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Permanent Forum on Indigenous Issues

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Agenda Item: Review of UN System, Human Rights

Thank you Mr. Chairman.

Mr. Chairman, the mandate of the Permanent Forum is one that exceeds the area of human rights and includes such areas as trade, economic and social development, and the environment. These are important areas of great concern to Indigenous Peoples. But when Indigenous Peoples are included in their existing processes, we are included as "stakeholders" not as holders of fundamental rights, entitled only to "dialogue."

When we attempt to level the playing field through equality in good faith consultations and free and informed consent and the right to say "no," or when we speak of the world asking us that we share our lands and natural resources as the "benefits" of benefit sharing, we are told that economic and social development and the environment are "different" than human rights. We enter into dialogues only to witness continued coercion, dominance and greed.

Although we recognize that human rights are in a sense, different that economic and social development, trade and the environment, we cannot forget our rights in these other dialogues. We approach the table as holders of rights and fundamental freedoms the observance and enjoyment of which are the legally binding obligations of the States and agencies of international cooperation and assistance, and, we would argue, through State obligations, to transnational corporations as well. There is no need to develop voluntary codes of conduct. Those codes of conduct are already found in the United Nations Charter, the Universal Bill of Human Rights, the Convention on the Rights of the Child and other international standards.

Our delegation would recommend to the Permanent Forum that as it addresses the issues other than human rights included in its mandate, it also recommend, as the Chapter I, and Articles 55 and 56 of Charter require, that United Nations agencies work, "[T]o achieve international cooperation in solving international problems of an economic, social, cultural or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all..."

We would respectfully recommend, that the Permanent Forum make the following recommendations:

1. That the Permanent Forum inquire from the International Monetary Fund whether or not it feels it has an obligation to observe the human rights and fundamental freedoms of

Indigenous Peoples; and if it does, how this obligation is reflected in its policies and practices;

2. The same inquiry be made of the World Trade Organization, if it feels it as an organization has an obligation to respect and observe the human rights and fundamental freedoms of Indigenous Peoples; and if it does, to report to the Permanent Forum on Indigenous Issues as to how this obligation is reflected in its policies and practices.

The IITC would also recommend that the Permanent Forum make the following recommendations to the World Summit on Sustainable Development (WSSD), that it incorporate the following principles in its Declaration:

1. that in the process of development, Indigenous Peoples cannot be denied their means of subsistence;
2. that in the process of development, the States and international agencies of economic assistance and cooperation are legally bound to respect and observe the human, political, civil, economic, social and cultural rights of Indigenous Peoples;
3. that the right to food, the right to health, and the right to education, and the content of these rights from the perspectives of the worldviews and values of Indigenous Peoples, be prioritized in the development process;
4. that water, as sacred to life and essential to Indigenous Peoples' traditional means of subsistence, food security, and ways of life must not be privatized;
5. that the States and international agencies of economic assistance and cooperation, particularly the FAO and WIPO take resolute steps to protect the traditional knowledge, the biodiversity and genetic resources, of Indigenous Peoples, particularly with regard to the patenting of all forms of life, and against particularly pernicious modified genetic organisms such as "terminator" technology;
6. to call upon the States to respect the spirituality and traditional religion of Indigenous Peoples as an essential part of the development process and the exercise of our human rights, particularly ceremonial practices related to our food security and food sovereignty, including traditional knowledge regarding crops animal husbandry and other traditional methods for the production of food and major means of subsistence.

for all our relations, thank you Mr. Chairman