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**United Nations Permanent Forum on Indigenous Issues  
Third session, May 2004**



**Statement of the Office of the High Commissioner for Human Rights**

OHCHR welcomes this opportunity to address the third session of the Permanent Forum on Indigenous Issues under the agenda item "human rights".

Information about some of the activities of the Office relevant to indigenous peoples has been provided in the documentation for the present meeting (E/CN.18/2004/5/Add.11). In particular, your attention is drawn to the recommendations of the Committee on the Rights of the Child arising from the Day of General Discussion on the Rights of Indigenous Children that are included in the report. The organization of a Discussion Day, it will be recalled, was one of the recommendations of the Permanent Forum at its second session.

In the last part of 2003, OHCHR organized two expert seminars. A seminar on indigenous peoples and the administration of justice was held in Madrid in November 2003 and a seminar on treaties, agreements and other constructive arrangements between States and indigenous peoples was held in Geneva in December. The active participation of the Permanent Forum in both seminars was greatly appreciated and on behalf of the Office, I would like to express thanks to the two indigenous experts – Mr Tomas Alarcon and Mr Willie Littlechild - for chairing these important seminars.

Mr Chairman, I would like to raise three matters.

The first concerns the International Decade of the World's Indigenous People. Many of you know that the ECOSOC has requested a preliminary review of the Decade for its July session. Requests for information were sent to States, the UN system and indigenous organizations. To date, we have received reports from four states, five indigenous organizations and 14 organizations of the UN system. We would appreciate the Forum encouraging States and indigenous peoples to submit information about the Decade.

The Office is also carrying out a series of participatory consultations with indigenous peoples and others during this year and will organize a seminar to evaluate the two indigenous funds on 15 and 16 July in Geneva and an evaluation of the Indigenous Fellowship Programme in August in Barcelona. Through the Forum members, we would invite indigenous people who have received support from either of the two funds to help with the evaluation.

Last year the Permanent Forum recommended to ECOSOC that it proclaim a second decade on indigenous peoples and a decision was taken to postpone any decision until a preliminary review was available. It is therefore important that a wide range of submissions is received so that governments can make an informed decision this year. Some thought will need to be given to the objectives and programme of activities of a second decade, if it is to be approved.

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The second matter concerns cooperation between the Permanent Forum and the WGIP and SR. The Chairperson of the WG has provided information on the proposed workplan for the July session and the SR has identified education as the theme of his main report to the Commission in April 2005. If we are really going to strengthen the relationship between the PF and the human rights mechanisms, it is in the area of technical expertise that we need to work. The WGIP will review a preliminary draft of a commentary on free, prior and informed consent and a paper on possible follow up to the draft principles and guidelines on the heritage of indigenous peoples prepared by Mrs Daes will be considered. It would, I believe, be useful for the PF to invite the WGIP to share its conclusions and proposals on these standard-setting activities at its fourth session and include a space in the agenda accordingly, if possible.

OHCHR will organize in cooperation with UNESCO a seminar on indigenous peoples and education, probably in late September. I believe it would greatly help the SR if the Forum were formally able to present some technical input on this important subject.

Finally, consideration needs to be given ways strengthening cooperation among the UN's human rights mechanisms relating to indigenous peoples. Many indigenous peoples have noted that the four principal mechanisms dealing with indigenous peoples in the UN are distinctive and complementary. The Permanent Forum contributes to coordination of the UN system on indigenous issues, the WGIP is mandated to set standards and review developments, the WGDD is charged with drafting a declaration, and the Special Rapporteur is given the responsibility for taking up human rights violations directly with governments.

It is important to ensure that these mechanisms remain distinct and that their distinctiveness is underlined. It is of course normal that the Permanent Forum becomes a clearing house for indigenous issues – a place where indigenous representatives can be heard on all subjects of concern.

In practice, and perhaps in part because of the structure of the agenda, the PF has become a place where some indigenous peoples raise concerns about the human rights situations in their countries, often asking the PF to take action. While it is within the mandate of the PF to consider all issues relating to indigenous people including human rights, it is also important that we do not bureaucratise the Forum and use it as a simple conduit. The SR and WGIP are accessible to all, concerns about human rights matters can be sent directly to the Special Rapporteur and under the review of development part of the mandate, the WGIP can and should be informed of the situations of indigenous peoples in different countries.

Mr Chairman, the PF is in its early days. Considerable efforts are being made by you, the SR, the members of the WGIP, and representatives of the UN system to work together, harmonize our approaches and create a comprehensive programme that will promote the rights and development of indigenous peoples.

Thank you.