved by indigenous peoples in the UN system came about mainly because of their struggles for their rights in their own communities up to the UN level.

It is important, therefore, not to lose sight of this and ensure that the link between the local and the global is a key principle which guides the work of the Forum. Again, resources should be allotted to allow the members to hold consultations with indigenous peoples wherever they are. The concrete expression of partnerships between the UN agencies, the indigenous peoples' nations, organizations and NGOs and the UN member states will be measured in terms of how the consultations, programs and projects are really brought to the community level. Creativity in creating various mechanisms for consultations and dialogue is very much needed. The rules of procedure for the Forum itself should be flexible enough to accommodate the particularities of indigenous peoples. Meaningful changes occurring in the lives of indigenous peoples which enable them to live without fear of being displaced from their ancestral lands, of being able to continue transmitting their cultures and knowledge to the next generations, are but a few of what the Permanent Forum is expected to deliver.

Mr. Chairperson, these are just some of the conditions which could ensure that indigenous peoples could really become equal partners with the UN member states in carving their future in this world. Aristotle once said “There is nothing unequal as the equal treatment of unequals”. It is the mandate of the UN to address the historic injustice and to remove the basis of inequality of indigenous peoples with the dominant society, UN member states and even with UN agencies. The task of the Permanent Forum is to help remove these unjust and unequal conditions which do not allow indigenous peoples to fully enjoy their economic, social, cultural and civil and political rights. The significant presence of indigenous peoples, heads and representatives of UN agencies, programmes and funds, and the UN member states in this historic meeting, I hope, is an indication of a genuine desire to forge this partnership. This could be a pledge of commitment to pursue the goals of bringing about justice, peace, equality and sustainable development to more than 350 million indigenous peoples all over the world.

Thank you very much.