

doCip

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1. EDITORIAL

For the last few months, indigenous peoples have been more present than ever at the international level. This increased presence arises from the preparatory process of the high-level plenary meeting of the United Nations General Assembly, known as the World Conference on Indigenous Peoples, to be held in New York on September 22 to 23, 2014. After several months of preparatory conferences in the regions, more than 600 indigenous delegates and observers from around the world met in Alta, in the Saami territory, from June 10 to 12, 2013, under the auspices of the Saami Parliament in Norway. Intense negotiations and almost continuous work in the seven regional and two thematic caucuses led to the adoption of a final document that reflects the major challenges of indigenous peoples in the context of the negotiations that they will have to lead with the States during the high-level plenary meeting in 2014. Although the preparatory process has been and continues to be a matter of debate, the Alta conference is an international milestone, demonstrating indeed the ability of the indigenous peoples to organise themselves independently at the global level.

In line with the continued presence of indigenous peoples at the international level, doCip will organise in Geneva, from September 10 to 13, 2013, a Symposium on the presence of indigenous peoples at the United Nations, gathering 18 delegates from the first conference at the UN in 1977, and seven indigenous youth who will be filming and documenting the symposium in order to transmit the memory of the elders to the young generations. Suggested by Carlos Mamani, an Aymara historian from Bolivia, and supported by a recommendation of the Permanent Forum on Indigenous Issues, this symposium will revisit the initial stages of the participation of indigenous peoples at the United Nations, also by recalling their long history at the international level, starting in 1924 with Chief Deskaheh at the League of Nations.

This Update includes the summary of the 5th session of the Expert Mechanism on the Rights of Indigenous Peoples. That session focused on discussing the study on the role of languages and culture in the promotion and protection of the rights and identity of indigenous peoples, as well as the follow-up report on indigenous peoples and the right to participate in decision making, with a particular focus on extractive industries. A new feature in that session, an interactive dialogue on the Declaration was held, involving the EMRIP experts, an expert of the Permanent Forum, as well as the Special Rapporteur on the Rights of Indigenous Peoples. This exercise proved to be particularly fruitful and beneficial for all, allowing for a true dialogue between the three UN mechanisms dedicated to indigenous peoples and the delegates attending the session.

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2. EXPERT MECHANISM ON THE RIGHTS OF INDIGENOUS PEOPLES

Fifth session, Geneva, 9 – 13 July 2012

The fifth session of the Expert Mechanism on the Rights of Indigenous Peoples discussed the final Study on the role of languages and culture in the promotion and protection of the rights and identity of indigenous peoples. Discussions also addressed issues of human rights and business enterprises, with a focus on indigenous rights in the context of extractive industries – a theme that is being examined by all three UN mechanisms on indigenous peoples' issues. For the first time, the Expert Mechanism held an interactive dialogue on the UN Declaration on the Rights of Indigenous Peoples, which proved to inspire participants and to allow the three UN indigenous mechanisms to put forth some very interesting and informative responses. The sixth session of the Mechanism, to be held in Geneva from July 8 to 12, 2013, will discuss a new thematic study, on the access to justice in the promotion and protection of indigenous peoples' rights.

Opening of the session¹

Marcia Kran, Director of the Research and Right to Development Division of the Office of the High Commissioner for Human Rights (OHCHR), welcomes all members of the Expert Mechanism on the Rights of Indigenous Peoples (EMRIP), and all representatives of the indigenous peoples (IPs), whose participation strengthens the work of the EMRIP (also **Laura Dupuy Lasserre**). The implementation of the UN Declaration on the Rights of Indigenous Peoples (the Declaration) remains a challenging task, as IPs continue to confront serious violations of human rights (also **Laura Dupuy Lasserre**). Where the standards adopted in the Declaration are accompanied by genuine and trusting partnerships between States and IPs, then lasting solutions can be found. During the second cycle of the Universal Periodic Review (UPR), the focus will be on the implementation of recommendations – including approximately 380 recommendations related to IPs' rights (also **Laura Dupuy Lasserre**). The collaboration (welcomed by EMRIP members **Wilton Littlechild** and **José Carlos Morales, Asian Indigenous Caucus, AILA/MASE, MPHRC, USA, NORWAY, DENMARK/GREENLAND**) between the EMRIP, the Permanent Forum on Indigenous Issues (PF), the Special Rapporteur on the Rights of Indigenous Peoples (SRIP), and the Working Group on the issue of human rights and businesses, in examining application of the UN Guiding Principles on Business and Human Rights as to implementation of the Declaration and situations facing IPs, is the kind of collaboration needed to ensure that the international human rights framework responds to human rights concerns (also **James Anaya, Laura Dupuy Lasserre, Edward John, MEXICO**).

Ambassador **Laura Dupuy Lasserre, President of the Human Rights Council (HRC)**, emphasizes that the EMRIP provides a much needed space for inclusive dialogue between IPs and States, based on the practice of the former Working Group on Indigenous Populations (WGIP). In September 2011, the HRC held its first panel discussion on the rights of IPs, now to be held annually.

International Chief **Wilton Littlechild, elected Chairperson-Rapporteur of the EMRIP**, highlights work by the EMRIP during the past year in accordance with HRC resolution 18/8 (also **Marcia Kran**), enhanced coordination with the international and regional human rights systems (**Laura Dupuy Lasserre** welcomes this), and creation of the EMRIP's academic friendship (also **HIHR**). The EMRIP wishes to engage with States and IPs in promoting action at domestic level that reflects its advice and recommendations (also **AIPR/IMADR/KKF/OS-107/SGC/Wattaa Loochoo**).

James Anaya, Special Rapporteur on the Rights of Indigenous Peoples (SRIP), appreciates the studies by the EMRIP, as providing practical orientation to address the problems that IPs face (also **Laura Dupuy Lasserre, Global Indigenous Peoples' Caucus, COPORWA**). Commending the EMRIP for its focus on extractive industries (also **Marcia Kran**), he stresses the need to focus more attention on the duty of States to protect, and the responsibilities of corporations to respect, the primary substantive rights of IPs that may be implicated in natural resource extraction, such as the rights to property, culture, religion, and health, to self-determination and to self-determined development (also **NNHRC, GCC/AFN/AI/CFSC/UBCIC/NWAC/T4FN/HK/IWA/FPHRC, IPs' Organisations Network of Australia**).

¹ This summary is based on written statements collected by doCip during the session, as well as on the session's official report, UN document A/HRC/21/52.

Grand Chief **Edward John**, Chairperson of the Permanent Forum on Indigenous Issues (PF), emphasizes the coordination and complementarity between the three UN mechanisms on IPs (also **Laura Dupuy Lasserre**), and their overarching goal of implementing the Declaration (also **James Anaya**, **Wilton Littlechild**). The final document of the Rio+20 UN Conference on Sustainable Development, “The Future We Want”, recognizes the Declaration and IPs' traditional knowledge in the context of sustainable development strategies (also **Marcia Kran**, **IITC**, **ARVRA**). At its last session, the PF recommended that the doctrine of discovery be repudiated as the basis for denying IPs' human rights.

Members of the EMRIP at its 5th session

Mr. **Wilton Littlechild** (term expiring 2014), Chairperson-Rapporteur of the 5th session

Ms. **Jannie Lasimbang** (term expiring 2014), Vice-Chairperson of the 5th session

Ms. **Anastasia Chukhman** (term expiring 2013)

Mr. **José Carlos Morales** (term expiring 2013)

Mr. **Danfred Titus** (term expiring 2015)

The term of Ms. Anastasia Chukhman and of Mr. José Carlos Morales as EMRIP members has now expired. The new members are Mr. Albert Deterville and Mr. Alexey Tsykarev. Their term expires in 2016.

Item 3 – World Conference on Indigenous Peoples

John Henriksen, indigenous co-facilitator for the 2014 World Conference on Indigenous Peoples (the Conference), underscores two points of broad agreement: the need for IPs' full and effective participation (also **NORWAY**), and a concise and action-oriented outcome (also **Saami Parliament in Norway**, **CANADA**, **USA**), focusing on realisation of IPs' human rights and the Declaration (also **Asian Indigenous Caucus**, **COICA**, **AIRT**, **BAA**, **IITC**, **GCC/AFN/AI/CFSC/UBCIC/NWAC/T4FN/HK/FPHRC**, **MEXICO**, **AUSTRALIA**, **DENMARK/GREENLAND**).

Edward John outlines the PF's recommendations on the Conference (welcomed by **DENMARK/GREENLAND**). The inclusiveness of the negotiations on the Declaration should also characterize the whole process of the Conference (also **GCC/AFN/AI/CFSC/UBCIC/NWAC/T4FN/HK/FPHRC**, **IITC**, **MEXICO**). The PF emphasizes articles 18, 19 and 41 of the Declaration regarding IPs' participation (also **GCG**); welcomes the appointment by the GA President of co-facilitators Luis Alfonso de Alba of Mexico, and John Henriksen of the Saami Parliament in Norway (also **GCG**, **Asian Indigenous Caucus**, **IITC**, **BAA**, **Saami Parliament in Norway**, **MEXICO**, **CANADA**, **NORWAY**, **DENMARK/GREENLAND**); and welcomes the establishment and work of the GCG (also **Saami Parliament in Norway**, **BAA**, **NORWAY**, **DENMARK/GREENLAND**). The PF recommends that all the Conference meetings have indigenous and state co-chairs (also **CGC**, **IITC**, **MEXICO**); and that the accreditation allow for IPs' full and direct participation, as in other UN processes on IPs' issues. The PF calls for partnership, inclusion and respect among IPs, Member States and UN organisations in the preparatory process (also **NORWAY**); emphasizes the preparatory processes in the definition of themes and drafting of the outcome document (also **COICA**, **GUYANA**; **GCC/AFN/AI/CFSC/UBCIC/NWAC/T4FN/HK/FPHRC** emphasizing IPs' full and effective participation); calls on Member States and the UN to organize joint preparatory events with IPs (also **GUYANA** for UN country offices); and recommends that the Presidents of the two upcoming sessions of the GA convene interactive hearings. The two-day Conference should be held in New-York in September 2014, in order to encourage the highest level of participation by Member States, with the full participation of IPs, UN organisations, and others (also **MEXICO**).

The **Indigenous Global Coordinating Group for the World Conference on Indigenous Peoples** (GCG), are heartened by, and encourage, ongoing support by States and UN organisations to ensure IPs' full and effective participation before, during and after the Conference (also **IWA/IITC**, **BAA**, **Saami Parliament in Norway**, **DENMARK/GREENLAND**, **AUSTRALIA**). The GCG make the following recommendations (supported by the **Asian Indigenous Caucus**, **IWA/IITC**, **BAA**, **AIRT**, **Saami Parliament in Norway**): a three-day Conference in order to allow for sufficient time to address IPs' issues (also **José Carlos Morales**, **IITC**, **IWA/IITC**); funding within existing UN budgetary resources and voluntary contributions; participation of Member States, IPs, including their governance institutions, the UN system and civil society; a five-day thematic hearing prior to the Conference to facilitate a concise, action-oriented outcome document, to be drafted by a committee comprised of Member States and IPs; inclusion as official documents of the indigenous preparatory processes' outcome documents; and evaluation of compliance with the plan of action of the Second International Decade of the World's Indigenous Peoples (also **COICA**), specifically as to indigenous women, children and youth. UN funds, programs, and agencies should concretely support IPs' full and effective participation in the Conference, through financial support, technical assistance and the preparation of reports on IPs' priority themes, with disaggregated

statistics (also **Edward John, Asian Indigenous Caucus, AIRT**). The mandate of the Voluntary Fund should be expanded to include the Conference and preparatory process, and Member States and others must contribute to the Fund (also **Asian Indigenous Caucus, NORWAY, GUYANA**). Accreditation must enable IPs and their governing bodies to participate in the Conference and preparatory processes. Subject to these caveats, the GCG are satisfied with the recommendations by the PF (also **IWA/IITC, Saami Parliament in Norway**).

Central and South America

COICA underscore the need to also address the difficulties and obstacles to the realisation of IPs' rights, and to evaluate compliance with the Declaration. Specific regional meetings of IPs and Member States should be convened for the drafting of the outcome document.

MEXICO says human rights issues and the Declaration will be cross-cutting themes, and the studies and expert advice by the EMRIP will be an indispensable input.

GUYANA emphasizes the regional Latin American and Caribbean preparatory process, and commits to continue to include IPs' representatives on its official delegations, to ensure their full and effective participation to all meetings on IPs' issues (also **MEXICO**).

North America

IITC commend the EMRIP for underscoring the need to ensure IPs' full, formal, equal and effective participation at all stages of the Conference and to all future world conferences, as this proposal was instrumental in the level of engagement that IPs have achieved so far. IITC reiterate previous recommendations to incorporate key declarations and reports by IPs in the agenda of the Conference, and particularly emphasize the Rio+20 Indigenous Peoples' International Declaration on Sustainable Development and Self-Determination (supported by **HIHR, LACSE/MASE/IWA, WPIA**), which includes the commitment of IPs to define their own priorities for development and environmental protection, based on their traditional knowledge and practices, and self-determination.

IWA/IITC say this will be the first UN world conference about peoples, and not about issues. Referring to the UN Charter, IWA/IITC emphasize the right of all peoples to self-determination, higher standards of living and conditions of economic and social development, and universal respect for human rights. The UN and Member States now have an opportunity to correct past injustices against IPs, by living up to the fundamental principles of the UN Charter, and to the Declaration – adopted by the GA (also **BAA, AIRT, GCC/AFN/AI/CFSC/UBCIC/NWAC/T4FN/HK/FPHRC**); and by acknowledging that IPs must represent themselves, especially when their rights are at stake (also **KF/AH/KAH**). The Conference gives the UN an opportunity to embrace IPs as equals to respect their rights and preserve world peace. The UN should fully open to IPs, who have been denied equality and dignity for far too long (also **KF/AH/KAH**), and amend its rules of procedure to admit them (also **Marcia Kran, BAA, AIRT, GCC/AFN/AI/CFSC/UBCIC/NWAC/T4FN/HK/FPHRC**).

GCC/AFN/AI/CFSC/UBCIC/NWAC/T4FN/HK/FPHRC warn that in current international negotiations on biodiversity, food security, climate change, development, free trade and intellectual property, IPs have no effective means of safeguarding their rights under existing rules, while consensus-driven procedures can be exploited in detrimental ways, as the lowest common denominator among States often prevails (also **IWA/IITC**). Rules of procedures in international organisations must change in order to reflect the standards set out in the Declaration (also **James Anaya**), as minimum standards for the survival, well being and dignity of IPs (article 43), which all States and the UN system should uphold and apply (article 42). The Conference's outcome document should include clear commitments by States to seek reforms in the procedural rules of international organisations, in order to strengthen the rule of law.

CANADA supports an inclusive preparatory process and Conference allowing for full participation of IPs from all regions (also **USA**).

The **USA** enquires about hearings and a mechanism for written input. Round tables can be a useful way to allow for IPs' meaningful participation, with a Chair's text summarizing these discussions. The Conference's themes should focus on best practices. Possible topics could include: tribal self determination and governance; lands, resources, the environment and economic development; culture of IPs including education; consultation with and participation from IPs; business operations and their impact on IPs.

Asia and the Pacific

The **Asian Indigenous Caucus** call on Asian States to engage in meaningful dialogue with IPs, towards legal recognition of their status, to enhance the full and effective participation of IPs in Asia in all the Conference's processes.

BAA emphasize that the PF, SRIP and EMRIP have important roles to play prior, during and after the Conference (also **Asian Indigenous Caucus, MEXICO**), which should address the right to self-determination, decolonization, treaties and militarisation.

KF/AH/KAH object that the proposed modalities will silence the voices of many IPs from the Conference. They deeply regret that, since the beginning of the process in January 2012, alternative proposals for modalities were dismissed and time for extended consultations among IPs was not allowed. Proposed modalities now conform to the UN and States' interests, but not necessarily to IPs' interests. Hawaiian IPs reiterate that these modalities would seriously limit the voice of those advocating for self-determination and decolonization. Moreover, the UN has no authority to compel its Member States to produce remedies for IPs' complaints – indeed, certain Member States have increased their manipulation of the UN bureaucracy to control IPs. In this context, it is all the more important that IPs can really “speak” to the UN and Member States – and the current modalities will not allow that.

AIRT request governments to consider how the Declaration should now inform the UN rules of procedure in relation to IPs' participation.

The **New Zealand Human Rights Commission** and **AHRC/ATSISJC** emphasize the important role of national human rights institutions (NHRI) in promoting and protecting human rights and IPs' rights; and in facilitating dialogue between States' governments and IPs. The HRC and the EMRIP should encourage the GCG to consider, in collaboration with the International Coordinating Council of NHRIs, the role that these institutions can play in supporting IPs' participation prior and during the Conference.

AUSTRALIA is committed to ensuring inclusion of the voices of indigenous women and persons with disabilities. The Conference should consider as a matter of priority the specific concerns of indigenous women, including promotion of leadership, capacity building, dealing with violence against them, and political participation.

Europe, Russia and the Circumpolar

Securing adequate funding for IPs' participation in the preparatory process and the Conference represents an enormous challenge (also **Asian Indigenous Caucus, BAA, AIRT**). The **Saami Parliament in Norway** call on Member States and others to financially support IPs' fund-raising efforts, because their participation is a prerequisite for a successful Conference (also **NORWAY; AIRT** for Australia and New Zealand).

NORWAY says the GCG, which elected John Henriksen as indigenous representative, has been established without governmental involvement.

DENMARK and **GREENLAND** look forward to the Secretary-General's report on the ways and means of promoting the participation at the UN of IPs' representatives on issues affecting them [document A/HRC/21/24] (also **Marcia Kran, Laura Dupuy Lasserre**).

As a sense of ownership in the whole process is critical, not the least to ensure commitment towards the outcome, EMRIP member **Jannie Lasimbang** expresses concern that no African or Asian State has taken the floor.

José Carlos Morales notes that 2014 will also mark the end of the Second Decade, and echoes the call for a third International Decade.

Item 4 – Follow-up on thematic studies and advice

Introducing the EMRIP's “Follow-up report on indigenous peoples and the right to participate in decision-making, with a focus on extractive industries” [document A/HRC/EMRIP/2012/2], **José Carlos Morales** highlights the duty to ensure free, prior and informed consent, and the permanent sovereignty of IPs over natural resources (also **Edward John, COICA, Mapuche Community of Temucucui, IPCB/IPNC, LLU; CNA-AAAO** for Western Armenia).

Wilton Littlechild provides a brief summary of the EMRIP's “Comment on the HRC's Guiding Principles on Business and Human Rights as related to indigenous peoples and the right to participate in decision-making with a focus on extractive industries” [document A/HRC/EMRIP/2012/CRP.1]. Regarding the study on IPs' right to education, he submits to the EMRIP a report on First Nations' elementary and secondary education for students on reserve, prepared by the Canadian Government and AFN.

Central and South America

COICA highlight the serious conflict between IPs, States and private companies about the concept of “development”. They contest that entering the globalized processes of production and consumption would be the only possible development.

The **Mapuche Community of Temucucui** warn about the serious environmental degradation caused to their land by the logging industry (erosion, biodiversity loss, groundwater shortage), seriously threatening their

traditional ways of life. Emphasizing the State's responsibility to involve them in all decision making about projects in their territory, and reporting that the Chilean State never honoured the constitutional recognition of their territory, **Mapuche** people ask for the recognition of “indigenous territories” in a new law.

MEXICO provides examples of its commitment to promote IPs' rights, including in the case of the **Wixárika** IPs, who were fearing economical activities that could affect their sacred ceremonies.

VENEZUELA is committed to the protection of IPs' rights, constitutionally recognized since 1999. The studies on IPs' right to participate in decision-making about management of their territory are essential.

North America

IPCB/IPNC welcome the follow-up report on decision-making regarding extractive industries, regretting however that it does not include reference to biocolonialism. The EMRIP should include analysis on IPs' participation in negotiation processes of the World Intellectual Property Organisation (WIPO) and the potential negative impact of the treaties being negotiated.

IITC remark that the main cause of violations suffered by IPs is their lack of self-determination as to activities imposed upon them. They report concerns by the Committee on the Elimination of Racial Discrimination (CERD) about negative impact of US and Canadian transnational companies operating abroad, particularly with mining operations. The CERD recommends that the governments hold these corporations accountable (also **VENEZUELA**). **CANADA** deems that voluntary initiatives based on international standards are the best way to promote responsible business practices.

AILA/MASE see the follow-up report as a critical UN document for IPs, in particular for those whose fundamental beliefs do not support resource extraction (also **LACSE/MASE/IWA**). However, language used in the follow-up report appears to limit the Advice to situations where IPs currently own, use, develop and control land, territories and resources, whereas in most cases, they have been expelled from their land.

LACSE/MASE/IWA address the impacts of a new wave of uranium extraction on the **Navajo** and **Pueblo** IPs' territories, and warn about the disastrous environmental and health consequences of uranium exploitation (also **AILA/MASE, IITC**). They call for amending mining regulations and urge States to enact a moratorium on new uranium mining and milling.

NNHRC share their concerns regarding lack of implementation of free prior and informed consent (also **WPIA, LACSE/MASE/IWA**), reporting on their struggle against the threat posed by uranium extraction on sacred sites (also **AILA/MASE**) on Mount Taylor. They support the EMRIP's commitment to protect such sites. They deplore the inefficiency of so-called consultation processes with IPs and of domestic laws intended to protect IPs' religious rights in the USA.

GCC/AFN/AL/CFSC/UBCIC/NWAC/T4FN/HK/IWA/FPHRC state that free prior and informed consent must be strictly complied with in relation to extractive industries' issues (also **WPIA**). In no case may consultation be considered as an equivalent, as it often implies a predetermined outcome. “National” or “public” interest cannot override IPs' human rights.

According to **CANADA**, the right to participate in decision making does not constitute a stand-alone right under Canadian law. In the strategic sector of natural resources, Canada provides several examples of good practices, such as the creation of a new investment fund to support **Inuit** participation.

Asia and the Pacific

The **Asian Indigenous Caucus** recall the importance of IPs' right to self-determination, including their right to autonomy and self-governance. They wish to share with the EMRIP and the SRIP their documentation on a plethora of well-documented cases of human rights abuses.

NPMHR raise concerns about the by-passing of their right to participate in decision making regarding the Mapithel Dam-Thoubal multipurpose Project. They denounce numerous human rights violations by the authorities and a general trend towards criminalization of their protest (also **IITC** for Guatemala and the USA). The EMRIP should look into this specific case, and the Government of India must respect the rights of IPs affected by the dam project.

MPHRC warn that the Indian Constitution has become a threat to the culture and identity of the **Khasi** indigenous community as it does not recognize Khasi traditional institutions.

WPIA are concerned about the serious threat of extinction that West Papuan IPs are facing, due to their exclusion from any perspective of economic development, and to deteriorating conditions regarding human rights, health, education, infrastructure and welfare. The UN should organize a referendum on their self-determination.

The **IPs' Organisations Network of Australia** insist on the importance of current negotiations to find agreements under the regime of the Native Title Act. However, they deplore that governments are using legislative mechanisms to reduce the rights of Native Title holders over their land. They emphasize the need for access to remedy.

Middle East

CNA-AAAO denounce the destruction generated by thousand-kilometre pipelines, as well as the pressure due to refugees from Syria. They stress the importance to fulfil the obligations deriving from the 1920 Treaty of Sèvres and President Wilson's arbitrator decisions to ensure decolonization in the region.

Europe, Russia and the Circumpolar

The **Saami Parliament in Norway** stress the necessity for States, particularly those considered as resourceful, to fulfil their obligations and promote the right to education for IPs.

NORWAY, emphasizing the importance of the UN Guiding Principles on Business and Human Rights (also **DENMARK/GREENLAND**), and welcoming the contribution of the EMRIP's reports in implementing them, follows the SRIP's recommendation to explore fair partnerships between business enterprises and indigenous communities (also **WPIA**).

DENMARK and **GREENLAND** stress the importance of partnerships between States and IPs with regard to extractive industries, thus welcoming the EMRIP's advice to set up consultation mechanisms to provide guidance.

Insisting on the major threats of contamination and destruction of IPs' territories, **LLU** urge governments of industrial countries to promote a change in exploitation of energy resources (also **LACSE/MASE/IWA**). They suggest establishment of an international indigenous court to address extractive industries issues.

José Carlos Morales notes specific measures taken by States to engage with IPs regarding resource extraction processes, and offers examples of difficulties experienced by IPs in Latin American countries.

Jannie Lasimbang expresses great concern at the lack of recognition of IPs' rights in the context of extractive and mining industries (also **Asian Indigenous Caucus, LACSE/MASE/IWA, GCC/AFN/AI/CFSC/UBCIC/NWAC/T4FN/HK/IWA/FPHRC, NORWAY**). Business enterprises are key actors but their engagement remains weak. They must understand their responsibilities, regardless of the level of engagement from the States where they are operating (also **LACSE/MASE/IWA**). She regrets that many Asian States do not monitor corporate extractive operations. She denounces cases of abuses by enterprises that are taking advantage of IPs' lack of information in Sarawak, Malaysia. Indeed, Corporate Social Responsibility is sometimes mistaken for IPs' consent. As to education, there is a need to provide adequate funding and to implement initiatives that can help improve IPs' conditions (also **LLU** recommending the creation of an information-sharing platform between governments, IPs and companies).

Item 5 – Study on the role of languages and culture in the promotion and protection of the rights and identity of IPs

Former Chairperson-Rapporteur of the EMRIP **Vital Bambanzé** presents the final report of the “Study on the role of languages and culture in the promotion and protection of the rights and identity of IPs” [document A/HRC/EMRIP/2012/3 and Corr.1]. This study builds upon the two previous studies of the EMRIP (**FINLAND** welcomes this). Culture and language rights are indivisible and central to all other human rights (also **PCJSS, RAIPON, LLU, SACS, MEXICO, NORWAY**). IPs have the right to self-determine their own culture and languages (also **NNHRC**), and to practise them in the wider public domain. Under international law, IPs have the rights to revitalize, use, develop and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems and literatures (the **Wichi Nation** assert this right); and to establish institutions providing education in their own languages, as well as their own media.

The study underscores that languages and culture are important elements and expression of IPs' right to self-determination, as they contain the tools of their collective organisation (also **Edward John, NNHRC, BAA, KaF/BIPF/WBO, PCJSS, IPs' Organisations Network of Australia, LLU**). Languages are an essential part of IPs' ways of life, culture and identities; they bind communities together and with their environment (also **Asian Indigenous Caucus, CMA, KaF/BIPF/WBO, IITC, New Zealand Human Rights Commission, LLU, COLOMBIA, MEXICO; RENOJ** for the **Maya** IPs); they allow for the intergenerational transmission of traditional knowledge (also **Edward John, BAA, CNA-AAA, RENOJ, PERU, FINLAND**); and contribute to the social, mental and physical health and well being of indigenous people (also **Edward John, MoLCA/NWAC/T4FN/IWA/CFSC/FPHRC, NNHRC, IPs' Organisations Network of Australia, NSWALC, UEA, AUSTRALIA**). Indigenous languages continue to suffer from assimilation policies. At least 43 per cent of the estimated 6,000 languages spoken in the world are endangered, of which many are indigenous languages (also **MoLCA/NWAC/T4FN/IWA/CFSC/FPHRC, ARVRA, KaF/BIPF/WBO, IPs' Organisations Network of Australia, UEA, BOLIVIA, PERU**). Positive examples of promotion and revitalisation of indigenous languages are few (also **BOLIVIA**) and include their official recognition as national languages (also **SACS**; the **Wichi Nation** call for this in Argentina), media in indigenous languages, the use of

indigenous languages in official proceedings including legislation and the judiciary (also **RENOJ**), support for publications in indigenous languages (also **RUSSIAN FEDERATION, PERU, GUYANA**), support for indigenous-led and culturally sensitive education systems (also **Asian Indigenous Caucus**), and the allocation of funds for language revitalisation (also **José Carlos Morales**).

IPs' cultures embody values of collective responsibility and spirituality. Issues of particular concern are the realisation of IPs' right to their cultural heritage including their right to the repatriation of ceremonial objects and human remains; the fact that indigenous cultures should be understood and protected as alive and dynamic, and reacting to external influences (also **NSWALC**); and the inadequacy of existing international intellectual property mechanisms to protect IPs' traditional knowledge, traditional cultural expressions and genetic resources. One of the challenges to the recognition of IPs' collective rights to culture is the perception that they threaten the sovereignty of States (also **CMA, ATH-K, ARVRA**), and that they support cultural relativity, thus undermining the universality of human rights. On the contrary, cultural diversity is of universal value and enriches our understanding of human capacity (also **CNA-AAAO, ARVRA**). Further, caution is necessary as alleged discrimination within indigenous cultural practices is often cited as a reason not to promote IPs' right to culture. Where indigenous languages and cultures are under threat, IPs and States together in partnership have the primary responsibility for the revitalisation of these (also **Wilton Littlechild, AZETTA, COPORWA, ECDO, NSWALC, GUYANA, PERU, GUATEMALA, USA**), while States must ensure to obtain the free prior and informed consent of IPs for such programmes (also **NORWAY**).

PF Chair **Edward John** thanks the HRC and the EMRIP for this comprehensive study (also **Asian Indigenous Caucus, IPs' Organisations Network of Australia, NSWALC, MoLCA/NWAC/T4FN/IWA/CFSC/FPHRC, IITC, NNHRC, CMA, ARVRA, RBC, COPORWA, PCJSS, AIPR, ATSIJJC/AHRC, SACS, COLOMBIA, VENEZUELA, PERU, BOLIVIA, CHILE, MEXICO, NORWAY, FINLAND**) and for keeping the issue of indigenous languages and cultures alive. The Advice n° 3 (2012) needs to be concretely acted upon (also **Vital Bamanze, RENOJ**), to ensure that indigenous languages and cultures survive and thrive. In North America, to implement the doctrine of discovery, deliberate attempts were carried out to undermine IPs' languages, cultures and self-determination (also **NIYC**), through policies of removal of indigenous children to assimilate them in residential schools (also **RAIPON** for Russia), alongside the taking of IPs' lands, territories and resources, and replacing of their governing institutions by state-controlled ones (also **NPMHR** for India). As a result, many indigenous languages are now extinct or struggling to survive (also **MoLCA/NWAC/T4FN/IWA/CFSC/FPHRC, NIYC**). Financial resources set up by the Government of Canada, after lengthy litigation, are too limited to rebuild the language bases. Every generation of IPs has the responsibility to maintain their distinctive spiritual relationship with their land and resources, and to uphold these responsibilities to future generations, as recognized by article 25 of the Declaration (also **BAA**). The study outlines international and regional standards on IPs' rights to languages and culture, which should be viewed within the context of human rights (also **Arctic Indigenous Caucus, MoLCA/NWAC/T4FN/IWA/CFSC/FPHRC, CMA, ARVRA, ATSIJJC/AHRC, BOLIVIA, NORWAY**). Language rights must be implemented both as collective and individual rights (also **IITC**), and supported by State legislation and policies (also **IPs' Organisations Network of Australia, FINLAND**). Translating legal texts into indigenous languages and using them enhances IPs' political participation (also **UEA; Wilton Littlechild** and **MoLCA/NWAC/T4FN/IWA/CFSC/FPHRC** for the Declaration). It is important to include indigenous languages and culture into early childhood care and education curricula, and to promote multilingualism (also **Asian Indigenous Caucus, CHILE, FINLAND**; the **Wichi Nation** for Argentina).

The 2008 PF expert group meeting on indigenous languages noted that the loss of indigenous languages signifies the loss of a common heritage of traditional knowledge and of cultural diversity (also **CMA, ARVRA, IPs' Organisations Network of Australia, FINLAND**), because biological, linguistic and cultural diversity are inseparable, and when an indigenous language is lost, so is traditional knowledge on preservation of biodiversity (also **ATSIJJC/AHRC, UEA**). Still, some governments remain unaware of the urgency. The deplorable imbalance between the official recognition of certain languages, while the majority – including indigenous languages – are denied legal recognition, contributes to their perception as inferior, and to deep-rooted discrimination (also **Vital Bamanze, MoLCA/NWAC/T4FN/IWA/CFSC/FPHRC, ARVRA, UEA; AIPR** for the **Ryukyu** IPs; **NPMHR** for India). Indigenous languages must not be seen as a financial drain but as a contribution to the country's cultural heritage (also **COLOMBIA, BOLIVIA, NEPAL**).

Central and South America

In Guatemala, the Accord on identity and rights of IPs, part of the 1996 Peace Accords, was a major step forward. However, **RENOJ** warn that implementation is lagging behind, due to lack of funding (**GUATEMALA** commits to renewed implementation). In order to strengthen democracy, bilingual intercultural education should truly reflect the culture of the **Maya** IPs; progress in implementation of the Accord should be evaluated with IPs' own participation; and IPs' concerns and needs should be addressed in priority, before international agendas or foreign interests. IPs are worried at the current President's antecedents of participation in genocidal actions against them during the internal armed conflict.

The **Wichi Nation** has been struggling since the Conquest and genocide by the Argentinian State, to keep their culture, language, traditional knowledge, ancestral territories and resources. They request restitution of their lands and an end to forced evictions; appropriate training of bilingual intercultural teachers; interpreters in the healthcare and justice services; respect for their right to use their own medicinal practices and knowledge; and inclusion of their traditional healers as intercultural facilitators in the state services.

Since 2001, **MEXICO** recognizes itself as a multi-cultural and multi-lingual country. Its legislation recognizes the country's 364 languages as national languages on an equal footing with Spanish. It strives to integrate attention to indigenous languages into all its public policies. The EMRIP's study acknowledges the role of languages from a holistic perspective, in relation to IPs' self-determination and decision making, and to their rights to land, territory and resources (also **CMA, PCJSS, MoLCA/NWAC/T4FN/IWA/CFSC/FPHRC**).

The Constitution of **GUATEMALA** provides for recognition of indigenous languages. Specific legislation addresses the recognition, promotion, development, and official use of IPs' languages, while the Academy of Maya Languages promotes the teaching of the country's 22 **Maya** languages.

One condition for the titling of lands to **Amerindian** IPs in **GUYANA** is their sacred relationship with the land. National awareness and acceptance of the richness of the Amerindian cultural heritage are increasing thanks to numerous opportunities allowing the IPs to promote their cultural heritage and innovations. Three Amerindian languages were lost, while six are still being practised.

In **COLOMBIA**, languages belong to the intangible heritage of the nation – there are currently 64 indigenous languages in use. The Government is elaborating with IPs' organisations an indigenous educational system that will make it possible for indigenous municipalities and organisations to develop mother-tongue education, based on differentiated and culturally relevant curricula that combine indigenous worldviews with overall academic standards.

PERU emphasizes its legislation on revitalisation and use of the country's many indigenous languages. A national policy on indigenous languages is being developed to improve educational services – including community-based, culturally relevant bilingual intercultural education; establish a national register of indigenous languages; and train teachers in the use of official scripts.

The Constitution of **BOLIVIA** promotes an educational policy based on enhancing cultural dignity and fighting all forms of discrimination. The 2010 Education Act, elaborated in consultation with IPs' organisations, provides for revitalisation and development of IPs' languages and knowledge; intercultural pedagogy; mother-tongue basic education; and a decentralised institute for the study of languages and cultures. A draft law on language rights addresses revitalisation of endangered indigenous languages.

CHILE reports that its bilingual intercultural education programme is being improved through development of culturally relevant curricula and the teaching of indigenous languages in schools with significant indigenous populations. Traditional educators, who transmit traditional knowledge to children in IPs' communities, are trained to become teachers of indigenous languages and culture.

North America

MoLCA/NWAC/T4FN/IWA/CFSC/FPHRC recall that States with a colonial history must take full responsibility for the damages inflicted upon IPs' languages and cultures, while upholding their right to self-determination, through discussions based on a nation-to-nation relationship to implement the Declaration. The elimination of racially discriminatory laws and policies (also **UNIPROBA**) must coincide with the creation of a decolonized relationship respecting the international rule of law, and IPs' customary law and treaties (also **IITC, PCJSS**). Indigenous languages will not survive unless children and youth are taught the value of their language by elders, and begin using it in their daily lives (also **SACS, MEXICO**). IPs must assert their right to mother-tongue education, with curricula based upon their traditions (also **CMA**). Community-based programmes that motivate families to become fluent speakers require important resources, including the availability of fluent speakers with traditional knowledge – but these are dying out (also **RAIPON; AIPR** for the **Ryukyu** IPs in Japan). Indigenous language revitalisation cannot be viewed in isolation from IPs' collective rights to their lands and resources (also **Asian Indigenous Caucus, IITC, NNHRC, Wichi Nation, KaF/BIPF/WBO; ARVRA** for the **Tuareg** in northern Mali, **NPMHR** for India). Education in indigenous languages must be supported with equivalent funds and opportunities as the education in official languages.

IITC regret that the study does not explicitly discuss language retention and transmission in relation to indigenous children in state custody – through detention, custody, foster-care and adoptions – which continues to have discriminatory effects. Strong languages plans are necessary for indigenous children in state custody, with IPs' full, equal and active participation. The Rio+20 Indigenous Peoples' International Declaration on Sustainable Development and Self-Determination includes IPs' commitment to revitalize, strengthen and restore their institutions and methods for the intergenerational transmission of traditional knowledge and practice, and insists on IPs' full and effective participation in all discussions on sustainable development and implementation of the Declaration.

NNHRC report on the **Navajo** Nation's efforts to protect, through legislation and courts, Mount Taylor and the San Francisco Peaks against desecration by economic exploitation. The SRIP noted that stakeholders' rights to free prior and informed consent were violated by the USA, and that simply informing IPs about a proposed decision and gathering their views is not sufficient in this context. Indeed, cultural and language rights require the USA to respect the Navajo peoples' customs, customary laws and management, and cultural and spiritual values in relationship with their land and territories, including their sacred places.

The **USA** reports on support to tribal colleges that promote culture and languages while providing students access to post-secondary education and opportunities, promoting an academic indigenous culture, and providing job-related training; to tribally-operated schools and colleges engaged in preserving their languages and culture; and to preservation of indigenous languages and culture in healthcare services and administration of justice.

Africa

CMA underscore the struggle and sacrifice of the **Amazigh** IPs leading to constitutional recognition of their language by Morocco in 2011 (also **AZETTA**; **ATH-K** for the **Kabyle** and **Amazigh** IPs in Algeria). However, no concrete change followed (also **AZETTA**), as was also the case in Algeria (also **ATH-K**). This is because the Amazigh IPs in North African countries remain deprived of their fundamental rights, including to decision making and self-determination.

Tamazight is the language of the indigenous **Amazigh** peoples of North Africa. **AZETTA** warn that its introduction in the national school curricula in Morocco, albeit a major achievement in itself, was done in precipitation, with insufficient preparation and inadequate conditions for the teachers, leading to persistent problems that hinder revitalisation. Denouncing absence of governmental political will, **AZETTA** are pushing a draft law through Parliament to ensure all necessary resources for Tamazight promotion.

The **Kabyle** people in Algeria have never abandoned their language and culture, of which the women are the main keepers and transmitters. **ATH-K** say the Tamazight language could play an important role in the promotion and protection of IPs' rights, and in solving or avoiding conflicts among the Algerian population, by facing the challenges of identities and globalisation.

ARVRA emphasize the failure of development efforts and persistence of poverty in Africa, and urge respect for the diversity of social values and the fundamental principle of the peoples' self-determination, as enshrined in the UN Charter.

RBC denounce imposition of English in Namibia, and the failure of the State to implement the language rights of its non English-speaking citizens. **RBC** also underscore that language and culture are not interchangeable concepts, and deplore that the EMRIP's study addresses both issues together, thus privileging the cultural aspect over the linguistic one.

UNIPROBA say that in Burundi, the distinct culture of the minority indigenous **Batwa** peoples – hunter-gatherers and crafts persons – will soon disappear if nothing is undertaken to protect their livelihoods (also **COPORWA**). There is a need for deep, innovative reflection to preserve the traditional knowledge of the Batwa IPs, which could also contribute to their development in all sectors. The study on IPs' languages and culture should be shared with the ACHPR.

COPORWA say the study on languages and culture underscores both the opportunities and threats that indigenous languages and culture may represent for IPs' rights and identity. A major problem remains in countries that do not recognize the existence of IPs, as Rwanda for the **Batwa** IPs. The EMRIP and the HRC should urge States, including Rwanda, to officially recognize the IPs and their indigenous identity (also **UNIPROBA** for Burundi).

Asia and the Pacific

Highlighting some good practices promoting IPs' languages and culture, and recognizing their juridical systems, the **Asian Indigenous Caucus** warn that these good practices are overshadowed by the challenges that IPs face in Asia, including loss of languages, religions, and knowledge systems as a result of colonial occupation, forced assimilation, and the inability of States and society to tolerate their being different (also **KaF/BIPF/WBO** for Bangladesh). States and UN agencies must recognize and assist in maintaining IPs' traditional political institutions; provide support and policy frameworks that respect IPs' right to maintain and develop their educational systems and institutions; and assists IPs in developing multi-lingual and culturally appropriate curricula within mainstream education (also **ECDO**).

NPMHR say the Constitution of India does not specifically protect indigenous tribal peoples, but protects the right to distinct language or culture. However, in absence of state support, it is the tribal peoples themselves that have taken the responsibility to provide mother-tongue education for their children. In Nagaland, the government entrusts the promotion of the **Naga** IPs' languages to their respective tribal authorities, thus ensuring participation of the community in its children's education, including on the knowledge and skills necessary to become responsible members of their community.

PCJSS denounce rampant aggression by Bengali settlers over IPs' cultures and lands, even though the Chittagong Hill Tracts (CHT) Accord of 1997 guarantees a semi-autonomous status to the area, significantly ensuring the **Jumma** IPs' rights to self-determination, language and culture (also **KaF/BIPF/WBO**). However, the Government of Bangladesh has yet to implement the Accord (also **Asian Indigenous Caucus**).

KaF/BIPF/WBO say in Bangladesh, IPs' poor conditions and language loss result from continuing depletion of their natural resources, mainly through expropriation of their lands and ongoing violations to their customary rights in the name of forest conservation.

ECDO say there are more than 50 different IPs living in Bangladesh. Due to the small number of their populations and to their marginalisation, they cannot properly practice their respective languages and cultures (also **KaF/BIPF/WBO**), while their children only have access to primary education in Bengali.

AIPR report on the history of conquest and annexation by Japan of the **Ryukyu** IPs in Okinawa, during and after World War II, leading to the loss of a large population of native speakers of the Ryukyu languages. In line with articles 13 and 14 of the Declaration, Japan must: recognize the Ryukyu IPs and their languages; allow schools to teach in the Ryukyu languages; and dedicate budget resources to revitalize these.

Reporting on discrimination by Indonesia against cultural practices of the IPs of Maluku, **BAA** say IPs' culture encompasses the way they exist and resist against colonial tyranny and assimilation; and how they exercise the Declaration, by primarily using their traditional languages and educational systems in disseminating, discussing, promoting and protecting their rights (also **MoLCA/NWAC/T4FN/IWA/CFSC/FPHRC**).

The **IPs' Organisations Network of Australia** recall that the study on education already acknowledged that lack of well-resourced and culturally relevant education is a major factor contributing to IPs' disadvantaged position. Many Aboriginal and Torres Strait Islander people are active in revitalizing their languages (also **ATSISJC/AHRC**). The EMRIP should urge all UN agencies and States to develop policies and programmes that reinforce indigenous languages, knowledge and cultures, in line with article 14 of the Declaration, namely by embedding their perspectives into educational curricula (also **NSWALC, New Zealand Human Rights Commission**); encourage States to recognize indigenous languages in their constitutions and legislation, and to support their daily use, in line with article 13; advocate for States to establish adequate resources, including redress and compensation, for the preservation and revitalisation of indigenous languages and cultures in line with articles 7, 8 and 11; and promote the establishment of national language institutions on indigenous languages in collaboration with IPs.

NSWALC recommend: appropriate consultation with IPs' representative bodies on any legislation or policy relating to indigenous culture and heritage, while recognizing IPs as the rightful owners and only determinants of their culture and heritage (also **ARVRA**); and establishment, in line with the Declaration, of legislative systems to ensure preservation and enhancement of indigenous cultural traditions and to redress IPs' continued dispossession. To meet its international obligations, the Australian Government needs to increase efforts to ensure community-based language and culture revitalisation based on autonomy, participation and consultation, through genuine, ongoing dialogue between IPs and governments, as well as provision of adequate resources (also **ATSISJC/AHRC**), namely for intercultural bilingual education (also **IPs' Organisations Network of Australia**). Without explicit legal recognition and protection, IPs have no control over governmental policies that affect them. Governments must ensure that all laws are based on international human rights principles as embedded in the Declaration (also **BAA**).

ATSISJC/AHRC say the economic priorities of States and private interests have often been to the detriment of IPs' enjoyment of their rights to their identities, languages and cultures (also the **Wichi Nation** for Argentina). In Australia, the Aboriginal and Torres Strait Islander peoples have lived this devastating experience, as their languages continue to die out rapidly (also **IPs' Organisations Network of Australia**). The EMRIP's study highlights the need for States to ensure that IPs' rights to languages and cultures include their rights to self-determination and to be protected against discrimination, forced assimilation and destruction (also **IPs' Organisations Network of Australia**). The EMRIP and HRC should urge all States, including Australia, to: ratify international standards applying to IPs' rights to language and culture, as outlined in the study (also **NSWALC**); enter with IPs in processes to constitutionally recognize their languages and cultures; and develop with IPs national policies that promote IPs' languages and culture, together with their self-determination, survival and well-being, in compliance with the Declaration (also **NSWALC**).

The **New Zealand Human Rights Commission** recalls that the Wai 262 claim made in 1991 by 6 **Maori** tribes to the Waitangi Tribunal – dealing with breaches of the 1840 Treaty of Waitangi – asked who owns and controls the practice of Maori culture, identity and traditional knowledge in contemporary New Zealand. In response, the Wai 262 report, released in 2011, contains specific recommendations regarding the Maori language, whose survival is threatened despite efforts by Maori educational institutions and media. These recommendations address inadequacy and insecurity of governmental funding; insufficient Maori participation in decision making about their own language; and lack of support to the diversity of tribal dialects and cultural expressions, even though they are essential to Maori language preservation.

NEPAL says its Interim Constitution defines the country as multi-ethnic, multi-lingual, multi-religious and multi-cultural. It recognizes as national languages, all languages spoken as mother tongue in Nepal, and guarantees the right of all communities to preserve and promote their language and cultures, and their right to mother-tongue basic education.

JAPAN recalls that in 2008, the Japanese Diet adopted resolutions requiring the Government to recognize the **Ainu** people as IPs, and to establish comprehensive policy measures for them. These measures are now being worked out, along with the creation of a national centre for revitalizing and transmitting the Ainu culture.

AUSTRALIA emphasizes its National Indigenous Languages policy (**NSWALC** and **ATSISJC/AHRC** denounce insufficient implementation), aiming, namely, at reinforcing the use of endangered languages, and supporting the teaching of indigenous languages in schools; an indigenous languages support programme for community-based projects; and interpreter services to ensure indigenous Australians' access to services and civic life. Constitutional recognition of their cultures, languages and heritage is recommended.

Middle East

While making efforts towards restitution of some elements of the heritage of the **Armenian** people of Western Armenia, the Government of Turkey harasses organisers of Armenian language courses, say **CNA-AAA0**.

Europe, Russia and the Circumpolar

The **Arctic Indigenous Caucus**, representing **SC** and **ICC**, say that language, culture and identity rights are a strong focus of their work, as exemplified in a project endorsed by the Arctic Council on "Assessing, Monitoring and Promoting Arctic Indigenous Languages" (also **DENMARK/GREENLAND**). This initiative will focus on methods for language acquisition, and on surveying IPs' and States' policies regarding indigenous languages, and the vitality of Arctic indigenous languages.

Most of the 40 languages of the small-numbered IPs of the North, Siberia and the Far East of the Russian Federation are critically endangered. **RAIPON** say the basis for preserving the languages of these IPs is maintaining their traditional livelihoods – reindeer herding, fishing, hunting. Other factors include mother-tongue education and participation in decision making. However, the Russian Federation's educational system does not consider preserving national languages as a priority task, and the small-numbered IPs of the North, Siberia and the Far East lack serious political representation. Regions having their local legislation and governments are much more able to provide for the preservation of IPs' languages.

DENMARK and **GREENLAND** say one of the first action of the Self-Government of Greenland was to pass legislation that aims at strengthening the role and use of Greenlandic in the private and public sectors (also **Arctic Indigenous Caucus**).

NORWAY is still facing challenges in securing the **Saami** languages, which are all listed by UNESCO as endangered languages (also **FINLAND**). Norway reports on its Action Plan for Saami Languages, focusing on education, increased use in private and public spheres, and greater visibility; and on review of the Saami Act's provisions on language rights, to address implementation of international obligations in national legislation.

The Constitution and legislation of **FINLAND** guarantee the rights of the **Saami** IPs to decide upon, maintain and develop their languages and culture, and to use their language in relation with authorities and in certain procedures. A national programme for the revival of Saami languages is focusing on education, daycare, teaching, social welfare and healthcare services, culture and the media.

The **RUSSIAN FEDERATION** says measures to preserve the cultural diversity of the IPs living on its territory include teaching languages of the small-numbered IPs in schools to an increasing number of indigenous children; round tables on preservation of indigenous languages, with representation of the small-numbered IPs, to contribute in state policy development; and various events aimed at promoting the traditional culture and heritage of the small-numbered IPs of the North.

LLU argue that if the "informed" element of free prior and informed consent is to mean the transmission of comprehensive and transparent information in a way that respect the affected IPs' own values, then its application requires imposing the use of the concerned IPs' languages to all parties involved in negotiations and actions that may affect these IPs.

SACS warn that the dominance of the external culture leads to deterioration of indigenous cultures, particularly due to the pressure on the young indigenous people (also **COPORWA** and **UNIPROBA** for the **Batwa** IPs in Rwanda and Burundi; **NPMHR** for India).

BIC submit that they have established a programme using effective technology to bring more health, well being and education to IPs in Canada, resulting in increased attention to their languages and cultures.

UEA have taught the neutral international language Esperanto to representatives of IPs, to enable them to share views across all continents. Imposed education in the dominant language forces IPs' upcoming generations to abandon their roots, culture and languages (also **RAIPON** for Russia).

José Carlos Morales offers his congratulations to those indigenous youth who have sought to learn their indigenous languages.

In concluding, **Jannie Lasimbang** emphasizes the threat of extinction to indigenous cultures and languages (also **José Carlos Morales**), and welcomes the acknowledgement of this by most States. The positive value of indigenous languages and cultures needs to be recognized, in order to ensure cultural flexibility in governing structures, and to provide means to IPs for protecting languages and cultures in line with the Declaration. Measures to promote and protect indigenous languages and culture require sound research, adequate reflection and the participation of the IPs themselves. The role of indigenous languages needs to be recognized from a holistic viewpoint, and promoted both in public and private life – not only in formal education (also **MEXICO, BOLIVIA, COLOMBIA**). Revitalizing indigenous languages and cultures also requires to consider IPs' changing social contexts, including urban migration (also **RAIPON, NORWAY, FINLAND**), as well as their legal recognition as IPs and not as minorities (also **CMA, MoLCA/NWAC/T4FN/IWA/CFSC/FPHRC; AZETTA** for the **Amazigh** IPs in North African States; **PCJSS** and **KaF/BIPF/WBO** for Bangladesh). The legacy of colonial and patriarchal systems discriminates against women, thus hampering their roles in transmitting languages and cultures.

Item 6 – The UN Declaration on the Rights of Indigenous Peoples

Wilton Littlechild recalls that the HRC, in resolution 18/8, requested the EMRIP to prepare a Questionnaire to seek the views of States on best practices regarding possible appropriate measures and implementation strategies in order to attain the goals of the Declaration [document A/HRC/EMRIP/2012/4].

Jannie Lasimbang reports that 14 States responded to the questionnaire. The EMRIP is concerned that this small number reflects a lack of political will to implement the Declaration (also **CMA**). The HRC shall extend the deadline to enable more States to respond (also **GUYANA**). As to implementation strategies, it is sometimes unclear whether national policies serve IPs specifically and have been developed in consultation with them (also **CJIRA, LIENIP**). She deplores that no States requires the Declaration to be considered when devising new laws, policies or other measures relating to IPs.

EMRIP member **Danfred Titus** insists on the necessity to align domestic legislation with international human rights standards (also **NSWALC**). He praises the studies on languages and culture, extractive industries and education, and underlines the need for education and training both for States and IPs (also **CIWF, KKF**).

The **Board of Trustees of the UN Voluntary Fund for Indigenous Populations** recall the consecutive expansions of the Fund's mandate to increase IPs' participation in diverse high-level meetings regarding them. As the demand keeps growing, the Board are concerned about the small level of contributions. They urge all donors, particularly governments, to support the important work of the Fund.

PF member **Saul Vicente Vasquez** urges all States to adopt urgent measures against ongoing violations of IPs' human rights, and to respect the standards of the Declaration (also **AIPIN/COICA/CNCI/CRIC/REI/CIPRIH, FW, Tin Hinan/CMA/ARVRA, CIWF, PIPD/LINAPYCO/IPACC, WTP, MPHRC**). He advocates for strengthened collaboration between the PF, EMRIP and SRIP, as in the case of the study on the impacts of extractive industries (also **Edward John, IITC**). The three mechanisms should jointly elaborate a consolidated report on extractive industries, to be submitted to various UN bodies.

Central and South America

AIPIN/COICA/CNCI/CRIC/REI/CIPRIH, together with the **International Commission of the Abya Yala Continental Summit of Indigenous Communication**, state the importance of communication in their cultures and emphasize article 16 of the Declaration. Denouncing criminalization of indigenous communicators (also **CJIRA, CMA, AIRT**), they ask the UN for effective measures, including financial support, to guarantee IPs' right to freedom of expression.

COICA denounce that IPs in the Amazon region are suffering from agrarian reform measures that favour private corporations over the interests of IPs. They denounce the conception that IPs have too much land and do not contribute enough to national economic development. They emphasize the importance of collective property of indigenous territories, recognition of their lands, and protection of their natural resources, especially for nomadic IPs (also **CJIRA; WTP** for Kenya; **AIPR** for China and Japan; **LIENIP** for the Russian Federation; the **Saami Parliament in Norway** for Finnmark).

FW deplore that implementation of the Declaration is very limited in Venezuela. They report mortal epidemics, such as malaria, with a lack of health assistance. They express concern about the discovery of coltan in the state of Zulia and its negative consequences, including militarization of the area.

CJIRA list serious threats to IPs' existence in Argentina, due to the presence of extractive industries and infringement of IPs' right to free prior and informed consent (also **CTT, FW**). They thank the SRIP for his country visit in 2011 and urge the Argentinian Government to endorse his observations.

CTT warn that Chile is not implementing the Declaration (also **GCC/FNS/UBCIC/AFN/CFSC/HK** for Canada). They report on the creation of a school for **Mapuche** self-government. Chile's responses to the questionnaire are ambiguous, particularly as regards self-determination.

MEXICO reports on promoting consultation mechanisms to allow free prior and informed consent for IPs, and on inclusion of indigenous issues in legislation at state and federal levels. Overall, IPs' well-being and access to education has improved in Mexico.

VENEZUELA reports on measures to guarantee IPs' active participation and self-determination (also **CHILE**); and demarcation and defence of their habitat and territories. IPs' participation in public affairs is increasing, including with indigenous representatives in the Government. Venezuela reiterates its commitment to implementing the instruments protecting IPs' rights (also **MEXICO**).

PERU promulgated in 2011 a law on prior consultation of IPs in line with ILO Convention 169. A database of IPs and their organisations will be elaborated, as a decisive tool to implement public policies towards IPs. Peru is committed to translating all official documentation into indigenous languages, as evidenced by the creation of an official indigenous languages interpreter register (also **MEXICO**).

CHILE reports on aligning its process for national consultations of IPs with international standards on IPs' consent.

North America

GCC/FNS/UBCIC/AFN/CFSC/HK regret that the Government of Canada, in virtually every court case relating to Aboriginal and Treaty rights, acts in disregard of the Declaration. They recommend abandoning all policies that deny the existence of Aboriginal title and unjustly place the burden of proof on IPs for territorial rights based on original occupation.

To redress damage due to relentless pressure put on IPs in North America, **NIYC** urge funding for intensive language programs, acknowledging IPs' contribution to the overall society, granting funds to treat serious indigenous mental health problems, publicizing the crimes and perpetrators, and exposing all aspects of this annihilation policy.

NNHRC denounce insufficient governmental funding to support indigenous language developments. The US Supreme Court stated that the US Government has a responsibility to pay for services rendered by indigenous nations. **NNHRC** hope this decision clearly reaffirms the **Navajo** Nation's rights to sufficient funding, in line with article 14 of the Declaration.

LAWD/LABT/EIHR/UTSLHRC draw attention to a recent study on the US border militarization and the construction of the Texas-Mexico border wall. They call for the dismantling of the wall, the return of all dispossessed lands, a formal apology by the US Government, and establishment of a transitional justice body led by IPs and all affected communities.

The **USA** supports the Declaration through legal and policy measures and the work of specific governmental agencies in the areas of justice, health, and education. Inter-agency meetings and discussions with organisations have taken place to raise awareness on issues addressed in the Declaration. The USA is handling firmly the issue of extractive industries.

Africa

Tin Hinan/CMA/ARVRA call for recognition of the self-determination of the peoples of Azawad; for corporations and governments to stop stripping African IPs of their lands; and for African States to take concrete measures to promote IPs' rights in line with the Declaration.

CMA say legislation must be accessible in IPs' languages and customary laws be recognized as a reference for state legislation. The EMRIP should visit IPs and their realities in their countries, including the **Amazigh** IPs in Morocco (also **KKF** for Vietnam).

AZETTA support UN efforts to encourage civil society organisations to achieve equality before the law for IPs, to help maintain and develop their cultural specificities, and to ensure their full participation to economical development of their country.

CIWF note that Cameroon has made efforts in recognizing IPs, nevertheless, the Government still fails to consult them. The CERD recommended in 2010 that Cameroon take adequate and urgent measures to protect IPs' rights to lands, but little has been done in this regard.

PIPD/LINAPYCO/IPACC urge the SRIP to visit the Democratic Republic of the Congo (DRC) to assess the alarming situation in Kivu. They commend UN country offices for providing help to displaced indigenous communities (also **Tin Hinan/CMA/ARVRA**).

COPORWA call on the EMRIP to press the African governments to expose their views on implementation of the Declaration; and to organize meetings on this issue with States and IPs.

The current Constitution of Kenya is very progressive but needs now to be implemented. **WTP** are pushing for its effective implementation, especially to address violations of land devolution and resource distribution, and to force the Government to establish adequate policies to stop desertification, which can lead to food insecurity.

Asia and the Pacific

The **Asian Indigenous Caucus** call for priority on concrete implementation of the Declaration at national level (also **PCJSS**). Key steps are: legal reforms, moratorium on extractive and other projects undertaken without the consent of IPs (also **JOAS**); delivery of appropriate services and support to livelihoods (also **NSWALC**); establishment of mechanisms for the full and effective participation of IPs on matters that concern them (also **AIRT, JOAS, NNHRC, COICA, Tin Hinan/CMA/ARVRA**). The World Bank and business corporations need to have strong policies and accountability mechanisms in line with the Declaration.

MPHRC urge Member States to give priority to IPs' economic, educational, social and cultural rights.

PCJSS observe that in spite of its stated commitment to human rights, Bangladesh has failed to endorse the Declaration. The EMRIP should encourage States to implement treaties, agreements and other constructive arrangements that follow the aim of the Declaration; and encourage States to recognize IPs in their countries (also **MPHRC** for India; **KKF** for Vietnam).

To implement the Declaration, **KKF** recommend accountability measures, and urge States to outline clear strategies, including a thorough and transparent plan of action and reporting mechanisms (also **PCJSS, NSWALC, BAA, Saami Parliament in Norway**).

JOAS present problems arising from extensive logging, plantations, and the construction of mega hydro-electric dams (also **CIWF**). Protesting against so-called consultation procedures in Malaysia, **JOAS** ask that full information about the impacts of projects be disclosed.

BAA recommend the EMRIP to continue to reach out to regional human rights mechanisms in Europe and Asia. IPs themselves are implementing the Declaration where they live, many times in spite of violent reactions (also **FAIRA**).

Underscoring lack of implementation of article 10, 26, and 30 of the Declaration, **AIPR** expose different consequences of the militarization of the Ryukyu-Okinawa Island: pollution, accidents, and human right violations.

As US subjects, **TNR** continue to pursue their self-determination in Guam, while a new colonising trend aims at turning them into a minority on their lands. They urge the UN to take a firmer stand regarding the exercise of their self-determination, and the rights of IPs in general.

CPCCK list three main areas within the UN system that do not allow the Declaration to be implemented: the veto power of States, the length of procedures, and the impossibility to create a high-level commission on the rights of IPs.

NSWALC recommend the EMRIP to reiterate to all States that have signed on the Declaration, their obligation to recognize and protect IPs' rights to live free from discrimination and to enjoy full and effective participation in decision-making on laws and policies affecting their rights.

AIRT regret that implementation of the Declaration is a low priority for the New Zealand Government (also **New Zealand Human Rights Commission; NSWALC** for Australia). In its response to the questionnaire, the Government is examining the relation between the Treaty of Waitangi and the Constitution, granting primacy to the latter. This prompted the creation of an indigenous working group to effectively assert the rights contained in the Declaration.

ATSISJC/AHRC recommend that the EMRIP follow up with the States (such as Australia) who did not respond to the questionnaire, in order to fully assess progress towards the implementation of the Declaration.

The **New Zealand Human Rights Commission** calls for the HRC to include a specific requirement for States to report on the implementation of the Declaration during the UPR (also **Asian Indigenous Caucus, CPCCK, KKF, ATSISJC/AHRC**).

AUSTRALIA was slow to embrace the Declaration in 2007, before becoming a firm supporter. Its principal policy to address the disadvantages faced by IPs is the Closing the Gap strategy, which aims to reduce indigenous disadvantage within a generation while holding the Government accountable on achieving its aims.

Europe, Russia and the Circumpolar

LIENIP regret that the Russian Federation has yet to endorse the Declaration. Many problems of Russia's IPs still remain unsettled, including access to natural resources and the relationship with corporations.

The **Saami Parliament in Norway** reaffirms the binding character of the Declaration. In the case of the **Saami** people, challenges remain as to the right to self-determination. The Inari Declaration, adopted by a pan-Saami meeting in 2012, recommends establishing an optional protocol to the Declaration on the rights of self-determination, land and resources (also **BAA**).

DENMARK and **GREENLAND** see the establishment of their self-government arrangement as an illustration of Denmark's de facto implementation of the Declaration vis-à-vis Greenland. The Declaration often forms the basis for debates in the general public, the media as well as parliament. Efforts have been made to widely disseminate the text.

The **EUROPEAN UNION** (EU) presents its new Human Rights Strategy. The European Instrument for Democracy and Human Rights grants direct support to civil society organisations to reinforce the rights of IPs.

IWGIA encourage the EMRIP to urge the World Heritage Committee to establish an appropriate mechanism through which IPs can effectively participate in its decision-making processes, and to remedy the existing lack of transparency in the implementation of the World Heritage Convention.

The existence of the Declaration is not enough to guarantee IPs' rights. **LLU** consider necessary a “national implementation” system and suggest a review of the level of implementation leading to intergovernmental pressure among States.

HPI-HCU say the Declaration should be transformed into a UN convention on the rights of IPs (also **AZETTA**), for which an especially tasked body should be created with the collaboration of the HRC.

José Carlos Morales emphasizes the need for improved relations between IPs and States through effective implementation of the Declaration (also **EU**). He encourages engagement of UN bodies with the EMRIP. He also stresses the role of IPs' media in the promotion of the Declaration (also **CIWF**, **LLU**, **LIENIP**).

In her concluding comments, **Jannie Lasimbang** remarks that many IPs call for the implementation of the Declaration and of ILO Convention 169 (also **AZETTA**, **COPORWA**, **PCJSS**, **AIPR**, **FW**, **CJIRA**). There is also a need to conduct review of existing legislation and constitutional provisions (also **Saami Parliament in Norway**), and particularly to secure rights to land and resources (also **LIENIP**). IPs are also concerned about problems arising from the militarization of their territories (also **Asian Indigenous Caucus**, **MPHRC**, **AIPR**, **LAWD/LABT/EIHR/UTSLHRC**). Access to justice is among the main preoccupations for IPs. The protection of environment, the basis of IPs' livelihoods, is also of great concern (also **FW**, **AZETTA**, **PIPD/LINAPYCO/IPACC**). The EMRIP needs to assess consistency of the World Heritage Convention with the Declaration and IPs must have access to the Convention's decision-making processes (also **IWGIA**).

Interactive Dialogue on the Declaration

Jannie Lasimbang hopes this dialogue, held for the first time, will be useful not only to observers but also to the panel, comprised of the SRIP, and EMRIP and PF Chairpersons.

As examples of the Declaration's implementation, **Wilton Littlechild** highlights the work of the EMRIP, for all of its reports and advice are related to the rights contained in the Declaration (also **NNHRC**), and in particular the right to self-determination, which is a cornerstone of the Declaration (also **Edward John**); an upcoming handbook for parliamentarians on the implementation of the Declaration, which addresses both IPs' issues and what parliamentarians can do in terms of respect for and realisation of IPs' rights; and adoption of the Declaration by IPs' governance structures themselves. IPs need to ensure that they educate themselves about the Declaration (also **HK**).

Acknowledging IPs' hard work in this, **James Anaya** says the adoption of the Declaration marked a transition from an era in which dominant thinking justified infringement upon IPs' rights, to one in which these rights and IPs' diversity are recognized within the global programme to advance human rights. However, much has yet to be achieved (also **EU**), as IPs continue to experience continual breaches of their rights, resulting from government and societal behaviour rooted in the oppressive past (also **COICA**, **CJIRA**, **COPORWA**, **CMA**, **BAA**). To catalyze strengthened implementation, Member States should, individually and collectively, renew their commitment to supporting the Declaration and to adhering to its mandatory terms (also **Edward John**, **Asian Indigenous Caucus**, **FAIRA**, **CIWF**, **Tin Hinan/CMA/ARVRA**). Moreover, implementation requires building greater awareness about the Declaration by Governments and UN actors at all levels (also **Edward John**; **JOAS** for Malaysia); developing comprehensive strategies to reform laws, programmes, and procedural rules in line with the Declaration (also **FAIRA**, **GUYANA**); and educating the public about the Declaration (also **Wilton Littlechild**, **Edward John**).

Edward John says articles 3 (on self-determination), 25 (on the issue of responsibilities of IPs to future generations) and 43 (identifying the purpose of the Declaration as being the survival, dignity and well-being of IPs) carry the teaching of IPs for future generations about the responsibilities that people have towards each other and the world around them. Issues related to IPs' land and territories within State boundaries are among core issues of the Declaration. He reports on a recent and alarming decision by the Court of Appeal of British Columbia, in a case involving the **Tsilhqot'in** people, who went to court in 1989 to pursue redress, at high costs, for traditional lands taken to them in the mid 1880. Notwithstanding the affirmation of Aboriginal peoples' rights in the Constitution, both the federal and provincial governments' positions are that these rights do not exist until

proven in a court. This forces IPs into courts to resolve issues based on legal relationships that are built on the doctrine of discovery and its insidious nature (also **GCC/FNS/UBCIC/AFN/CFSC/HK**). In fact, no court in Canada has ever declared that Aboriginal Title exists. The British Columbia Court of Appeal's judgement of June 27, 2012, affirms without any doubt the Crown's sovereignty over territories in North America, based on the doctrine of discovery. As a result, the title that the Tsilhqot'in people had to any of their territories was restricted to very small and specific spots, such as cliffs and promontories. The decision also states the need to "...protect Aboriginal traditions without unnecessarily interfering with Crown sovereignty and with the well being of all Canadians." It is because of this considerable uncertainty at domestic level that IPs pursue measures at the international level, including in the UN system, to protect their inherent rights to lands, territories and resources.

The **Asian Indigenous Caucus** enquire about emerging good practices in the application of the Declaration with regard to rights to land, territories and resources.

ATSISJC/AHRC enquire on conducting a similar survey on implementation of the Declaration with IPs (also **CTT**).

COICA enquire about possible initiatives by the EMRIP, SRIP and PF to monitor effective implementation of the Declaration, and to assist IPs in their efforts to this end.

CPCCK enquire about integrating the Declaration into the basis of examination for the UPR.

Wilton Littlechild says the EMRIP very much welcomes the suggestion to conduct a survey among IPs. As for emerging good practices, he notes that many IPs have endorsed or adopted the Declaration to themselves, while some States have incorporated the Declaration in their Constitutions. He suggests that when there are IPs living in a State that is being reviewed under the UPR, that State should be specifically asked to answer how it is implementing the Declaration.

Regarding good practices specific to land, territories and resources, **James Anaya** underscores common elements, including some form of legal or constitutional recognition of IPs' rights in line with the Declaration; the existence, beyond such recognition, of administrative practices that effectively protect IPs' rights to lands and resources; and overall compliance of land and resources legislation with IPs' rights as affirmed in the Declaration. Responding to COICA, he underscores the need for much more actual programmes or actions promoting and supporting specific initiatives to secure IPs' rights in accordance with the Declaration. In this regard, IPs need to put forward their own initiatives and specific proposals that can help bring actual changes on the ground. Regarding the UPR, the various interactions with States by human rights treaty bodies and special procedures – including the SRIP – are reflected in the compilation prepared by OHCHR. However, more direct action is needed to include the Declaration.

Edward John emphasizes both implementation at the State level, and accountability at international level. Examples of good practices include the development, in Western parts of Canada, of strategic plans by IPs in their respective territories as a basis of engaging the State on crucial development matters related to those lands and territories. The UN Global Compact is also encouraging companies to use standards enshrined in the Declaration. The **Surui** IPs in Brazil are mapping their territory through collaboration with the Google Earth Outreach company, and their young people are being trained with these new tools and skills to protect the territory and monitor management of resources based on customary principles.

Proposed legal reforms critically undermine numerous consultations processes whereby **Maya** IPs objected to mining exploration and exploitation. **RNOJM** ask how the SRIP, EMRIP and PF can contribute to having the State of Guatemala recognize these consultations.

NIYC ask how they get the US Government to extend the benefits of the Declaration to the urban IPs.

AIRT enquire on good practical steps for States to implement the Declaration (also **ARVRA/Tinhinan/CMA/Adjmor/Temoust**), and on advice for IPs where governments mistakenly assert that existing laws and policies already conform to the Declaration.

HK enquire on assistance to IPs in addressing the implementation gaps that stem from States' failure to recognize IPs' rights, despite the adoption of the Declaration (also **BIC** for Canada).

James Anaya emphasizes the need for the Government of Guatemala to take into account the consultations realized by **Maya** communities, as genuine expressions of their rejection of mining operations. Many of the Declaration's provisions have implications for IPs living in urban areas, which represent most IPs in many countries. As to practical steps to implement the Declaration, he reiterates the need for ongoing dialogue in all countries, between IPs and States, through consensus-based processes in order to develop practical measures that should include legal or constitutional reforms, as well as administrative measures and the establishment of specific programmes – followed by decided action.

Wilton Littlechild notes that the Declaration, having a global focus, also applies to urban areas in the USA, who has endorsed it. As regards practical steps for application, he calls for less focus on areas of concern and more focus on areas of agreement in the Declaration, which could be immediately implemented while more work can

be done towards common understanding of the provisions that remain of concern. Work is being done to develop plain language versions of the Declaration, for use at the community level. States that assert that they already meet the standards of the Declaration, should offer research-based evidence as proof of that achievement, through analysis of all their laws and policies against all the provisions of the Declaration.

Edward John calls for continued focus, by IPs, States and their institutions, as well as academic centres, on the development of knowledge on the standards in the Declaration, in order to broaden the basis of the understanding of IPs' rights. Answering to RNOJM, he underscores the key principle that IPs need to be directly involved in discussions on the development of constitutional changes or reforms. Finally, there needs to be a mechanism where complaints over violations of the Declaration or of treaty rights can be taken – the draft American Declaration on the Rights of Indigenous Peoples now provides for such a mechanism for treaties.

NSWALC enquire on a monitoring and evaluation mechanism or framework, outside of the UPR, for States to report on implementation of the Declaration (also **BAA, JOAS**).

UNN ask what the UN offers to IPs when they have exhausted all domestic recourse for violations of their rights. In Australia, the Constitution is being reviewed to recognize the existence of the first peoples, but this will not lead to constitutional recognition of IPs' rights, because the majority of Australian citizens opposes them. **FAIRA** ask how IPs can convince States that they cannot dismiss the Declaration as an aspirational document. Secondly, if the UN is being used by States to escape IPs' long quest for freedom and dignity, could IPs achieve their struggle for global recognition of their rights outside of the state-controlled bodies?

CJIRA warn that while on the one hand, the State of Argentina is maintaining dialogue with – selected – IPs and emphasizing its legislation protecting their rights, on the other hand it is promoting an imminent reform of the Civil Code that will undermine this protection (**James Anaya** invites further information on this). Moreover, the Government seems to be paying lip service to precautionary measures ordered by the IACHR.

ARVRA/Tinhinan/CMA/Adjmor/Temoust ask whether the SRIP could take part in the current international negotiations regarding the conflict in northern Mali, and emphasize the need for the effective participation of the **Tuareg** peoples in these negotiations.

IITC ask how the three mechanisms feel that the proposed approach of preparing a consolidated report on extractive industries and their impact on IPs, may add value to their specific work and strengthen the input of IPs' voices.

Wilton Littlechild highlights the suggestion for a monitoring and evaluation mechanism, contained in the EMRIP's Follow-up report on the right to participate in decision-making and Comment on the HRC's Guiding Principles on Business and Human Rights as related to IPs. Read together, articles 27, 28 and 40 of the Declaration provide for a possibility outside of the UPR for States to report on implementation. Together with article 32, this would provide for a monitoring mechanism regarding extractive industries based on IPs' traditional knowledge and conflict resolution systems. Also, based on its opinion about article 42, the PF itself is inviting reports from States. Responding to IITC, he says as the SRIP, EMRIP and PF report to two different parent bodies whereas the SRIP also has the opportunity to address the GA, consolidation of their work could indeed help strengthen their voice as to what States could do regarding specific issues, and express more clearly the voices of IPs (also **James Anaya**).

James Anaya recalls that the SRIP is specifically mandated to receive information about allegations of human rights violations, to communicate with governments and make, where appropriate, recommendations about solutions. He can also promote dialogue between IPs and governments, to work out constructive arrangements and practical solutions; however, this requires the cooperation of all concerned parties. Responding to **FAIRA**, he emphasizes the Declaration as an expression of human rights standards incorporated in existing legally-binding international human rights instruments, and contextualised in reference to IPs' reality (also **Edward John**); and as a strong statement on IPs' rights by the world community, which States have committed to implement when they have adopted it. He emphasizes the need for all States to ensure consistency of all laws with international standards on IPs' rights (also **FAIRA**).

Edward John says the Declaration is not aspirational: human rights are real rights and need to be acted upon as such. Article 38 of the Declaration provides for States to engage with IPs on implementation within a particular territory. Without dialogue between IPs' and States' representatives on the basis of these standards, there will be no progress. Decision makers on the States' judiciaries also need to understand that beyond their domestic boundaries, there are commitments made by the State, which they should be held accountable to in interpreting domestic legislation.

DENMARK expresses its interest in seeing this interactive dialogue on the Declaration become an integral part of the EMRIP's agenda (also **Wilton Littlechild, AIRT**).

GUYANA underscores its model of implementation of the Declaration's standards on IPs' land and resources, participation in decision making at national and at local levels, and adherence to and practice of the principle of

free prior and informed consent, including as regards Guyana's low carbon economy strategy and its policy of forest conservation. However, challenges remain in implementation.

James Anaya has never seen one government challenging his use of the Declaration as primary point of reference for identifying IPs' rights. He takes this as an encouraging sign of acceptance that the Declaration is authoritative and represents a common point to move forward with concrete steps.

Edward John says this interactive dialogue on the Declaration is a very interesting and useful practice (also **Jannie Lasimbang, James Anaya, NSWALC**), an encouraging opportunity for the three UN indigenous mechanisms to reflect, with others, on how to improve the situation of IPs' human rights. In this, the UN indigenous mechanisms and IPs themselves need to rely on each other, in order to gain some major redress.

Wilton Littlechild underscores the new method used in this important and historic interactive dialogue (also **Edward John**).

Item 7 – Proposals to be submitted to the Human Rights Council for its consideration and approval

The **Global Indigenous Peoples' Caucus** express disappointment that the HRC is not taking into consideration the recommendations for studies issued by the EMRIP following its annual sessions (also **Asian Indigenous Caucus, AIRT**). In the perspective of the 2014 World Conference, the Global Caucus reiterate the call for addressing IPs' right to self-determination through a two-year comprehensive study (also **AIRT**). The Global Caucus also support a study on access to justice: the “principles of justice” mentioned in the Declaration represent a foundational pillar of its interpretation and implementation.

The **Global Indigenous Peoples' Caucus** and the **North American Indigenous Caucus** recall ground-breaking studies on IPs' rights conducted by the WGIP, including the Study on Treaties, Agreements and other Constructive Arrangements by Miguel Alfonso Martinez and the Study on the Permanent Sovereignty of IPs over Natural Resources by Erica-Irene Daes. The Declaration now provides for the recognition of IPs as peoples with full right to self-determination. However, considerable work is still needed in this area. The richness and diversity of the natural world are essential to IPs' survival, rights and self-determination. The EMRIP should propose a follow-up study on IPs' permanent sovereignty over land and natural resources (also **NNHRC, AIRT**). The **Asian Indigenous Caucus** call on the EMRIP and HRC to take on access to justice for the next study, due to its importance and in relation to the escalation of human rights violations in many regions where IPs are, including development-induced violence (also **Global Indigenous Peoples' Caucus, AIRT, CMA**). Barriers that IPs face in accessing justice and grievance mechanisms include geographical remoteness, discrimination, language barriers, absence of legal pluralism, and impunity.

Based on the doctrine of discovery, the USA has imposed limitations to the full exercise of IPs' inalienable right to resources, with ongoing manifestations in allowing corporations to exploit IPs' resources. **NNHRC** denounce uranium mining projects and plans, despite the strong opposition repeatedly stated by the **Navajo** Nation government, as ongoing efforts to ignore the human rights of the Navajo people, including their right to free prior and informed consent, under various international treaties and standards to which the USA is a party.

AIPR/IMADR/KKF/OS-107/SGC/Wattaa Loochoo suggest addressing the issue of militarisation, which affects many IPs worldwide (also **HIHR**), and leads namely to land grabbing, environmental destruction, violence against women, and crimes by military personnel (also **RNOJM** for Guatemala). This would help identify good practices as to protection of IPs' rights, provision of remedies to victims, and effective prevention.

HIHR suggest focus on the UN Framework Convention on Climate Change and IPs' involvement therein, through a series of studies and workshops led by IPs over various years in the seven indigenous regions. The new Independent Expert on human rights and the environment should be invited to attend the EMRIP's sessions. Other studies could focus on promotion of IPs' human rights in economic multilateral discussions, and on inclusion of IPs and their rights in the work of regional human rights mechanisms.

Noting a wide implementation gap regarding the rights to information and consent as established in ILO Convention 169 and the Declaration, **LLU** propose the introduction of a unique global system of environmental standards, sanctions and incentives for sustainable extractive activities.

GUATEMALA reports on proposed constitutional reforms, including a proposal to consider Guatemala as a multi-ethnic and multicultural State, which enjoys the agreement of several indigenous sectors.

As regards human rights and extractive industries, IPs could participate to the multi-stakeholders approach of the Extractive Industries Transparency Initiative (EITI). The **USA** further suggests that the EMRIP focus on best practices with regard to the role of women in economic development, preservation of culture, and tribal governance.

Proposals submitted to the HRC by the EMRIP at its fifth session and follow-up

Resolution 21/24 of the Human Rights Council, of 28 September 2012 (see Update 102-103) retakes proposals 1, 2 and 5 below. It reflects only in part proposals 3 and 8. Proposals 4, 6 and 7 are not reflected in the Council's resolution 21/24. Proposal 9 was directed to UNESCO and the World Heritage Committee.

Proposal 1: IPs and access to justice

The Expert Mechanism on the Rights of Indigenous Peoples:

- (a) Refers to paragraph 1 (b) of Human Rights Council resolution 6/36;
- (b) Proposes that the Human Rights Council request the Expert Mechanism to prepare a study on IPs and access to justice given the gravity of the issues facing IPs, including discrimination against IPs in criminal justice systems, particularly for indigenous women and youth. Overrepresentation of IPs in incarceration is a global concern. Good practices, particularly those associated with traditional justice systems, would be examined.

Proposal 2: Extension of time for States to respond to the questionnaire on the implementation of the UN Declaration on the Rights of Indigenous Peoples

The Expert Mechanism on the Rights of Indigenous Peoples:

Proposes that the Human Rights Council request the Expert Mechanism to continue to solicit responses to the questionnaire seeking the views of States on best practices regarding possible appropriate measures and implementation strategies, with a view to completing a final summary of responses for presentation to the Human Rights Council at its 24th session and to encourage those States that have not yet provided their responses to do so.

Proposal 3: World Conference on Indigenous Peoples

The Expert Mechanism on the Rights of Indigenous Peoples:

- (a) Refers to resolution 65/198 of the General Assembly, wherein the General Assembly decided to organize a high-level plenary meeting of the General Assembly in 2014, to be known as the World Conference on Indigenous Peoples, to share perspectives and best practices on the realization of the rights of IPs, including the objectives of the UN Declaration on the Rights of Indigenous Peoples;
- (b) Proposes that the Human Rights Council welcome the recommendations of the Permanent Forum on Indigenous Issues from its 11th session relating to the World Conference on Indigenous Peoples [E/2012/43-E/C.19/2012/13] and encourage the development of an action-oriented outcome document at the World Conference;
- (c) Proposes that the Human Rights Council support the full and effective participation of IPs at all preparatory and follow-up stages of the World Conference on Indigenous Peoples, as well as during the World Conference itself. IPs must also be equal participants in the drafting of the outcome documents and in the co-chairing of all World Conference meetings;
- (d) Proposes that the Human Rights Council encourage the participation of national human rights institutions in all the preparatory and follow-up processes of the World Conference on Indigenous Peoples as well as at the World Conference itself;
- (e) Proposes that the Human Rights Council recommend that the themes, agenda items, duration, location and timing of the World Conference on Indigenous Peoples be determined by consultations with IPs and States and in a manner that will best facilitate the realization of the rights of IPs;
- (f) Proposes that the Human Rights Council recommend that the studies and advice of the Expert Mechanism be discussed at, and incorporated into the agendas of the preparatory and follow-up meetings, as well as the World Conference on Indigenous Peoples;
- (g) Proposes that the Human Rights Council encourage States and all UN agencies to support the World Conference on Indigenous Peoples, especially through technical and financial contributions.

Proposal 4: International expert seminar on truth and reconciliation processes

The Expert Mechanism on the Rights of Indigenous Peoples:

- (a) Noting that an international expert seminar on truth and reconciliation processes will promote reconciliation and referring to the Expert Mechanism's proposal 7 from its fourth session [A/HRC/18/43, p. 6] and proposal 8 from its third session [A/HRC/15/36, para. 11];
- (b) Noting also the recent appointment of the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence;
- (c) Refers to the Permanent Forum on Indigenous Issues' report on its tenth session, in which the Permanent Forum welcomes the Expert Mechanism's proposal to hold an international expert seminar on truth and reconciliation processes;

(d) Proposes that an international expert seminar on truth and reconciliation processes be held in 2013 in partnership with other interested parties.

Proposal 5: Implementation of the Declaration on the Rights of Indigenous Peoples within the communities and nations of IPs

The Expert Mechanism on the Rights of Indigenous Peoples:

Proposes that the Human Rights Council request the Expert Mechanism to undertake, with the assistance of the OHCHR, a questionnaire to seek the views of IPs regarding the measures and strategies that they may undertake to attain the goals of the UN Declaration on the Rights of Indigenous Peoples within their communities and Nations.

Proposal 6: Engagement of agencies and institutions focused on IPs with the Expert Mechanism

The Expert Mechanism on the Rights of Indigenous Peoples:

Proposes that the Human Rights Council call on specialized bodies and institutions, established by States to focus on IPs, to actively engage with the Expert Mechanism.

Proposal 7: International Day of the World's Indigenous People

The Expert Mechanism on the Rights of Indigenous Peoples:

Proposes that the Human Rights Council recommend that States support the celebration of the International Day of the World's Indigenous People.

Proposal 8: Consideration of the rights of IPs in the Human Rights Council

The Expert Mechanism on the Rights of Indigenous Peoples:

(a) Welcomes the decisions by the Human Rights Council to hold an interactive dialogue after the presentation of the annual report of the Expert Mechanism to the Human Rights Council and to hold a half-day panel on access to justice, and also proposes that the Human Rights Council's 2013 half-day panel discussion on the rights of IPs focus on the World Conference on Indigenous Peoples;

(b) Also proposes that the Human Rights Council specifically review the human rights of IPs, including in its universal periodic review, through questions and recommendations to States directed at the implementation of the UN Declaration on the Rights of Indigenous Peoples;

(c) Refers to proposal 2 (c) from its report of its fourth session [A/HRC/18/43, p. 4] and proposes that the Human Rights Council request States, UN human rights treaty bodies, special procedures and other relevant bodies and institutions to utilize the recommendations and advice of the Expert Mechanism within their activities;

(d) Proposes that the Human Rights Council urge States to contribute to the UN Voluntary Fund for Indigenous Populations.

Proposal 9: World Heritage Committee

The Expert Mechanism on the Rights of Indigenous Peoples:

(a) Notes that the 40th anniversary of the Convention Concerning the Protection of the World Cultural and Natural Heritage is being celebrated in 2012 under the theme "World heritage and sustainable development: the role of local communities";

(b) Refers to articles 41 and 42 of the UN Declaration on the Rights of Indigenous Peoples, as well as paragraph 38 of Expert Mechanism Advice No. 2 [A/HRC/18/42, annex];

(c) Reiterates that UNESCO must enable and ensure effective representation and participation of IPs in decision-making related to the World Heritage Convention and that robust procedures and mechanisms should be established to ensure that IPs are adequately consulted and involved in the management and protection of World Heritage sites, and that their free, prior and informed consent is obtained when their territories are being nominated and inscribed as World Heritage sites;

(d) Welcomes World Heritage Committee decision 35 COM 12E (2011), in which the Committee encourages States to involve IPs in decision-making, monitoring and evaluation of the state of conservation of World Heritage sites and to respect the rights of IPs when nominating, managing and reporting on World Heritage sites in IPs' territories;

(e) Encourages the World Heritage Committee to establish a process to elaborate, with the full and effective participation of IPs, changes to the current procedures and operational guidelines and other appropriate measures to ensure that the implementation of the World Heritage Convention is consistent with the UN Declaration on the Rights of Indigenous Peoples and that IPs can effectively participate in the World Heritage Convention's decision-making processes.

(Source: EMRIP Report A/HRC/21/52, Section II-D)

Provisional agenda of the sixth session of the EMRIP

Geneva, 8 – 12 July 2013

1. Election of officers
2. Adoption of the agenda and organisation of work
3. World Conference on Indigenous Peoples
4. Follow-up on thematic studies and advice
5. Study on the access to justice in the promotion and protection of the rights of IPs
6. UN Declaration on the Rights of Indigenous Peoples
7. Proposals to be submitted to the HRC for its consideration and approval
8. Adoption of the report

Abbreviations of indigenous peoples' organisations and NGOs

ACHPR:	African Commission on Human and Peoples Rights
AFN:	Assembly of First Nations
AH:	Aupunii Hawaii
AHRC:	Australian Human Rights Commission
AI:	Amnesty International
AILA:	American Indian Law Alliance
AIPIN:	Agencia Internacional de Prensa India
AIPR:	Association of Indigenous Peoples in the Ryukyus
AIRT:	Aoteaora Indigenous Rights Trust
ARVRA:	Association des réfugiés et victimes de la répression de l'Azawad
ATH-K:	Association Culturelle ATH-Khoudhiâ
ATSISJC:	Aboriginal and Torres Straits Islander Social Justice Commissioner
AZETTA:	Réseau Amazigh pour la Citoyenneté
BAA:	Bangsa Adat Alifuru
BIC:	Biocybernaut Institute of Canada
BIPF:	Bangladesh Indigenous Peoples Forum
CFSC:	Canadian Friends Service Committee
CIPRIH:	Cabildo Indígena de la Parcialidad del Resguardo Indígena de Honduras
CIWF:	Cameroon Indigenous Women Forum
CJIRA:	Comisión de Juristas Indígenas de la República Argentina
CMA:	Congrès Mondial Amazigh
CNA-AAAO:	Conseil National Arménien – Assemblée des Arméniens d'Arménie Occidentale
CNCI:	Congreso Nacional de Comunicación Indígena, México
COICA:	Coordinadora de las Organizaciones Indígenas de la Cuenca Amazónica
COPORWA:	Communauté des Potiers du Rwanda
CPCCK:	Congrès Populaire Coutumier Kanak
CRIC:	Consejo Regional Indígena del Cauca
CTT:	Consejo de Todas las Tierras
ECDO:	Ethnic Community Development Organisation, Bangladesh
EIIHR:	The Emilio Institute for Indigenous and Human Rights
FAIRA:	Foundation for Aboriginal and Islander Research Action
FNS:	First Nations Summit, British Columbia
FPHRC:	First Peoples Human Rights Coalition
FW:	Fundación Wayuunaiki
GCC:	Grand Council of the Crees
GCG:	Indigenous Global Coordinating Group for the World Conference on Indigenous Peoples
HIHR:	Hawai'i Institute for Human Rights
HK:	Haudenosaunee of Kanehsata:ke
HPI-HCU:	Hiroshima Peace Institute
IACHR:	Inter-American Commission on Human Rights
ICC:	Inuit Circumpolar Council
IITC:	International Indian Treaty Council
IMADR:	International Movement against Discrimination and All Forms of Racism
IPACC:	Indigenous Peoples of Africa Co-ordinating Committee

IPCB:	Indigenous Peoples Council on Biocolonialism
IPNC:	Indigenous Peoples and Nations Coalition
IWA:	Indigenous World Association
IWGIA:	International Work Group for Indigenous Affairs
JOAS:	Jaringan Orang Asal SeMalaysia
KaF:	Kapaeeng Foundation, Bangladesh
KAH:	Ke Aupuni o Hawaii
KF:	Koani Foundation, Hawaii
KKF:	Kampuchea Khmer Krom Federation
LABT:	Lipan Apache Band of Texas
LACSE:	Laguna Acoma Coalition for a Safe Environment
LAWD:	Lipan Apache Women's Defence
LIENIP:	Lauravetlan Information and Education Network of Indigenous People
LINAPYCO:	Ligue nationale des associations autochtones pygmées de la RD Congo
LLU:	Lueneburg Leuphana University
MASE:	Multicultural Alliance for a Safe Environment
MoLCA:	Kontinonhstats – Mohawk Language Custodians Association
MPHRC:	Meghalaya Peoples' Human Rights Council
NIYC:	National Indian Youth Council, USA
NNHRC:	Office of the Navajo Nation Human Rights Commission
NPMHR:	Naga Peoples Movement for Human Rights
NSWALC:	New South Wales Aboriginal Land Council
NWAC:	Native Women's Association of Canada
OS-107:	Okinawa Studies 107
PCJSS:	Parbatya Chattagram Jana Samhati Samiti
PIDP:	Programme d'Intégration et de Développement du Peuple Pygmée au Kivu - SHIRIKA LA BAMBUTI
RAIPON:	Russian Association of Indigenous Peoples of the North
RBC:	Rehoboth Baster Community
REI:	Revista Ecuamundo Internacional
RENOJ:	Red Nacional de Organizaciones de Jóvenes Maya, Guatemala
SACS:	Structural Analysis of Cultural Systems, Berlin Technical University
SC:	Saami Council
SGC:	Shimin Gaikou Centre (Citizen's Centre for Diplomacy)
T4FN:	Treaty Four First Nations, Canada
TNR:	Taotaomona Native Rights, Guam
UBCIC:	Union of British Columbia Indian Chiefs
UEA:	Universala Esperanto-Asocio
UNIPROBA:	Unissons-nous pour la promotion des Batwa
UNN:	United Nuwaubian Nation, USA
UTSLHRC:	University of Texas School of Law and Human Rights Clinic
WBO:	World Barua Organisation
WPIA:	West Papua Interest Association
WTP:	Waso Trustland Project

3. OTHERS

doCip's Capacity Building Programme for French-speaking African IPs

Since 2007, doCip has been organising, in partnership with the Indigenous Peoples of Africa Co-ordinating Committee (IPACC), capacity-building programmes directed to the most marginalized French-speaking IPs' organisations of Africa. The aim is to develop their abilities in setting up and managing technical services during international conferences, in documenting human rights' violations, in fundraising, management and reporting, in networks management and in gender issues. Three programmes have already benefited nine representatives of indigenous organisations from the disadvantaged regions of Central and West Africa. For six months in doCip's office in Geneva, they have followed trainings in documentation, fundraising, and setting up of technical secretariats. They have been introduced to international, European and Swiss processes and bodies.

A new capacity-building programme is taking place from 2013 to 2015, focusing on training for the preparation of technical secretariats during the African Commission on Human and Peoples' Rights (ACHPR) and in documenting human rights' violations against IPs. This new programme particularly takes into account the need to guarantee that the trainees are enabled to transfer the acquired skills to the other members of their organisations. For this reason, the internship will continue during 6 months after the trainees have returned to their organisations, giving them, and especially women, the means to pursue their work in the organisation, transfer their skills to their colleagues and undertake fundraising to ensure the organisation's functioning.

Trainees for 2013

17 June – 16 December 2013

François Bigirimana is a Batwa from Burundi, living in Bujumbura. He graduated from the Faculty of Law of the Lake Tanganyika University. He first joined the indigenous organisation UNIPROBA (Unissons-nous pour la promotion des Batwa) as an intern for the project to promote citizenship and access to justice for the Batwa indigenous minorities. With former EMRIP member Vital Bambanze as a mentor, François volunteers in UNIPROBA to study legal files concerning land grabbing issues affecting the Batwa peoples.

Mariam Daliman is a Touareg from Niger. She is presently living in Agadez, where she works as an assistant librarian for the Alliance Française. In 2008, she engaged in a nutrition programme for children aged 0 to 5 and pregnant and/or breastfeeding women, after following a UNICEF training in that field. Graduated in accounting, she completed in January 2013 a training on digital trends and social networks. Mariam's indigenous organisation is "TIDAWT, Initiative Développement Local", in Agadez, for which she closely follows women's and children's issues.

Parfait Dihoukamba is a Babongo from the Republic of the Congo. As an architect, he notably develops infrastructures for the International Forum on Indigenous Peoples of Central Africa (FIPAC). He is the national coordinator for the National Network of Indigenous Peoples of the Congo (RENAPAC), and is also active within the Network of Indigenous and Local Populations for the Sustainable Management of Forest Ecosystems in Central Africa (REPALEAC). In 2012, he followed a training in human rights and African mechanisms for human rights.

Registrations for the 2014 training will open in November 2013 and the information will be communicated through doCip and IPACC networks.

Upcoming Meetings and Events of interest for IPs

Our updated Agenda of upcoming meetings and events of interest for IPs is available on our website at the following address: http://bit.ly/agenda_en (or by choosing *Agenda* in the menu *doCip at the UN*). We mail hard copies of the updated Agenda twice a year to indigenous organizations and individuals – and to other interested organizations or individuals, upon request.

OHCHR's Indigenous Fellowship Programme

The Indigenous Fellowship Programme (IFP) of the Office of the High Commissioner for Human Rights aims at providing indigenous men and women the opportunity to gain knowledge on the UN system and mechanisms dealing with human rights in general and indigenous issues in particular so they can assist their organizations and communities in protecting and promoting the rights of their people. At the end of the programme, each fellow will be capable of giving training sessions within their communities and organizations in the fields of international human rights in general, and of IPs' rights in particular, and be able to disseminate the information and knowledge gained during the programme.

The IFP is accessible in **English, French, Spanish and Russian**. The selected candidates are entitled to a return flight ticket, living expenses, and basic health insurance for the duration of the training programme. The programme -in its four linguistic versions- is held annually. In 2011, a review of the IFP led to the decision to merge all the linguistic components, which were previously held at different periods of the year, into one single training programme (with simultaneous interpretation) lasting from 4 to 5 weeks in Geneva. The dates of the training programme coincide with the sessions of the Expert Mechanisms on the Rights of Indigenous Peoples, thus allowing the fellows to participate more actively in that Mechanism. OHCHR Indigenous Peoples and Minorities Section – responsible for this programme – is foreseeing to complement the IFP in Geneva through the establishment of regional training components, to prepare the participants to the Geneva session.

For more information on the program, the conditions for application, the selection process and the application forms, please visit the website mentioned below. The deadlines for applications to the 2014 programme have already expired.

Fellows of the 2013 Programme

English-speaking component

17 June – 12 July 2013, OHCHR, Geneva, Switzerland

- Ms. **Brenda Young**, Chippewas/Anishinabek Nation, Canada
- Mr. **Pablo Miss**, Maya Q'eqchi, Belize
- Ms. **Alma Grace Barla**, Oraon, India
- Mr. **Emmanuel Mariach Lousot**, Pokot, Kenya
- Mr. **Leonard K. Mindore**, Ogiek, Kenya
- Ms. **Rajani Maharjan**, Newar, Nepal
- Ms. **Haylee Davis**, Dunghutti Nation, Australia
- Mr. **Louis Elberto Biswane**, Kaliña, Suriname

Spanish-speaking component (sous-sous titre)

17 April – 14 June 2013, University of Deusto, Bilbao, Spain

17 June – 12 July 2013, OHCHR, Geneva, Switzerland

- Mr. **Alex Guanga Nastacuas**, Awa, Colombia
- Mr. **Rafael Angel Delgado Estrada**, Bribri, Costa Rica
- Mr. **Jorge Mauricio Tropan Colimán**, Mapuche, Chile
- Mr. **Clemente Flores**, Koya, Argentina
- Ms. **Monica Michelena Diaz**, Charrúa, Uruguay
- Ms. **Blanca Cecilia Cuyo Illaquiche**, Panzaleo, Ecuador
- Ms. **Beatriz Caritimari de Llaury**, Shawi, Peru

French speaking component

17 June – 12 July 2013, OHCHR, Geneva, Switzerland

- Mr. **Pierre Bonkono**, Batwa, DRC
- Mr. **Amoumoune Ogaz**, Touareg, Niger
- Mr. **Boubaker Lyadib**, Amazigh, Morocco
- Ms. **Florence Edouard**, Palikur-Téleuyu, French Guyana
- Ms. **Imelde Sabushikime**, Batwa, Burundi

Russian speaking component

28 May – 14 June, Peoples' Friendship University of Russia, Moscow, Russian Federation

17 June – 12 July 2013, OHCHR, Geneva, Switzerland

- Ms. **Kolchurina Svetlana**, Komi-permyan, Russian Federation
- Ms. **Vlasova Olga**, Khanty, Russian Federation
- Mr. **Varavin Pavel**, Even, Russian Federation
- Mr. **Petrov Stepan**, Sakha, Russian Federation
- Ms. **Mongoush Sayana**, Tuvan-Todzhin, Russian Federation
- Ms. **Temina Marina**, Nivkh, Russian Federation

Contact:

Indigenous Fellowship Programme

Indigenous Peoples and Minorities Unit

Office of the UN High Commissioner for Human Rights

UNOG-OHCHR

CH-1211 Geneva 10 / Switzerland

Fax: + 41 22 917 9008

E-mail: fellowship@ohchr.org

Website: <http://www.ohchr.org/EN/Issues/IPeoples/Pages/Fellowship.aspx>

UN Voluntary Fund for Indigenous Populations

► To attend all sessions of the Human Rights Council, its Universal Periodic Review, and the Treaty Bodies between January and March 2014, applications will be accepted **from 1 September to 15 October 2013**.

► To attend the 13th session of the Permanent Forum on Indigenous Issues and the 7th session of the Expert Mechanism on the Rights of Indigenous Peoples in 2014, applications will be accepted **from 15 September to 1 November 2013**.

► To attend all sessions of the Human Rights Council, its Universal Periodic Review, and the Treaty Bodies between April and June 2014, applications will be accepted **from 1 December 2013 to 10 January 2014**.

Contact information:

Secretariat of the UN Voluntary Fund for Indigenous Populations

Office of the United Nations High Commissioner for Human Rights

CH-1211 Geneva 10 – Switzerland

Office location: 48 Giuseppe Motta, 1202 Geneva, Switzerland

Phone: +41 22 928 9674 - fax +41 22 917 9008

E-mail: IndigenousFunds@ohchr.org

For applications and more information:

<http://www.ohchr.org/EN/Issues/IPeoples/IPeoplesFund/Pages/IPeoplesFundIndex.aspx>

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- by e-mail at: docip@docip.org (Subject: Update)

- by fax at: + 41 22 740 34 54

- by mail at: doCip, 14 avenue Trembley, CH-1209 Genève

Thanks!

Contributors to this issue

David Matthey-Doret, Geneviève Herold, Bastien Birchler

Translation

Virginia Alimonda, Julie Graf, Nathalie Stitzel

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doCip • 14, avenue de Trembley • 1209 Geneva • SWITZERLAND

Tel.: (+41) 22 740 34 33 • Fax: (+41) 22 740 34 54 • e-mail: docip@docip.org • <http://www.docip.org>