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Agenda 6: Half day discussion on the Pacific

April 23, 2008

Pacific caucus statement presented by Malia Nobrega, Member of Indigenous World Association, Nā Koa Ikaika o ka Lāhui Hawai'i, and Waikīkī Hawaiian Civic Club  
[malianob@aol.com](mailto:malianob@aol.com)

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Madame Chair, this is a statement on behalf of the Pacific Caucus gathered here at the UNPFII and we thank the UNPFII for allowing us the opportunity for having this dialog in this the 7<sup>th</sup> Session of the UNPFII.

Madame Chair, The Pacific region is an indigenous region. We have many States in the Pacific, all of whom have Indigenous Peoples. Yet many of our Indigenous Peoples are not recognized nor respected and are denied their most basic human rights.

Political, nuclear, military, economic and environmental violations of our Pacific peoples' indigenous rights by superpowers as well as by our own governments and transnational corporations are mounting. Distressing struggles of our Pacific Island colonized peoples for freedom, our cultural identities, sacred environments and natural resources remain unresolved.

The end of nuclear testing in the Pacific does not mean the end of "the nuclear age". Pacific Indigenous Peoples continue to call for an end to the transshipment storage and dumping of nuclear wastes in the Pacific, the clean up and ongoing monitoring of contaminated sites, and support for test site workers affected by nuclear testing, especially in Te Ao Maohi (French Polynesia), Christmas Island, and the Marshall Islands. Madame Chair, our air, land, and waters are sacred - we are not the dump site of the world.

Madame Chair, yesterday, the Pacific Caucus presented our intervention on climate change and pointed out that we see and live the negative effects on our terrestrial and marine resources which are the fundamental basis of our daily lives. For us it is a matter of life and death! In many cases our Pacific Indigenous Peoples are forced to leave our ancestral lands and territories and live in foreign lands that we do not identify with. We plead accountability against those causing these violations of our rights to exist as peoples, as countries, and as sovereign nations.

Indigenous Peoples hold many of the solutions to heal our Mother, the Earth, from her rape by colonialism, which is now causing climate change. But many rogue mining companies and other extractive industries operate with impunity and impact our Nations and Peoples at the very core of our being, at the very essence of our existence, through the desecration of our sacred sites and sacred waters.

Our people become weakened through the assault on our spirituality, leading to depression, division, oppression and even death. Yet at this time of climate change Indigenous Peoples need to be strong and influential in caring for our Earth and each other.

Madame Chair, agriculture in the Pacific region, especially in small island states, is becoming increasingly vulnerable due to heat stress on plants and saltwater incursions. Hence, food security is of great concern to the region.

The Pacific is concerned with hazardous wastes being imported and used in our communities and the major hazard it is to our public health, all of our biodiversity including our endemic species, freshwater and marine environments. In particular, persistent organic pollutants are a significant problem and these include pesticides, general industrial chemicals, medical wastes, laboratory chemicals, oil, and timber treatment chemicals and fertilizers. Chemical companies selling pesticides and weedkillers present a health threat to our peoples by polluting groundwater and contaminating our fragile environments.

Madame Chair, over the last two decades, members of our Pacific Caucus have tirelessly worked with other Indigenous Peoples to intervene and advocate for the adoption of the Declaration on the Rights of Indigenous Peoples. Its recent adoption in September 2007 is a great achievement. However, its true and lasting value will depend on our collective ability to translate it into substantive and sustainable action and we are ready and willing to work with the UNPFII on its plan for implementation. More importantly, it is in the effective vindication and prompt implementation of our right to our lands, territories, waters, and resources.

Madame Chair, migration and immigration have also become issues for the Pacific. For example, the people of Papua New Guinea's Bougainville atoll island of Cartaret have asked to be moved to higher ground on the mainland. The people of Sikaiana Atoll in the Solomon Islands have been migrating primarily to Honiara, the capital. There has been internal migration from the outer islands of Tuvalu to the capital Funafuti. Our ecosystems are very fragile and it cannot sustain the augmentation of our population by means of uncontrolled migration and immigration. We are feeling the negative environmental consequences, including the increased demand on local resources.

Madame Chair, It has also been brought to our attention that indigenous peoples are being blocked from these very meetings and have asked us to raise this concern globally. Our indigenous brothers and sisters from Taiwan have faced many obstacles in attending meetings due to political reasons. Indigenous Peoples should not be kept out of UN meetings like the UNPFII and view this as a violation to the Declaration on the Rights of Indigenous Peoples.

Madame Chair, It is a problem that the Asia Region and Pacific Region does not have an authoritative intergovernmental organization like all other regions of the world. Which

might establish a regional charter and a regional commission on human rights. And therefore would also lead to a regional court of justice for indigenous peoples. Madame Chair, finally we recognize much of the human rights deprivations in the Pacific (loss of cultural integrity, inability to protect our ancestors' remains, alienation from traditional lands, etc.) as inextricably linked to our international personalities as non-self-governing territories (both presently and formerly listed NSGTs). The human rights "situation" in these territories is abhorrent and serves as the most powerful challenge to UN legitimacy. Decade after decade, the UN engages in "colonial accommodation," as it is well-known that the Special Committee on Decolonization remains at best lamentably ineffective and at worst an active participant in the systemic denial of the indigenous peoples of the non-self-governing territories to the most basic human right of self-determination. We respectfully call on the Permanent Forum on Indigenous Issues to take the lead on this issue and sponsor an expert seminar in conjunction with the CERD on the situation of the indigenous peoples of the non-self-governing territories. We will be presenting a global statement with the support not only of the indigenous peoples of the Pacific but also the indigenous peoples of Puerto Rico and the Caribbean Community States.

## RECOMMENDATIONS

1. Sponsor and expert seminar in conjunction with the CERD and the Special Committee on Decolonization to examine the impact of the UN Decolonization process on indigenous peoples of the NSGT' which are now, or have been listed on the UN list of NSGT's. This seminar must be under the auspices of the Forum because of existing problems with the Secretariat of the Special Committee. We request that Independent Expert Carlyle G. Corbin be included in the seminar as well as the UN Special Rapporteur on the Human Rights and Fundamental Freedoms of Indigenous Peoples. We also request that indigenous peoples of the NSGT's and territories previously under NSGT status also be included.
2. That the Forum utilize the Inter-Agency Support Group to begin to implement the (POI) Program of Implementation with UN Agencies, UNDP, UNEP and other agencies and specialized bodies as directed by the General Assembly.
3. That the Forum communicate its concern for the human rights of indigenous peoples and all peoples in the NSGT's to the UN Human Rights Council and request that the Council designate a Special Rapporteur on the Situation of the Peoples of the Non-Self-Governing Territories.
4. The UNPFII concerned that regional presence, representation and services in the Asia-Pacific region are mostly limited to the Asia sub-region alone, recommends that all UN agencies review their operations to provide equal services to the Pacific sub-region, and that they identify their operations separately according to the two sub-regions of Asia and Pacific.

5. That the Forum actively participate in the forthcoming processes under the UNFCCC and other related processes in order to raise issues critical to indigenous peoples in these fora.
6. That the Forum undertake, in conjunction with the Human rights Council Mechanism, and the Interagency Support Group, an effort to determine whether climate change policies and projects adhere to the standards in the Declaration on the Rights of Indigenous Peoples.
7. Request a Joint Report before 8<sup>th</sup> Permanent Forum from the Special Representative of the UN Secretary-General on business and human rights and the Special Rapporteur on the situation of human rights and fundamental freedoms of Indigenous Peoples identifying transnationals and their types of behaviour which breach the inherent rights detailed the Declaration on the Rights of Indigenous Peoples.
8. The PFII recommends
  - (a) that the Pacific Forum, the regional assembly of governments of the Pacific Region, endorse the Declaration on the Rights of Indigenous Peoples and implement a plan for the promotion and protection of the rights in that Declaration;
  - (b) that the Pacific Forum develop a robust structure for the contribution from and participation of Indigenous Peoples representatives in the Pacific Forum meetings and related structures and activities.