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1. EDITORIAL

For the world's indigenous peoples, 2007 has been a truly memorable year. In addition to the adoption of the Declaration, it also saw the creation of a new Expert Mechanism on the Rights of Indigenous Peoples, notable for its placement high in the UN hierarchy: subsidiary to the Human Rights Council, which is in turn just below the General Assembly. Of all the former Sub-Commission's working groups, this is the one that best succeeded in ensuring its continuation – the other three (on slavery, communication, and, especially, minorities) have lost ground. This achievement by the indigenous delegations is even more remarkable in light of the passivity of many States and a veritable obstacle course.

Adopted by consensus, Resolution 6/36 guarantees annual 5-day meetings (after the first year) open to indigenous organisations regardless of ECOSOC status, following the model of the Permanent Forum; the resolution “strongly recommends that, in the selection and appointment process, the Council give due regard to experts of indigenous origin.”

Of course it would have been desirable to have a clearer mandate and a more solidly indigenous membership. But the vague wording of the resolution does allow the mechanism to structure itself gradually during the course of its annual meetings, beginning with the first one, which probably will take place 1-3 October 2008. It is to be hoped that indigenous participation will be substantial and significant from the start.

Other mechanisms of the Human Rights Council are already being employed by indigenous peoples. For instance, the first session of the Universal Periodic Review (UPR) scheduled for April will include participation by delegations from India, Indonesia and the Philippines, among others. In May and December, 32 other States will be reviewed in terms of their obligations and engagement regarding human rights issues. Let us remember that the Human Rights Council's innovative UPR process is a significant improvement over the Commission, since it obliges all States to submit to it.

Other opportunities exist for indigenous peoples to participate in UN human rights processes; these possibilities will be given more space in an upcoming issue. Also, we will soon publish the resolution on the Expert Mechanism – until then, relevant information can be found on our website, www.docip.org, or on the Human Rights Council's Extranet, which can be accessed from www.ohchr.org. This Extranet, which is very active, should be visited frequently.

To keep up with all these innovations, doCip's much visited website had to be completely overhauled. One of the novel features of this new website is that our documentation is in the process of being posted online, with a system of full-text research included. Two open source software programs were chosen to manage the site and the documentation centre – which will facilitate the transfer of our know-how to interested indigenous organisations. We hope we are thus getting closer to the Andean wisdom expressed by the Aymara Ambassador of Bolivia who chaired the informal meeting that led to the creation of the Expert Mechanism on the Rights of Indigenous Peoples:

“Life is life when a heritage is passed on to future generations. This patrimony is called *suma tamaña* in our culture: to live well, to live in harmony with nature. To live well, we must take care of our mother earth – with her flora and fauna – with humility, respect and love.” (from the closing speech by the Ambassador of Bolivia)

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2. PERMANENT FORUM ON INDIGENOUS ISSUES

6th session, New York, 14 – 25 May 2007

This sixth session focused on the theme of indigenous peoples' territories, land and natural resources. Of particular relevance to this theme are the Declaration on the Rights of Indigenous Peoples, adopted by the UN General Assembly in September 2007, and Mrs. Daes' studies. Discussion also addressed the issues of free, prior and informed consent, and of sharing of benefits arising from indigenous lands and natural resources. The theme of the seventh session will be "Climate change, bio-cultural diversity and livelihoods: the stewardship role of indigenous peoples and new challenges". The proposed agenda for the 2008 session includes thematic discussions on the Pacific, on indigenous languages, and follow-up on indigenous children and youth, as well as on urban indigenous peoples and migration.

Report on the Permanent Forum's session¹

Opening Session

Tracy Shenandoah, Traditional Chief of the Onondaga Nation Eel Clan, presents the traditional thanksgiving.

H.E. Sheikha Haya Rashed Al Khalifa, UN General Assembly President, reiterates the General Assembly's (GA) commitment to Indigenous Peoples (IPs). Despite the challenges they face, IPs, a source of inspiration and lessons to all, should not be cast as victims. She repeats her commitment to reach common ground on the UN Declaration on the Rights of Indigenous Peoples (the Declaration).

H.E. Ambassador Dalius Cekuolis, ECOSOC President, underlines the Permanent Forum's (PF) key role in IPs' increasing visibility at international level (also **GA President**) and in fostering dialogue between all stakeholders. The PF's involvement in the Council's high-level issues will ensure inclusion of IPs' concerns. The PF must continue to work on the Millennium Development Goals (MDGs) and towards IPs' inclusion in development processes according to free, prior and informed consent.

H.E. Ambassador Luis De Alba, Human Rights Council's President, refers to concerns over IPs' participation in the current review of mandates under the Council. The PF must reflect on the inclusion of indigenous experts in the Council and the future of the Working Group on Indigenous Populations (WGIP), to increase close cooperation and optimise outcomes. The Council and PF must collaborate on the Declaration's implementation.

José Antonio Ocampo, Under-Secretary-General for Economic and Social Affairs, Coordinator of the Second Decade, says the PF stands at the centre of the UN efforts to address global challenges, as IPs' survival is linked to humanity's diversity. The UN has long recognised IPs' profound spiritual relationship with their land. However, increased migration to cities, namely due to forced evictions, needs to be urgently addressed. Recognizing IPs' rights is of central importance, including through benefit-sharing regimes. Implementation of the PF's recommendations still reveals challenges. In spite of the holistic approach promoted by the PF, MDGs national reports and UN Common Country Assessment and Development Assistance Frameworks (CCAs/UNDAFs) mostly fail to ensure IPs' participation in all stages of development. This obstructs national efforts but could find remedy in UN normative and policy framework. The revised CCA/UNDAF Guidelines substantially refer to IPs and the IASG is developing guidelines on indigenous issues.

Victoria Tauli-Corpuz, elected Chair, says that land, territories and resource rights are a key demand of the international and national indigenous movements and fundamental to IPs, as foundation of their economic livelihood and spiritual, cultural and social identity, without which their possibilities to determine their future become eroded (also **Qin Xiaomei, Liliane Muzangi Mbela, Parshuram Tamang, Indigenous Women's, North American and Asian Caucuses, DENMARK and GREENLAND, NORWAY**).

Throughout the session speakers call for the GA to speedily adopt the Declaration, as a minimum standard to ensure IPs' survival, address the human rights abuses they face, and precipitate a shift in the development paradigm, as well as progress in peace building and in the fight against poverty (among others **Ambassador Luis De Alba, José Antonio Ocampo, Victoria Tauli-Corpuz, Wilton Littlechild, Ida Nicolaisen, William Langeveldt, Merike Kokajev, Otilia Lux de Coti, Parshuram Tamang, Hassan Id Balkassm, Aqqaluk**

¹ This report is based on oral and written statements presented orally during the debates, as well as on the UNDPI press releases. The official report on this session is document E/C.19/2007/12.

Lyngé, Qin Xiaomei, Liliane Muzangi Mbela, IFAD, UNICEF indigenous consultative group, the Global Women's, Asian and Pacific Indigenous Caucuses, AC, WWT, RXI, SDNU, AMAN, AIWN, IWFNEI, BWJF, CARD, TF, GIWA, LWU, IPNGO, SAIWF, WSH, IIDHPIAM, UPND, CPMRN, AJIA, CJIRA, PFB, LL, ROOTS, ITC, PIPV, CJG, FPK, DAP, CAMV-RDC, PIA, ECMIRS, CONAMIA, SCF, PERU, ECUADOR, GUATEMALA, NICARAGUA, NEPAL, FINLAND, NORWAY, DENMARK and GREENLAND, SPAIN, HOLY SEE).

Many insist that the Declaration must be adopted without amendment (among them **Victoria Tauli-Corpuz, Hassan Id Balkassm, the Global Women's, Asian and North American Indigenous Caucuses, Indigenous Caucus on the Declaration, SGF, ALRM/FAIRA/NNTC/MSHR/NACCHO/NSWALC/ILCUNSW/WCC, GUATEMALA, MEXICO).**

CANADA and **AUSTRALIA** reiterate their objections to the current text and their commitment to a Declaration that States can implement.

Implementation will not be possible without the States, hence the need for dialogue (**OHCHR**).

Referring to implementation (as the **Pacific** and **Latin American Caucuses**, insisting on free, prior and informed consent), the **SR on IPs' human rights** notes the Declaration is already an obligatory human rights framework. Speakers welcome existing efforts and call for gradual implementation by upholding the Declaration as the basic framework for collaboration with IPs (**Victoria Tauli-Corpuz, Wilton Littlechild, Indigenous Women's and North American Caucuses, AFN, CONAMAQ, RF** for Ireland).

IPs' human rights pre-exist the Declaration and must be enshrined in national constitutions (**Hassan Id Balkassm**). States should report to the PF on implementation (**AFN**). Insisting on self-determination shifts the focus away from human rights into politics (**GUATEMALA**).

Item 3 – Special theme “Territories, Lands and Natural Resources”

Indigenous, government and intergovernmental representatives widely underline the fundamental multifaceted significance, and vital importance, of lands, territories and natural resources for IPs.

Victoria Tauli-Corpuz stresses that this theme will require intense dialogue and partnership among all parties, on how to end historical injustices IPs face on expropriation, displacement and undermining of their land and resources tenure systems (also **Parshuram Tamang, Aqqaluk Lyngé**). She highlights Special Rapporteur (SR) **Daes'** studies on IPs' relationship to their lands and permanent sovereignty over natural resources (also **Erica-Irene Daes, Wilton Littlechild, Aqqaluk Lyngé, Pacific Indigenous Caucus**).

Relevant documentation for the 6th session of the PF

Documents submitted for the session

In this summary report, we mention some of the documents submitted to the 6th session, where relevant, but not all of them. In particular, the reports submitted to the PF by UN agencies and governments are not systematically mentioned here. All the session's documents have a symbol beginning with E/C.19/2007 and are available on the website of the PF Secretariat at www.un.org/esa/socdev/unpfii (go to the page for the sixth session, then to the section *Documents*). These documents are also available at doCip, upon request.

Other documents relevant to the session's debates

We list here some other documents relevant to the debates, which are referred to in this summary report:

- “IPs and their relationship to land”, Final working paper by SR Erica-Irene Daes (E/CN.4/Sub.2/2001/21)
- “IPs' permanent sovereignty over natural resources”, Final report by SR Erica-Irene Daes (E/CN.4/Sub.2/2004/30)
- Report of the Expert Seminar on IPs' permanent sovereignty over natural resources and their relationship to land (E/CN.4/Sub.2/AC.4/2006/3 – see also Update 75)
- “Studies on treaties, agreements and other constructive arrangements between States and indigenous populations”, by Miguel Alfonso Martínez (E/CN.4/Sub.2/1999/20)
- Reports of the first (2003) and second (2006) Seminars on Treaties, agreements and other constructive arrangements between States and IPs (E/CN.4/Sub.2/AC.4/2004/7 and Corr. 1; and E/C.19/2007/CRP.9)
- “Declaration of Iximché” issued by the Third Indigenous Peoples and Nations Continental Summit of Abya Yala, held in Guatemala, March 2007, (http://www.cumbrecontinentalindigena.org/iximche_en.php)
- The 2007 High Commissioner on Human Rights' report on indigenous peoples to the Human Rights Council (document A/HRC/4/77)

Statements presented on the floor during the session

All the written statements presented on the floor during the session and collected by doCip are available on our website at www.docip.org. Chose *Online documentation* in the menu *Documentation Centre*, then chose the *Conferences* mode and select *Permanent Forum 2007*: you will find the statements by agenda item. You can also use the *Search* mode if you look for a particular content and/or author (you can change your *Search preferences*, under *Preferences*, in order to be able to use several key words in each query).

The statements are available in their original language. doCip may have unofficial translations for some of them. If you are interested in a particular statement that is not in a language you understand, please ask doCip (giving the author's name, agenda item and conference where the statement was delivered). We will check if translations are available.

Dialogue with UN agencies

The **International Fund for Agricultural Development (IFAD)** presents outcomes of the Inter-Agency Support Group (IASG) annual meeting (document E/C.19/2007/2). General recommendations to UN agencies include: reviewing policies on IPs to ensure consistency with the Declaration (also **Wilton Littlechild** for States); prioritising local processes and intergenerational transmission to strengthen cultural diversity in promoting IPs' development, rights and dignity; using technology to promote IPs' identity and respond to their needs. UN country teams should: strengthen IPs' participation in their activities (also **Otilia Lux de Coti**); be sensitised on IPs' issues (also **Merike Kokajev**); and monitor their activities to prevent IPs' dispossession from lands and resources. The PF should engage: the World Food Programme on cultural and identity aspects of food for IPs; and the Department of Peacekeeping Operations on protecting IPs' rights and cultural identity (also **Merike Kokajev**).

Erica-Irene Daes, SR on IPs' relationship to land, and permanent sovereignty over natural resources, underscores government refusal to recognize, promote and protect IPs' rights to land and natural resources as the source of IPs' worst problems, and calls for recognition of their distinctive relationship with their territories, lands and resources (as in ILO Convention 169 and the Declaration), impaired by doctrines of *terra nullius* and "discovery". States both fail to recognize indigenous use, occupancy and ownership of territories, lands and resources, and to accord appropriate legal status, judicial capacity and other legal rights relating to land. She cites some of the relevant jurisprudence to build solutions in this regard, and calls for the PF to prioritise their implementation.

Reporting on IASG assessment, against the Declaration's relevant provisions, of UN and intergovernmental agencies' policies and practices on lands, territories and resources (see E/C.19/2007/2/Add.1) the **International Labour Organisation (ILO)** underlines overall compatibility of compiled policies with the Declaration, existing consensus on development policies and human rights, differences in approach that result insignificant on the ground, gaps between policies or best practices and actual practices carried out throughout large organisations. The compilation lacked information from some international agencies and did not include other development actors and international law supervising bodies.

Ida Nicolaisen reports on the PF international expert group meeting on the international regime on access and benefit-sharing of the CBD and IPs' human rights (E/C.19/2007/8), which examined: human rights instruments applicable to traditional knowledge and genetic resources, the role of customary law in protecting traditional knowledge and development of a regime on access and benefit sharing; conformity between international human rights and benefit sharing laws (also **NORWAY**); achieving shared understanding of traditional knowledge-related concepts; and ensuring traceability of genetic resources. **Victoria Tauli-Corpuz** stresses the need for dialogue with governments negotiating this regime.

The **UN International Research and Training Institute for the Advancement of Women (INSTRAW)** welcomes IPs' increased participation in governments. However, democratic representation remains to be achieved. Indigenous women have gained greater visibility in the public sphere; increased participation in local consultation and deliberation; introduction of some policy agenda issues; improved education, health, participation in social networks, etc. Among remaining obstacles: tensions between the international community's and indigenous women's concepts of governance; and the near invisibility of indigenous women's specific problems. INSTRAW calls for increasing young indigenous women's participation and leadership, public debate on their participation, and inter-institutional, non-discriminatory democratic dialogue.

IFAD's Indigenous Peoples' Facility, directly targeted to indigenous communities, has met much interest, but resources are limited. IFAD will forward, to its country projects, proposals that are not funded, so as to create links with these potential initiatives and look for up scaling. IFAD also informs on development of its corporate principles of engagement with IPs, underlining the challenge to put such guidelines into practice in the context of loans to governments. Empowerment of indigenous organisations to participate will be crucial.

The **International Land Coalition** (ILC) informs on its activities to help IPs strengthen their capacities to ensure their land and natural resources rights, through participation in international forums, and resolving disputes over natural resources with land-poor neighbours. ILC insists on indigenous organisations' capacity building, to increase their visibility and resources to strengthen their institutions.

The **Food and Agricultural Organization** (FAO) informs on its upcoming policy on IPs and on communication and new technologies activities it is supporting as strategic issues in advancing IPs' development (also **ECMIRS**). **Victoria Tauli-Corpuz** encourages FAO to promote organic agriculture based on IPs' sustainable agricultural systems.

ILO's Convention 111 on Discrimination (Employment and Occupation), has great potential for protecting IPs' lands and resource rights, as necessary base for their traditional occupations. ILO Convention 169 provides a framework for large-scale initiatives to demarcate and secure IPs' land, territorial and resource rights (also **Qin Xiaomei**). Challenges to secure IPs' rights to land and to freely exercise their traditional occupations include: identification of entry points in broader national legal frameworks, where specific law on IPs' rights is lacking; implementing existing legislation at national and local level; consultation and participation of IPs (following Convention 169); differing concept of development; and increased coordination between development partners. Responding to **Ida Nicolaisen** on promotion of IPs' traditional occupations, ILO informs on inclusion, into national debates and ILO supervisory work, of case studies' outcomes on shifting cultivation, pastoralism and hunting-gathering in Bangladesh and Kenya.

UNESCO underlines the potentialities for IPs of its Convention on the Protection and Promotion of the Diversity of Cultural Expressions. In close collaboration with the PF (**Aqqaluk Lyng** asks how information will be protected), UNESCO would welcome information from IPs on safeguarding sacred sites, and their role in cultural and biological diversity. UNESCO is also working on mapping of IPs' cultural resources, and underlines the importance of the World Heritage List – now chaired by a Maori (also **NEW ZEALAND**); and with governments to ensure protection of traditional languages (response to **Parshuram Tamang**).

The **UN Institute for Training and Research** (UNITAR) says its training programme to enhance IPs' conflict prevention and peace-building capacities mostly focuses on conflicts over land and resources and economic marginalization, as these are the greatest challenges. **Ida Nicolaisen** suggests expanding this programme and distilling lessons learned.

After highlighting recommendations of the expert group meeting on urban IPs and migration (see E/C.19/2007/CRP.8 and item 7 below), the **UN Human Settlements Programme** (UN-HABITAT) informs on its policy on urban IPs and on its various instruments and activities relevant to IPs' land, territories and resources, among which the Global Land Tool Network aims at promoting innovative and flexible land tools to achieve security of tenure and housing rights for vulnerable groups. IPs often face discrimination in land titling processes (also **Victoria Tauli-Corpuz**), which fail to recognize collective rights and may be unaffordable. But customary land tenure can coexist with the statutory system and provide various methods to map and demarcate IPs' land.

The **World Intellectual Property Organisation** (WIPO) informs on the draft instruments on *sui generis* protection of traditional cultural expressions (TCEs) and traditional knowledge (TK) against misappropriation and misuse, developed by its Intergovernmental Committee to complement existing instruments in other areas (CBD; UNESCO) (see also Update 76). Other relevant activities address IPs' customary law related to TCEs and TK, and formulation of intellectual property guidelines on recording of intangible cultural heritage.

The **UN Development Programme** (UNDP) provides an overview of its work at all levels, guided by its 2005 policy of engagement with IPs (**Victoria Tauli-Corpuz** calls for dissemination of lessons learned). The 2006 Human Development Report, on water governance, highlighted poverty and identity as major obstacles to clean water, States' failure to take IPs' claims to resources of their territories into account in the context of large-scale irrigation or power generation development projects, and socio-economic problems exacerbated by increasing privatisation. The Global Environment Facility small grants programme and the Equator Initiative have helped promoting community dialogue on land, territories and resources. Some country projects started under the 1999-2006 HURIST programme are continuing thanks to extra financing (**Merike Kokajev** would welcome feed-back on these). UNDP seeks to incorporate an indigenous component in a new global human rights programme, including support to innovative participatory mechanisms developed under the indigenous component of the HURIST programme.

The **UN Population Fund** (UNFPA) informs on its global and regional (Latin America and Asia-Pacific) activities on IPs and stresses the relevance to IPs of its 2008-2011 Strategic Plan. Based on its culturally sensitive approach that furthers human rights principles through an understanding of cultures outside of the Western belief system, UNFPA promotes effective intercultural health models and highlights that integrating maternal mortality reduction programmes within poverty eradication programmes and bilingual education with a sexuality component are critical for empowerment of indigenous women and girls.

The **UN Children's Fund** (UNICEF) highlights its work on national and local policy and legislative levels, to encourage reforms to sustainably protect IPs' rights including community ownership and enjoyment of land and

resources. Indigenous migrant children face widespread discrimination and experience difficulties in keeping connected with their cultural references and feeling supported by their communities. Unavailability of multi-cultural education leads to high dropout rates. UNICEF calls on all actors to prevent disruption in IPs' ways of living, and deprivation of their land, so as to ensure a protective environment for their children, necessary to their survival.

UNICEF's indigenous consultative group says the few IPs with rights to territories, lands and natural resources enjoy better health (also **UNICEF**, **Victoria Tauli-Corpuz**, **Ida Nicolaisen** regretting WHO's absence). Extractive industries, deforestation and contamination have a profound impact on indigenous children. States' policies must include a holistic approach to land and natural resources, giving priority attention to indigenous children and youth as right holders. Indigenous consultative groups and youth parliaments must be created in all countries to follow up on indigenous children's rights. (Recommendations supported by **CHILE**.)

The **International Organisation for Migration (IOM)** offers its expertise on issues related to migration and IPs' land rights, and calls for IPs' co-authorship in any policies on climate change mitigation and on preservation of their lands and resources. IOM is preparing a research on IPs' distinct migratory patterns and urge inclusion of IPs' concerns into the international debate on migration.

The **UN Inter-Agency Group on Intercultural Issues in Bolivia** informs on its activities to ensure IPs' participation in decision making on UN programmes at country level.

The **Inter-American Development Bank (IADB)** present its widely consulted new Operative Policy on IPs, based on protection of ancestral territories and land rights; decreasing discrimination in labour markets, financial and social services – particularly for indigenous women; and fostering intercultural economy. Implementation of this policy is one of the challenges ahead (also **Otilia Lux de Coti**). IADB encourages greater dialogue in good faith, free, prior and informed consent, and recognition of heritage.

The **UN Forum on Forests (UNFF)** informs on its new instrument (available on its website), which includes the previous Global Objectives on Forests, with additional references to IPs and traditional knowledge, regarding benefit sharing, enabling environments, training programmes to reduce pressure on fragile ecosystems, forest communities' enhanced access to forest resources, and transfer of technologies to local and indigenous communities. UNFF calls for stronger partnership with the PF and for its engagement with States on forest management. **Parshuram Tamang** asks how UNFF will address participation, social justice and human rights in implementing its new instrument, negotiated without IPs' adequate participation.

Wilton Littlechild (supported by **Eduardo Aguiar de Almeida**) enquires about the IASG's intention to hold one meeting on promoting, disseminating and implementing the Declaration. UN agencies' reports to the PF should include substantive financial data (**UNDP** says this is difficult, as indigenous programmes are integrated within other areas, due to scarcity of earmarked resources).

Hassan Id Balkassm says UN agencies' work in partnership at country level will improve dialogue at the international level.

Presenting a questionnaire for the reporting of UN agencies (document E/C.19/2007/11), **Parshuram Tamang** enquires on obstacles for UN agencies to develop policies on IPs (also **Hassan Id Balkassm** mentioning the Declaration's adoption), and request existing policies to be presented for the PF to assess.

Liliane Muzangi Mbela calls for better collaboration between UN agencies and African development banks, and a conference on African IPs' health.

Insisting on a human rights-based approach to development, **Merike Kokajev** welcomes the IASG analysis on implementation of the PF recommendations (also **Parshuram Tamang**).

Dialogue with IPs and States

IPs struggle to survive and maintain their lands, territories and natural resources rights, fundamentally linked to their rights to self-determination, to freely pursue their own development, and to uphold their sacred responsibilities to the natural world and future generations. The **Global Indigenous Caucus** urgently call on the PF to work to bring about effective responses to IPs' calls for justice and restitution. The Caucus reaffirm the Declaration's compelling provisions on land, territories and resources (preambular paragraphs 6, 7, 9 and articles 26, 32 and 37), as minimum standards for IPs' survival, dignity and well-being.

The **Indigenous Women's Caucus** urge States to: recognize indigenous women's right to be consulted; apply and enforce international policy instruments on IPs' rights; ensure sustainable economic mechanisms created by indigenous women to favour food security and women's empowerment; recognize *sui generis* systems for protecting traditional knowledge based on IPs' customary law and practices; recognise the right of indigenous peoples and women (as custodians of natural resources and traditional knowledge) to full and effective participation in decision making and in the elaboration of any international standard, such as the international regime on access and benefit sharing of the Convention on Biological Diversity (CBD).

The UN Commission on Sustainable Development (CSD) will address themes of land, sustainable agriculture and rural development in 2008 and 2009. The **Indigenous Caucus at the CSD** recommend that the PF: transmit relevant information and recommendations on land, territories and resources to the CSD; actively raise

consciousness of indigenous issues and promote IPs' effective participation at the CSD annual meetings, to raise their concerns and issues on implementation of sustainable development at all levels.

In a collective statement, **IPCB** demand that the proposed international regime on access and benefit sharing of the CBD include States' obligation to recognize and protect IPs' rights to genetic resources originating in their lands, whether or not associated with traditional knowledge (also **Latin American Indigenous Caucus**). In line with this, the PF should prepare a legal analysis to assist States in understanding the role of sovereignty in developing the international regime. IPs must understand that if they enter into benefit-sharing agreements, patent laws – totally foreign to their own customary systems – will govern the ownership of products derived from their genetic resources. IPs must evaluate whether this is consistent with their fundamental values and laws. Nuclear power is not a solution to global warming. Intensification of lucrative uranium mining results in increased environmental injustices, which disproportionately affects IPs through devastation of land, air and water, and major health problems, for many generations. **Organizations attending the Indigenous World Uranium Summit**, dedicated to a nuclear free future, endorse a worldwide ban on uranium mining, processing, fuel use, weapons testing and deployment, and waste dumping on indigenous lands (also **Pacific Indigenous Caucus** for the Pacific).

South and Central America

Showing no political will to protect the indigenous world, Latin American States enforce laws that safeguard private ownership. The **Latin American Indigenous Caucus** urge all IPs to oppose environmental standards that divide and commodify nature. The PF must urge States to: guarantee IPs' collective rights to their land, territories and natural resources, including traditional knowledge; respect IPs' rights and dignity when authorizing exploitation of natural resources (also **ECMIRS**); respect IPs' sacred sites and return IPs' usurped lands; ratify and implement ILO Convention 169 (also **CONAMAQ, CHILE** is setting priority on this).

The **Third Indigenous Peoples and Nations Continental Summit of Abya Yala** present the Iximché Declaration (supported by the **Latin and North American Indigenous Caucuses, CONAMAQ, GUATEMALA**), requesting that: UN agencies build with IPs mechanisms for environmental sustainability; States, international financial institutions (IFIs) and trans national corporations (TNCs) respect IPs' decisions on their natural resources (also **IEN/IITC/IWA/WSDP, Otilia Lux de Coti**); States develop processes of consultation in good faith with IPs, respecting their ancestral social organisation, on any project in indigenous territories; industrialized States ratify the Kyoto Protocol; Guatemala fully respect IPs' collective rights and annul mining concessions in indigenous territories. Indigenous worldviews and traditional knowledge can contribute to nature conservation and global warming mitigation (also **Erica-Irene Daes**).

CAIPCD call for an International Conference on Sacred and Cultural Sites, in April 2009, and underlines the refusal by the UNESCO World Heritage Committee to have a World Heritage IPs' Council of Experts.

ECMIRS call for mediation mechanisms under the Human Rights Council to protect IPs' rights; training of public officers on, and implementation of, ILO Convention 169; full and effective application of IPs' rights to consultation, to free, prior and informed consent (also **Qin Xiaomei**); and their participation to elaborating consultation mechanisms and environmental impact assessments.

The Andean IPs affirm ancestral ownership of their lands, territories and natural resources, against the current development model of extractive industries and genetic engineering (**CAPAJ/FECITED/CANO/COICAP/YW**, also **ITC/PIPV/CII**).

IPs must show their commitment to mankind and work with the UN and multilateral banks to create sustainable development programmes that include social responsibility, respect for the human being and for IPs' land use, identity, culture and health. **ITC/PIPV/CII** suggest that the WB lead a collaborative mapping of possible socially-responsible and sustainable economic use and management of indigenous lands.

Reporting on the isolated **Ayoreo Totobiegosode** people, losing their lands to extractive activities in Paraguay, **OPIT** urge reporting on, and protection mechanisms for, these IPs' rights and territories, in cooperation with IPs related to those living in isolation.

A **Nahua** parliamentarian of **MEXICO** encourages IPs to exercise political influence in their countries, and mobilize civil society to raise awareness about their issues, to improve their participation in decision making. The PF should support indigenous presence in national parliaments and trainings for IPs in political participation.

MEXICO describes its constitutional and legal basis for indigenous land ownership and preferential use of natural resources, all consistent with ILO Convention 169.

GUATEMALA informs on bilingual education, combating discrimination and racism, measures of judicial pluralism, and inclusion of indigenous persons in high public offices.

NICARAGUA informs on implementing autonomy of its Caribbean Regions through: a Demarcation Act and process for indigenous communities; joint management of protected areas in indigenous territories; and

decentralisation, in favour of indigenous communities, of management and use of natural resources. Nicaragua is also developing IPs' food security through sustainable production.

Supported by a consultative process with the indigenous communities concerned, **GUYANA** implements policies regarding land allocation, legal ownership, and demarcation. In return, communities must regulate sustainable use of their resources. Indigenous communities have a veto right, to some extent, on extractive activities, and are entitled to benefit sharing.

VENEZUELA reports on measures to ensure full enjoyment of IPs' rights, following constitutional recognition, and calls for protection of their intellectual property, traditional knowledge, and related genetic resources.

COLOMBIA presents its legal and constitutional framework protecting IPs' rights to use and benefit from their communal lands and territories, through the *resguardos* (reservations), a legal socio-political institution of one or more indigenous communities that enjoy collective private ownership of their territory.

ECUADOR's Council of Development of Nationalities and Towns promotes collaboration on shared concerns between IPs and the government. Despite constitutional recognition, Ecuador lacks a policy on IPs' own development. It calls for support to combat climate change by financing non-exploitation of the new ITT oil field, located in a biodiversity-rich area.

BOLIVIA is redistributing lands to IPs, with priority to collective ownership and indigenous women, developing policies to protect IPs living in voluntary isolation (also **ECUADOR**), and promoting sustainable and equitable rural development. Its new national development plan is based on the indigenous concept of "living well", implying solidarity, social justice and environmental sustainability. Public policies on IPs' rights, following ILO Convention 169, include: consultation and participation regarding extractive projects on their territories; environmental monitoring of these by the concerned communities; and protecting water and air.

North America

Global efforts to achieve the MDGs must integrate IPs' access to traditional lands and natural resources. The **North American Indigenous Caucus** affirm the central importance, for IPs' land rights, of treaties and other constructive arrangements, and of IPs' permanent sovereignty over natural resources; they welcome the Committee on the Elimination of Racial Discrimination's Concluding Observations to Canada (also **AFN**) who must report to the PF on this (also **Global Indigenous Caucus**, including the USA and New Zealand, **AMAN** in general).

WSDP/IWA/BRDN/INET/IPCB/SGF/NKIKLH/WHCC/Tonatierra say land, air, water and sun govern life but are now subject to the greed of men. The **Western Shoshone** people are resisting pressures to accept monetary compensation for their lands, so that taking the resources is easier once they are off the lands. IPs' traditional teachings must be respected in the international debate on lands, territories and resources.

IEN/IITC/IWA/WSDP deplore that entire national legal systems and economic and environmental protection regimes have been built around allowing non-indigenous access to IPs' resources for private profit. Such systems do not have adequate indicators to value IPs' worldview.

After invasion in the Western Hemisphere, sovereign IPs were subjugated, assimilated or marginalized. **HD** explain that today's interpretation of IPs' treaties by the USA, based on the 19th century doctrine of discovery, and the later terminology of "domestic dependent nationhood", defies the understanding, in international law, that treaties must be recognized in the context in which they are made.

Canada's Auditor General concluded that engaging in treaty negotiations constitutes implicit recognition of IPs' rights, whereas Canada does not recognize any right until a final agreement is ratified. **AFN** urge IPs and States to work towards a reconciliation of the rights of IPs and state interests and responsibilities, based on a shared understanding of domestic and international law.

DTNTBC denounce non-implementation of rights related to land and natural resources, stipulated in the Douglas Treaties and protected by the Canadian constitution. The PF must support full recognition and affirmation of these rights. Canada's Comprehensive Claims Policy is antiquated, and reflects neither Canadian domestic law nor international instruments.

The basis for aboriginal and treaty rights is reconciliation, understood as maintaining an ongoing framework for living together, which requires support from the non-indigenous public, which often sees special protection of aboriginal ownership rights under **CANADA**'s Constitution as a privilege. Negotiation and implementation of a comprehensive land claim agreement is being developed in partnership with IPs. Implementation management should reflect a stable government-to-government relationship.

Africa

IPACC recommend: regional plans of action to increase the role of IPs and their traditional knowledge in protecting the environment, managing resources (also **Qin Xiaomei**) and monitoring climate change; more UN attention to hunting and gathering as sustainable alternatives to agriculture (in particular from FAO, also to pastoralists), and to helping conservation experts understand the value of traditional knowledge in sustainable management of natural resources. African States must grant IPs appropriate status.

The **African Indigenous Caucus** call for: constitutional recognition of the **Khomani San** people of the Kalahari, and implementation of their right to land and self-determination; study of the Namibian innovative conservancy model; South Africa to include its Department of Environmental Affairs in consulting Khoe-San issues, and implement the SR's recommendations (also **KKH**, **Latin American Caucus** in general) – especially to stop classifying the Khoe Khoe people as “coloured” (also **MADAM**).

The **Korana** people are struggling to regain control over their lands and resources stolen by the Europeans 400 years ago (also **William Langeveldt**) as South Africa does not allow for land claims earlier than 1913 (**KKH**).

MPIDO/MCSF/MAWEED/OLPADEP/PHGEMN/IMPACT/SIMOO/Namayana/ALI demand implementation of the SR's recommendations on **Maasai** issues. Their pastoralist way of life is under strain due to shrinking grazing land, resulting in uncertainties and ongoing inter-ethnic conflicts. Kenya must acknowledge and compensate for the losses of Maasai land and natural resources; stop pastoralists' forceful evictions and prosecute perpetrators of related killings; provide clarification on selective actions that foster inequality; ratify ILO Convention 169 and ensure its incorporation – and the Declaration's – into domestic law.

The Democratic Republic of Congo's (DRC) current Forestry and Mining Code was not done in consultation with **Pygmies** and does not protect their rights, in particular to free, prior informed consent and benefit sharing. The WB's answer to a complaint filed by Pygmy organisations in 2005 should now be available (also **WB**, who will publish a report on assessment against indigenous rights of its programmes and projects in DRC). **UEFA/CAMV-RDC** call for forest zoning; maintaining a decade-long moratorium on forest concession; speedy establishment of the consultative committees provided for in the Forestry Code; and the government and WB to inform on financing of projects that affect IPs' lands, and to develop new strategies of cooperation.

CMA call for free movement of the Sahel nomadic IPs on their ancestral lands; and suspension of any exploitation on indigenous lands without constructive agreement on benefit sharing.

National human rights institutions can collaborate in protecting and promoting IPs' rights. Such efforts by the **KENYA NATIONAL COMMISSION ON HUMAN RIGHTS** are met with resistance from the government and private sector. However, the main focus is to include protections, such as consultation with or participation in benefit sharing of affected communities, in policies and legislative measures. Addressing violations of IPs' land rights requires dialogue among all stakeholders.

KENYA is harmonizing its land law system, and formulating a National Land Policy, through a widely consultative process, to address issues of land administration, land use planning, historical injustices inherited from the colonial era, development of resources, and environmental degradation.

Asia and Pacific

IPs are stripped of long-protected communal lands for extractive, energy, eco-tourism and military activities. The Asia Regional Workshop on Communal Land (Cambodia, February 2007, see E/C.19/2007/7) recommends: documentation of indigenous customary laws on land and resource management to include good practices; mapping communal lands, and concrete management plans, by IPs; support of IPs' networks for protection of communal lands. The **Asia Indigenous Caucus** urge the PF to: request implementation of free, prior and informed consent for any development activities by all States and the private sector (also **Indigenous Women's Caucus**); study violations of IPs' land rights and make recommendations on legal protections; enquire into corporations' fulfilment of social responsibilities; call upon UN agencies, and donors, to press local authorities to implement existing laws and policies; urge governments to strengthen IPs' customary land laws; monitor implementation of existing laws and policies; and address settlement of land disputes (also **SDNU** for West Malaysia).

Natural resources belong to the peoples responsible for taking care of them and for sustaining life from generation to generation. IPs must defend their rights to creation stories, place of origin, customary land laws and governance. The **Pacific Indigenous Caucus** request the UN Committee on Non-Self-Governing Territories and the PF to address ongoing colonisation and occupation leading to IPs displacement and poverty (also **CMA**); affirm non-recognition of land laws without free, prior and informed consent; call on States to prioritise land reform; encourage dialogue with indigenous land custodians on return of, or compensation for, their lands; propose an immediate moratorium on development projects on IPs' lands without their free, prior and informed consent; urge an end to military destruction of sacred lands and immediate cleanup of damages.

ALRM/FAIRA/NNTC/HREOC/MSHR/NACCHO/NSWALC/ILCUNSW/WCC urge the PF to promote the Declaration's principles on indigenous land tenure and management, to assist negotiations on related arrangements. The SR on IPs' human rights should assess changes to existing indigenous land management regimes against the Declaration.

IPCN/NIWRF/LAHURNIP/KCLCDA/LILDA/KRLCDC/NTWG urge Nepal to: reconstruct, with IPs' free, prior and informed consent, damages done in their territories during armed conflict; establish a national commission to address the problems IPs face; respect indigenous land and territories while restructuring the State; constitutionally protect IPs' land, territories and resources, and repeal the laws that adversely impact them.

SDNU recommend: IPs' meaningful participation in land ownership and development management in West Malaysia, and review of the land law.

Stressing how forest exploitation threatens IPs and fails to recognise their rights in Indonesia, **AMAN** urge the PF to address and study IPs' displacement and other impacts of business projects on their lands without free, prior and informed consent. Indonesia must reform its land, territories and resources policies to ensure protection of IPs' rights; and must urgently resolve land conflicts, human rights violations and environmental damage related to indigenous lands.

AIPR/ARC/SGC urge Japan to recognize the indigenous **Ainu** people (also **AAH/ARC**), and their rights to land and resources in occupied Okinawa.

After securing land tenure, **THE PHILIPPINES** are implementing their IPs' Rights Act through ancestral domain development frameworks, focusing on capacity building and self-sufficiency for indigenous communities; promoting IPs' free, prior and informed consent to support self-determination; ensuring peace and addressing the root causes of violations against IPs' rights.

To improve indigenous communities' socio-economic conditions, **AUSTRALIA** is reforming land rights, making possible communal benefits through the government's rental payments to traditional owners, as well as opportunities for individuals to purchase their own home or business on indigenous lands. Complementary government programmes aim at making homes more affordable for IPs, and at building their capacity for sustainable development and increased benefits from their lands. To **Wilton Littlechild's** concern about protection of community land rights, Australia responds that collective titles remain unchanged by the granting of any lease, which can only be agreed upon with the traditional owners' understanding.

NEW ZEALAND underscores the relevance for social cohesion of awareness-raising on indigenous issues and of realizing IPs' rights. Based on the Treaty of Waitangi, valuable land resources have been returned to Maori communities, leading to a booming indigenous economy, and New Zealand's principal environmental legislation enables Maori participation in decision making (**Wilton Littlechild** asks about free, prior and informed consent) through active protection, redress, fair and reasonable partnership, informed decisions – and fostering consultation with Maori.

Eastern Europe, Russia and the Circumpolar

RAIPON say IPs in the Russian Federation do not object to economically-necessary extractive activities on their lands, but expect their rights and interests be acknowledged through free, prior and informed consent. **ECOSOC** should work on general recommendations to uphold IPs' rights to self-determination, ancestral lands, territories and natural resources.

IPs' land and resource rights are already internationally protected (also **SP**) as part of their right to culture. The **Arctic Indigenous Caucus** is encouraged by increased recognition of IPs' land rights in the Arctic, and encourages constructive arrangements between States and IPs based on the Declaration's innovative provisions (also **Erica-Irene Daes**), as a better and less expensive way to secure land and resource rights than resorting to courts.

The Arctic Workshop (Copenhagen, March 2007, see E/C.19/2007/CRP.5) addressed IPs' rights to territories, lands and natural resources. **SP** warn that ownership rights must never be conditioned by consenting to relinquish land title claims. States are obliged to work with IPs to map their traditional lands, and to provide specific legal protection for IPs' ownership rights.

DENMARK and **GREENLAND** recall the global challenges of climate change and global warming for IPs (also **IOM** stressing migration), which the Arctic region is already witnessing, and call for intensified research and collaboration on mitigation and adaptation strategies, as Denmark will host the UN Conference on Climate Change in 2009 (also **SP**). Upon its approval, Greenland's new Self-Government Act will be presented to the PF. States are obliged to realize internationally recognised indigenous rights to lands and to resources on traditional lands, such as free, prior and informed consent, IPs' consultation through their representative institutions, benefit-sharing and mitigation measures (also **SP**). **NORWAY** reports on its application of such rights through consultations with the Saami Parliament, recognition of Saami land rights, co-management agreements that ensure IPs' participation, as well as legal recognition of IPs' right to benefit sharing with regard to mineral resources.

SPAIN is incorporating the principles of ILO Convention 169 into its development cooperation policy. Its new strategy on cooperation with IPs (welcomed by **Ida Nicolaisen**) upholds cultural diversity, free, prior and informed consent, and the link between IPs' identity and effective control over their lands and resources.

Michael Dodson and **ALRM/FAIRA/NNTC/HREOC/MSHR/NACCHO/NSWALC/ILCUNSW/WCC** say Australian IPs would welcome improvement of their well-being, but object to having to trade their land rights through 99-year leases in return for essential services, which non-indigenous Australian enjoy freely. There is no equal partnership or rights-based approach in the negotiations of such agreements, whereby traditional owners

lose the ability to stop development that offends their cultural and environmental responsibilities, as the government sets time frames and rejects indigenous proposals on alternative models of management control, while IPs are not clearly informed. The government also ignores its responsibilities and the structural disadvantages that poor remote indigenous communities face, and continues to blame them for not using their lands sufficiently to improve their conditions. International experience and economic modelling show that this reform fails to sustainably improve the economic situation of disadvantaged indigenous communities. **AUSTRALIA** objects to these comments, which **Michael Dodson** reiterates, calling for discussion of shared objectives on economic development.

Wilton Littlechild stresses that economic development, treaties and the Declaration are relevant to the discussion of the theme.

Ida Nicolaisen calls for formulation of specific cross-cutting strategies to include IPs' concerns in all bilateral development policies.

Hassan Id Balkassm asks about: Kenya's and Australia's promotion of indigenous land rights, the Philippines' attitude towards traditional practices, and Canada's inclusion of a coherent protection of IPs' rights in its Constitution.

Pavel Sulyanziga informs on lack of implementation of the few fragile legislative and constitutional progresses on IPs' rights in the Russian Federation, particularly regarding lands, resources and traditional occupations. However, President Putin called for respect towards the IPs in the North (also **RAIPON**).

Otilia Lux de Coti asks what economic and development model UN agencies and States are willing to support, based on IPs' rights and aspirations.

William Langeveldt says Kenya, the only African State speaking under this item, did not even mention IPs. There is a need for grass-roots dialogue in the mother tongue on exercise of indigenous rights, in particular on land and resources, and of customary laws, in order to rectify historical injustice and ensure a more equitable distribution of resources.

Merike Kokajev asks governments to analyse the PF recommendations.

IPs know best how to deal with violations of their human rights and what to recommend to ECOSOC. **Aqqaluk Lynge** recalls that indigenous men, too, face hopelessness when losing traditional livelihoods.

Victoria Tauli-Corpuz stresses the lack of implementation of laws and policies protecting IPs' rights as the biggest challenge ahead for all.

Items 4 – Implementation of recommendations on the six mandated areas and the MDGs

Underlining the challenge to overcome IPs' statistical invisibility by developing well-being indicators based on identity as a potentiality, **CADPI** report on the Latin American expert meeting on indicators of well being for IPs (September 2006, see E/C.19/2007/CRP.2), which recommends developing, based on IPs' collective rights and the Declaration, (a) structural indicators on recognition of rights, (b) indicators of processes on public policies, and (c) indicators of results on individual and collective achievements. Relevant areas are: land, territories and resources; natural and cultural heritage, and compensation for their use; traditional knowledge; social organisation and autonomy; identity; self-determination; intercultural relations; economy and production; state and multilateral investments; education; (spiritual) health; participation; and gender dimensions. For indigenous women, well being also includes respect, dignity and absence of violence. The meeting calls for complementing available data with enquiries that permit qualification of data and introduction of new issues, and distinguishing ethnicity indicators from culturally relevant indicators.

ALI report on the African conference on indicators of well being for IPs (November 2006, see E/C.19/2007/CRP.3). Participants expressed concerns about strikingly decreased access to traditional foodstuffs, grazing rights and water; eviction from lands by mega development projects without free, prior and informed consent; loss of indigenous knowledge and languages due to lack of state support; powerlessness to obtain from States better access to health, education and infrastructure services. Recommendations are that: States ensure IPs' participation; the international community press for recognition of IPs in Africa, their full inclusion in international processes, and reversing their loss of lands and territories; the UN system ensure IPs' free, prior and informed consent before any development in their territories.

The **Asia regional workshop on indicators** (November 2006, see E/C.19/2007/CRP.10) identified key issues facing IPs and developed indicators to address them, through the MDG or the CBD processes. Recommendations include developing: pilot studies to collect disaggregated data and start building baseline information; guidelines to ensure the use of culturally sensitive objective survey instruments (also **TF**); and an index for IPs' well being. (See also report on the international expert seminar on indicators by the **IIFB Working Group on Indicators**, under item 8.)

IITC/EN/Chirapaq report on the second Global Consultation on IPs' Rights to Food, Food Security and Food Sovereignty – all fundamental human rights (see E/C.19/2007/7 Add.2 and E/C.19/2007/3), resulting in consolidated cultural indicators for food security, food sovereignty and sustainable development. Food security requires: 1) food sovereignty, based on IPs' self-determination, free, prior and informed consent, full and

effective participation, equitable access to and management of traditional lands; 2) real partnership efforts between IPs, UN agencies, States, and NGOs; 3) recognition of IPs' common concerns and perspectives, but distinct situations and needs.

(a) Economic and social development

Victoria Tauli-Corpuz presents the report "Oil Palm and Other Commercial Tree Plantations, Monocropping and the Impacts on IPs' Land Tenure and Resource Management Systems and Livelihoods" (E/C.19/2007/CRP.6). Large-scale plantations, now providing big profits thanks to cheap labour, ineffective environmental controls and high demand for bio fuels, are part of the history of erosion of IPs' rights to land and subsistence base. Global warming mitigation, instead of requesting countries to cut fuel consumption and drastically reduce CO₂ emissions, sees IPs' sustainably managed lands (which already suffered gas, oil and coal extraction) as a source for neo-liberal market-driven solutions (also **HAP**). Despite progress in recognising IPs' rights, assistance to improve countries' capacity to implement such laws remains inadequate. Nevertheless, IPs' efforts have led to a growing body of international and national jurisprudence reinforcing the need for protecting their rights to lands, self-determination and free, prior and informed consent. This report should be disseminated for comments and additional data, so that the PF prepare a report on "Impacts of Climate Change Mitigation Measures on IPs" (also **Parshuram Tamang**), for the next COP of the UN Framework Convention on Climate Change (UNFCCC).

UN agencies should integrate IPs' concept of forest, which implies high biodiversity. **Parshuram Tamang** insists on the contradiction between the CBD's aim (preserving biodiversity) and Kyoto Protocol's (encouraging trees plantation).

ILO informs on its work on Poverty Reduction Strategies processes to ensure inclusion of indigenous issues, and on new research on indigenous communities' assessment of the MDGs, which demonstrates reduced consideration of indigenous issues – and participation of indigenous organisations – in national processes, due to lack of coordinated action, funds and human resources, and lack of disaggregated data leading to invisibility and inadequate monitoring.

IPs' development depends on their right to self-determination, free, prior and informed consent (also **SGF**), economic and social institutions, enjoyment of their own means of subsistence, and women's equal participation. The **Indigenous Women's Caucus** urge preventing current TNCs' development on indigenous territories and implementing effective remedies and redress for existing damages.

The **Indigenous Youth Caucus** call for serious consideration of past and current action on future generations, and for globally increased participation of indigenous youth to integrate their perspectives in decisions impacting them. They need their elders' support to perpetuate IPs' ancestral knowledge.

CAIPCD recommend a Caribbean Antilles regional consultation on poverty reduction for IPs.

MDG-related programmes that fully respect IPs' rights and aspirations require protecting IPs' traditional knowledge and intellectual property rights; using indigenous methodologies and practices; identifying linkages between culture, language, land and improved health and social outcomes; translating research findings into policies and practices; and ensuring participation and outcome ownership by empowering IPs to undertake their own research. **ALRM/FAIRA/HREOC/ILCUNSW/MSHR/NACCHO/NNTC/NSWALC/WCC** urge the World Health Organisation (WHO) to report to the PF on IPs' health, and convene a forum to discuss indigenous effective participation and a work plan on IPs' health equality. The PF should promote global research on current efforts to assist IPs in attaining the MDGs, and call on all States to implement these as domestic policies (also **BWJF/CARD/WSH/ABPGYF/FBY**).

IWA/NKIKLH/WHCC/IC/KLH/KCHS recommend the PF adopt the conclusions and recommendations of the report on oil-palm plantations (also **Asian Indigenous Caucus**), in particular a special monitoring body on state and private implementation of policies relevant to IPs' land, territories and resources. The PF should disseminate best practices on sustainable use.

Objecting to Asian governmental development policies that undermine IPs' customary land tenure, traditional occupations and economies, and identities, **BWJF/CARD/WSH/ABPGYF/FBY** recommend ensuring IPs' free, prior and informed consent in all proposed development activities affecting them in North East India; opposing projects that will incur land and forest loss; and call for an end to military build-up.

Opposing the Western economic system, **VIPF** and the **Turaga Indigenous Nation** call on UN agencies and IPs to shift to environmentally friendlier economic models based on peaceful coexistence (also **Latin American Indigenous Caucus**). The Happy Planet Index has rated Vanuatu first of 178 countries, as it is dependent on an indigenous economic and land administration system, recognized by the government (also **Pacific Indigenous Caucus**), and on its own philosophies of life.

AMAN call for the following to report to the PF: the CBD Working Group on Article 8(j), on impact of plantation expansion on traditional knowledge; an indigenous/governmental expert group under the UNFCCC,

on impact of climate change mitigation strategies on IPs; the Human Rights Council, on impact of plantations in indigenous territories on IPs' rights.

MoF/KKF make specific recommendations to ensure achievement of the MDGs for the **Khmer Krom** and **Degar** peoples in Vietnam (while **VIETNAM** objects to MoF/KKF participation and statements).

IEN ask the PF to report on illegal appropriation of Alaskan IPs' lands and natural resources by the USA, impacting on peoples' rights to maintain traditional economies and subsistence.

As bearers of their peoples' spiritual vision, all craftswomen are invited to the indigenous crafts fair, in Mexico, August 2007 (**CIAPI/CPINM**).

BOLIVIA informs on its recognition of the indigenous justice system, improving IPs' access to justice administration (also **UNDP** in general) through recognition of their governing institutions, complementarity with nature, and collective rights, especially to land, natural resources and development. All States where IPs live must implement judicial pluralism (also **CSUTCB**, **CAPAJ/COICAP/FECITED/APAA/YW**).

The representative of **ECUADOR** thanks the PF for facilitating her accreditation to the session with her hat on, a symbol of her indigenous identity, thus setting a precedent at the UN. Ecuador suggests that national development policies include mechanisms to reach the most vulnerable. States should report annually to the PF on their efforts to achieve the MDGs for IPs. Ecuador is struggling to improve IPs' access to basic services and better economic conditions.

MYANMAR informs on its National Environmental Policy and forest law, which recognise local communities' role and customary rights and give them access to these crucial resources. Development in areas where ethnic groups live focuses on basic infrastructure building.

VIETNAM reports on its efforts to address the socio-economic needs of its 53 ethnic minorities by improving livelihoods, infrastructures and access to education and healthcare services; protecting the environment; preserving and enriching traditional cultures; encouraging active participation in development programming; and ensuring access to land, housing and water.

(b) Environment

The **Secretariat of the CBD** informs on steps taken to enhance IPs' participation to the CBD processes (including negotiation on an international regime on access and benefit sharing), and on a report on indigenous and local communities highly vulnerable to climate change. The Working Group on Article 8(j) will submit recommendations to the COP9 (Germany, May 2008), including outcomes of the international expert meeting on indicators relevant for IPs, and elements developed by the CBD Secretariat on an ethical code of conduct to ensure respect for IPs' cultural and intellectual heritage relevant for the conservation and sustainable use of biodiversity, and on *sui generis* systems of protection for traditional knowledge based on IPs' customary laws.

On behalf of other 23 indigenous organisations, **SGF** call for measures to protect IPs' sustainable access to natural, potable water supplies: appointment of a SR for the Protection of Water and Water Catchment Areas; inclusion of a focus on water in States' reports to the UN, with IPs' direct participation; and immediate steps by the PF in the CSD to protect IPs' control over their water resources.

CAIPCD acknowledge participative efforts by the UN Environment Programme to formulate a policy on IPs (also **Pavel Sulyandziga**).

The **Winnemen Wintu** tribe from Northern California, powerless to oppose exploitation of their long-conserved water, denounce spiritual and ecological damage done by the US government to their natural environment in the name of short-term profit. **WWT/RXI** recommend inclusion of unrecognised historic tribes in studies on loss of land and natural resources.

On behalf of the Cook Islands **Koutu Nui** and other Polynesian IPs, **TPM** draw attention to contamination of Pacific waters through waste and trans-shipment of toxic chemicals, and to increasing trafficking in banned pesticides and toxic wastes. TPM recommend: alternative methods such as improved drainage systems to control mosquito-borne diseases; modern organic farming methods; and IPs' participation in global monitoring programmes for human milk and blood serum, so that data is available for governments to address these issues through safer management of chemicals, in compliance with the Stockholm Convention.

(c) Health

The **Pan American Health Organisation (PAHO)** has stepped up its efforts to address health challenges in line with the MDGs – hampered by health inequities – through: enhanced generation of disaggregated data, training staff in interculturalism in health conceived as a right (also **Pacific Caucus** for States), and focus on indigenous children, women and elders. In the context of globalisation and migrations, a comprehensive intercultural approach to indigenous health will contribute to achievement of equity with respect for cultural diversity (also **UNFPA**).

UNFPA says achieving the MDGs in accordance with women's and IPs' rights requires: recognising the linkages between IPs' land rights, migration, displacement, and increasingly acute reproductive health issues;

promoting the health, equality and development of indigenous women and adolescents through holistic, culturally relevant strategies and programmes, based on free, prior and informed consent and built in partnership with indigenous organisations.

Routine marginalisation, remoteness and poverty foster the spread of HIV/AIDS. The **Joint UN Programme on HIV/AIDS** (UNAIDS) is working on a comprehensive programme to address HIV issues in indigenous communities, from the health and socio-economic viewpoints, and on including indigenous issues in global and national AIDS policies.

The **Indigenous Women's Caucus** recommend inclusive and fair economic policies to guarantee IPs' integral development (also **Pacific Indigenous Caucus**); respect for traditional health practices and creation of intercultural health services (also **UNFPA**, working on this for maternal and reproductive health), including for data collection on IPs' health situation; state recognition of traditional midwives and healers in maternal and infant care; application of the Convention on the Rights of the Child article 30 to combat increasing military recruitment of indigenous youth and children.

The **Pacific Indigenous Caucus** urge States to improve IPs' health, protect traditional medicine-related knowledge, and legally protect indigenous lands' biodiversity and IPs' traditional knowledge.

CAF call for proximity health services and respectful training of indigenous persons in first aid care; and studying effects of nuclear testing on health in the Pacific Islands (also **PFPM/AKD**).

The Australian government grants insufficient attention and funds to the health of indigenous Australians, due to the mistaken beliefs that no amount of spending would improve IPs' poor health, perpetuated by a "culture of directionlessness".

ALRM/FAIRA/HREOC/ILCUNSW/MSHR/NACCHO/NNTC/NSWALC/WCC recommend that States: work with IPs on indicators and benchmarks to ensure progressive realisation of IPs' right to health; and provide disaggregated data on health and social welfare indicators for IPs.

CANADA informs on initiatives to improve IPs' health status, in particular availability of health services with indigenous staff, increasing communities' ability to respond to diseases, and develop appropriate health indicators to generate data on socio-economic determinants of health.

Ida Nicolaisen calls for urgent action on diabetes (also **CAIPCD** for the Caribbean Antilles), which threatens IPs in Australia and the Pacific with extinction.

(d) Education and (e) Culture

The **Inuit** and **Saami** pass on knowledge through reflection, detailed observation of the environment and understanding of family structures. Current "education" systems now combine these traditional ways and what was forced upon IPs. The **Arctic Indigenous Caucus** call on UN Member States, UNESCO and other relevant UN agencies to support IPs in developing their education systems, curricula anchored in indigenous culture (also **CAF**, **CAIPCD** for Saint Lucia, the **Pacific Indigenous Caucus** requesting the PF to investigate Hawaiian IPs' educational affairs), and promote identity-based indigenous educative initiatives.

Complaining about the limited use of French within the PF and UN (also **Liliane Muzangi Mbela**), **CAF** underline the conditions of various IPs in French-speaking countries (such as the **Batwa**, **Bakoya**, **Baka** and **Babongo** in Central Africa, the **Amazigh** and **Tuareg** in Northern Africa, the **Innu** in Quebec), calling for States to recognise their linguistic and cultural identity, promote indigenous languages in public life, and combat discrimination and racism.

IICKT urge protecting endangered traditional languages in the Russian Federation (also **International Indigenous Caucus on Water** and **AMA** in general, **CYE** for the **Yukagir**, **AFNQL** for the **Innu**, stressing indigenous languages' links to political autonomy, rights and territories).

NEW ZEALAND reports on measures to promote Maori language (first in early childhood, now in English-medium primary and secondary schools), and encourages UN promotion of education in mother tongue for indigenous children (also **IICKT**) in national implementation of the MDGs.

(f) Human Rights

The collaboration between **ILO** Convention 169 and the African Commission on Human and Peoples' Rights' Working Group on Indigenous Populations/Communities, on assessment of protection of IPs' rights, insists on: 1) identification of entry points in general legal provisions where no specific law exist; 2) a focus on substantial issues rather than on definition; 3) the challenge of broad, long-term capacity building to address basic misconceptions.

The **Global Indigenous Caucus** (also **North American Caucus**) recommend that the PF: endorse the conclusions and recommendations of the first and second UN expert seminars on treaties, agreements and constructive arrangements; formally submit those to The Hague International Court of Justice for opinion (also **HD**, including the Treaty Study); and call for collaboration to establish and report on mechanisms to resolve treaty violations and disputes with full and equal participation of all parties.

Despite legal protection, IPs continue to lose their natural resources through state-granted concessions, and endure military build-up and killings as a consequence of the government's "democratic security" policy (**COLOMBIA** rejects this, claiming to have brought the heads of armed groups to justice). **ONIC/CONIP/CECOIN/CRIC/OIA/OIK/FMW** demand that Colombia guarantee IPs' life, territories and dignity in conformity with ILO Convention 169 and the Declaration.

Reporting on improvement of the security, economic and rights situation for its whole population through its "democratic security" policy, and on health and education measures to support vulnerable indigenous families, **COLOMBIA** suggests that the MDG reports reflect local development plans.

PERU's new draft Act on IPs recognises collective rights on autonomy, cultural identity, language and bilingual education, land ownership and tenure, preferential benefit and use of natural resources (consultation for third parties to use these must comply with ILO Convention 169), intellectual property of traditional knowledge, customary administration of justice, and development that strengthen communal economies.

(g) Second International Decade of the World's Indigenous Peoples

IPACC and the **African Indigenous Caucus** are dismayed that the UN neither recognizes Sahelian IPs' own efforts relating to desertification, nor includes them in related activities (also **CWNC/FMW** for Colombia, **PDX** for the **Xingu** of Brazil). African governments must cooperate with UNESCO, the Convention to Combat Desertification (CCD) and the CBD on traditional knowledge, biodiversity and sustainable development (also **ITC/PIPV/CII/CONAMI/LL**, **IPCGC** for **Taino** people), and the CCD mainstream recognition of IPs' communal lands, a halt to dam construction and to bio fuel production on their land.

IPCGC urge Caribbean States, including Puerto Rico, to collaborate with IPs on national human rights legislation, and call for the Rio Group, CARICOM and the Association of Caribbean States to strengthen cooperation among IPs of the region, and support their participation in the PF.

Lack of disaggregated data on IPs hampers adequate measurement of Russia's implementation of the First Decade: while rights are secured through existing legislation (also **HAP** for IPs in general), implementation requires legal/regulatory acts. **RAIPON** request the PF to include in the next session a discussion of IPs of the North and invite the Russian government to participate.

ALRM/FAIRA/ATSISJC/ILCUNSW/MSHR/NACCHO/NNTC/NSWALC/WCC say despite continuing disparities between IPs and the non-indigenous population in terms of life expectancy, disease rates, and housing situation, and despite reports of terrible overcrowding, the Australian government is handing over most indigenous housing organisations to the already overburdened mainstream authorities. They also call attention to disproportionate incarceration rates for IPs, discriminatory legislation, and a disparity in legal aid funding. States must provide sufficient resources for the Second Decade; integrate customary and traditional laws into domestic justice systems to give IPs appropriate access to justice; and develop, in partnership with IPs, benchmarks, timelines and indicators to measure progressive realisation of indigenous human rights (also **Youth Caucus** and **APIYN** for youth, **PDX**).

The **Youth Caucus** and **APIYN** ask the PF, UN agencies and governments for concrete support for holding a global indigenous youth conference early in the Second Decade, in order to generate increased attention for their issues.

KKF/MoF ask Vietnam to invite the SRs on Health, Education and Human Rights; to work with the PF towards a working partnership with IPs; to incorporate indigenous traditional learning systems and languages into formal and informal education in all areas; and work in collaboration with UNESCO and CEDAW to educate IPs on basic rights and fundamental freedoms, including women's rights.

HIWN/NEFIN/NNIW/NIWFN deplore indigenous women's negligible participation in Nepal's development, and call for recognition of indigenous women's diversity. The PF must support inclusion of indigenous women in the Nepalese Parliament.

ZORO/SZV/ZNC/ZMI/BSC-B/BIPO inform that the **Zo**, whose lands are in the Indo-Burma-Bangladesh border region of India, were obliged to become nationals of one of those three countries; but they are one people, and say MDGs should be pursued accordingly.

PFPM/AKD/NKIKLH/WHCC/IC/KNCI/HIHR call upon the French government and French Polynesia (Tahiti Nui) to clarify the Treaty of 1880 and submit it to the UN Decolonization Committee for immediate action.

ITC/PIPV/CII/CONAMI/LL call for the PF to make isolated IPs, and migrant and urban IPs, more visible. The voices of future IPs need to be protected – as essential actors in achieving respect for their lands, spirituality, and environment. Indigenous health is inseparable from habitat, food and medical traditional knowledge, which is passed on orally by women. If IPs' voices, through the PF, are not part of the UN process, they will disappear.

CANO/ICSA recall that for Indians in the Andes, IPs' rights include sacred rights, which indigenous and non-indigenous representatives of colonial States are trying to reduce to constitutional reforms, following the same

legal, patriarchal and religious models imported 500 years ago. The UN must be self-critical, and look at pre-contact history and the roots of violations of IPs' fundamental rights.

HAP say that though climate change creates the most hardship for impoverished IPs, instead of advocating adequate emission cutbacks, UN programs appear to do nothing to prevent the approaching catastrophe, of which IPs will be some of the first casualties.

Colombia is failing its multiethnic mandate. Data missing in official statistics show that in five communities alone, 200 **Wayúu** were killed or disappeared between 2000 and 2007, with an increase in violence just at the time of the so-called demobilisation process of the paramilitary. **CWNC/FMW** urge: making the situation of internal armed conflicts more visible within the Human Rights Council, and finding solutions, with IPs' participation; UN agencies' constant presence in Wayúu territory, to contribute data on human rights abuses by armed actors; all international stakeholders to encourage implementation of the SR's recommendations to Colombia.

PDX call attention to the **Xingu** in Brazil being threatened with extinction by government dam projects, in contravention of ILO Convention 169 and the right to free, prior and informed consent.

The **Irish Indigenous Youth Caucus** underline the importance of developing appropriate curricula to educate indigenous youth in ancestral ways, as loss of traditional spiritual knowledge is a key problem of Irish youth.

GME call for social, economic and educational decisions to be based on mutual respect for all cultures and for the earth.

EWFI inform that the bones of people brought from Africa as slaves were excavated from burial grounds to make way for construction in New York City; the site is now being desecrated as a tourist attraction, with its profits benefiting the very people who made money on the labour of enslaved Africans.

The **New Caledonian Customary Senate** is dismayed that in spite of the Noumea Accord, current re-colonisation threatens IPs with loss of control of their lands and resources, bringing immigrants and consequent urbanisation designed to double the population by 2015. They affirm the **Kanak** people's right to the territory and natural patrimony of Kanaky.

COLOMBIA says their development plan is relevant to the Second Decade's objectives on IPs' rights, capacity building and management of budget instalments, and that IPs' perspective on forced displacement is included. The *Plan Colombia* offers an integrative strategy in the search for peace. Colombia refutes **CWNC/FMW**'s charges.

Item 5 - Human rights: dialogue with the SR on IPs' Human Rights

Rodolfo Stavenhagen, SR on human rights and fundamental freedoms of IPs, underlines the effects of (often illegal) state-supported corporate extractive activities, plantations, and water and energy exploitation – with related environmental degradation and military build-up – on loss of IPs' lands and control over their natural resources, without adequate compensation, and degradation of their human rights and living conditions, often leading to mass migration (also **UNICEF, Indigenous Women's and Latin American Caucuses, ECMIRS, FIAAH, SCF/RXI**). Especially vulnerable are forest peoples, IPs living in isolation, and arid land pastoralists, threatened with extinction, and the Arctic people (also **CYE** for the **Yukagir** people of the far North in Russian Federation). To defend their rights, IPs are resorting to protests, which are in turn criminalized (**Wilton Littlechild** warns on such protests being planned in Canada), leading to new human rights' violations.

Making calls for the SR to visit are **ALRM/FAIRA/ILCUNSW/NACCHO/NNTC/NSWALC/WCC** (to all States with indigenous populations), **IIDHPIAM/UPND/CPMRN/AJIA/CJIRA** and **ECMIRS/CONAMIA** (Argentina), **ONIC/CONIP/CECOIN/CRIC/OIA/OIK/FMW** (Colombia), **Pacific Indigenous Caucus** (Papua), **SCF/RXI** (indigenous migrants in the USA), **CAF** (French-speaking IPs), **PFB, FIAAH**.

Yakin Ertürk, SR on violence against women, underscores indigenous women's continuing marginalisation due to lagging progress on: IPs' participation, poverty reduction, access to justice, States' failure to create inclusive societies, and recognition of gender-specific multifaceted discrimination against indigenous women. Violence against indigenous women is rooted in their communities' traditional patriarchal hierarchies, and in the wider society's ethnic discrimination, but is condoned in both contexts through instrumentalising customary law and practices. Insufficient protection in state justice systems increases indigenous women's vulnerability to violence outside their communities (also **NAWHERC**). Sexual violence is particularly alarming in conflict zones, while access of victims to reparation programmes is generally very difficult (also **North American Indigenous Caucus, NAWHERC**). Indigenous women counter discrimination through awareness-raising campaigns and self-help groups that empower them economically; they are not separating their demands from their peoples' rights.

Sigma Huda, SR on trafficking in persons, especially women and children, underlines human rights violations as both consequence and cause of trafficking. After presenting the scope of her mandate, she

highlights the gender, race, ethnicity and poverty base of power and vulnerability. Indigenous communities continue to score low in all social and economic indicators, making indigenous persons, particularly women, especially vulnerable – all the more when they are migrants, pushed by armed conflicts or violence against women. Sexual exploiters often choose women and children whose ethnic identity is “other” than their own. The SR can assist in speeding up incipient documentation of trafficking in indigenous persons and women.

The **Office of the UN High Commissioner for Human Rights** (OHCHR) underlines continuing but still incomplete improvement of IPs’ use of UN human rights mechanisms. Treaty bodies – a source of jurisprudence for IPs’ human rights and the Declaration – and SRs increasingly refer to indigenous issues, as did the Special Representatives on TNCs and on human rights defenders. OHCHR informs on the expert seminars on treaties (with the **Maskwacis Cree**, Canada – **Wilton Littlechild** asks for suggestions on implementation); and on IPs in voluntary isolation of the Amazonian Basin and El Chaco (Santa Cruz, Bolivia, see E/C.19/2007/CRP.1). OHCHR is increasingly engaged at country level with UN country teams and peacekeeping operations, and assistance to States on implementing recommendations of human rights mechanisms.

Victoria Tauli-Corpuz says the Human Rights Council is the foremost UN body on human rights (also OHCHR), but IPs would like to use the whole UN system to protect their rights (see E/C.19/2007/6). The **SR on IP’s human rights**, OHCHR, **Qin Xiaomei**, **Wilton Littlechild**; **Global, Youth, Asian and North American Indigenous Caucuses**, **CAPAJ**, **FECITED**, **APAA**, **COICAP**, **YW**, **LL**, **ROOTS**, **ITC**, **PIPV**, **CJG**, **FPK**, **DAP**, **CAMV-RDC**, **ALRM**, **FAIRA**, **NNTC**, **HREOC**, **MSHR**, **NACCHO**, **NSWALC**, **ILCUNSW**, **WCC** and **AMAN** call for an expert body on indigenous issues, subsidiary to the Human Rights Council and comprising indigenous experts, to continue the mandate of the WGIP.

The **OHCHR 2007 fellows** request a short training at the PF Secretariat before sessions and call upon PF members to disseminate information on this extremely valuable programme.

UNICEF’s indigenous consultative group calls for special attention to indigenous children and youth, and vulnerable IPs. States must eliminate enslavement and exploitation of indigenous children and youth in urban settings, report on actions to guarantee their rights, and pursue policies to return IPs’ ancestral land.

The **Indigenous Global Caucus** urge strengthening UN mechanisms to effectively address the pervasive violations of IPs’ human rights, and reiterate calls for: strengthening the mandate of the SR on IPs’ human rights (also **Qin Xiaomei**, **Merike Kokajev**, **ALRM/FAIRA/NNTC/MSHR/NACCHO/NSWALC/ILCUNSW/WCC**); inclusion of a regular agenda item on IPs’ human rights in the Human Rights Council’s work (also OHCHR, **Merike Kokajev**); consideration of IPs’ human rights in the Universal Periodic Review (also **ALRM/FAIRA/NNTC/MSHR/NACCHO/NSWALC/ILCUNSW/WCC**); and IPs’ full and effective access to the Human Rights Council.

The **Indigenous Women’s Caucus** call for convening the recommended workshop on trafficking in indigenous women and request that: the PF examine the report on implementation of its recommendations on indigenous women (E/C.19/2007/CRP.4) and implement recommendations of the workshop on IPs and migration; the SRs on violence against women and on trafficking in persons brief the PF in every session; UNDP continue its projects on data disaggregation especially on indigenous women and children; UN and inter-governmental agencies hire indigenous women; indigenous women receive support for capacity building (also **CAF** for illiteracy in Africa) and legal assistance.

On behalf of ten organisations, **AC** reaffirm IPs’ right to self-determination, their spiritual link to their natural environment and accountability to coming generations, and express alarm as to the speed of negotiations on a CBD international regime on access and benefit sharing, as States must yet recognise IPs’ relationship to their lands, sovereignty over natural resources, and right to control their territories’ genetic resources and associated traditional knowledge. The PF should prepare, to be disseminated to all relevant UN forums, a legal analysis to help States better understand IPs’ rights in the context of the proposed international regime, and a report on effects of commercialising IPs’ genetic resources and traditional knowledge.

LL/ROOTS/ITC/PIPV/CJG/FPK/DAP/CAMV-RDC demand that: the Human Rights Council hold Member States accountable for violations against IPs’ human rights; India stop repression of IPs in North East India and repeal emergency legal measures (also **APIYN** for Asia, **AIWN/IWFNEL/BWJF/CARD/TF/GIWA/LWU/IPNGO/SAIWF/WSH**); the WB stop funding deforestation threatening the **Mbuti** in DRC; Botswana provide for the **San** safe return to and basic services in their homeland; Ecuador declare a moratorium on all extractive activity on **Huaorani** and **Zapara** territories and respect isolated IPs’ rights (also the **Zapara** and **CONAIE**, including the **Tagaeri** and **Taromenane**); the PF establish a task force on IPs living in voluntary isolation.

South and Central America

CIR/COIAB/CONAMI call for protection of IPs’ territorial rights by titling lands (also the **Zapara** for Peru and Ecuador), strengthening traditional social organisation, implementing land-monitoring projects and guaranteeing IPs’ land and resources rights according to their customary land tenure and social systems.

In the Amazon Basin and Gran Chaco, governments are allowing extractive industries and road building in indigenous territories without regard for IPs' rights (also **CONAIE** for Ecuador). IPs living in voluntary isolation are threatened with extinction (also the **Zapara**). **CIPIACI** recommend that the PF: urge the region's governments to implement legal and effective protection of isolated IPs (also **AIDSEP** for ILO Convention 169 and human rights bodies' recommendations); and support application of the agreements reached at the Santa Cruz meeting (the Santa Cruz Appeal, see E/C.19/2007/CRP.1).

Underlining discrimination against indigenous women parliamentarians, **PIA** encourage work towards gender equity and women's rights, and respect for mother earth.

IIDHPIAM/UPND/CPMRN/AJIA/CJIRA and **ECMIRS/CONAMIA** (especially for women) demand that Argentina: respect sacred sites and indigenous land tenure; devolve usurped lands; and locally implement constitutional and international provisions on IPs' rights, namely collective land and resources rights, including to genetic resources and traditional knowledge, to free, prior and informed consent, and to participation. States should train their officials on IPs' rights (also **North American Caucus**).

North America

The **North American Indigenous Caucus** urge that: the UN strengthen mechanisms to address violations against indigenous rights (also **ALRM/FAIRA/NNTC/MSHR/NACCHO/NSWALC/ILCUNSW/WCC**); the PF continue its efforts towards implementation; and States keep reporting to the PF on indigenous women's and girls' human rights (also **NAWHEREC**), guarantee non-discriminatory application of all human rights standards, correct historical misinformation affecting IPs, and consider alternatives to incarcerating indigenous people whenever possible.

The PF should examine the relationship between self-determination and poverty (**AFN**). **Wilton Littlechild** cites a recent Canadian Senate report on barriers and facilitating factors to IPs' economic development.

AFN denounce Canada's failure to recognise First Nations' jurisdiction over matrimonial real property rights, and disastrous treatment of indigenous children leading to acute crisis. First Nations' women affirm their pre-existing collective rights, responsibilities, cultures, territories and laws; they will ensure taking care of and be responsible for their lands, families and children.

NAWHEREC denounce sexual violence, mostly interracial, against indigenous women in the USA as an attack on their gender and indigenous identity.

Non-recognition of migrants' rights in the USA led to eviction of the South Central Farm, where indigenous immigrants were growing their own diverse foods, thus improving their health situation and independence from market (**SCF/RXI**).

FIAAH denounce the historical cover up of the black American peoples' Anasazi origin.

Interpretation of constitutionally protected Aboriginal and treaty rights is evolving through courts and negotiations. **CANADA** encourages negotiation and will work on speeding up resolution of aboriginal claims.

Asia and Pacific

Governments must stop, investigate and redress extra-judicial killings of indigenous leaders in Myanmar, Bangladesh, Philippines and Thailand, and arbitrary arrests and detention of indigenous leaders and human rights defenders. The **Asian Indigenous Caucus** further recall the issues of trafficking in women, forced removal (also **AHF** for the **Akha**) and military recruitment of children, religious intolerance and persecution of IPs in the region, urging the PF, relevant SRs and other mechanisms to take effective appropriate action. Asian States must comply with reporting to the Treaty Bodies, with information on IPs and their participation.

The **Pacific Indigenous Caucus** welcome the special autonomy law in Papua and call upon Indonesia to implement it – including the Truth and Reconciliation Commission, to open dialogue with Papua IPs and to respect their authorities. Multilateral donors should provide support directly to Papua.

ALRM/FAIRA/NNTC/MSHR/NACCHO/NSWALC/ILCUNSW/WCC draw attention to Australia's failure to take a human rights-based approach to indigenous issues, by preventing their empowerment in political matters and the design of policies that affect them, or their active engagement in improving their well being based on their cultural identity. The Human Rights Council must dedicate a time slot of its agenda to address IPs' concerns, to facilitate participation, and the PF hold alternate sessions in Geneva to strengthen its relationship with the Human Rights Council, Treaty Bodies and OHCHR.

APIYN request the SRs on IPs' human rights, on extra judicial executions, on torture and on violence against women to visit the region's heavily militarised indigenous areas. States must recognise IPs' self-determination and end impunity by prosecuting all military personnel involved in human rights violations. The PF should focus an upcoming session on impacts of militarisation on IPs, in particular children and youth.

Condemning the use of violence against women as a weapon of war (also **Asian Indigenous Caucus**), **AIWN/IWFNEI/BWJF/CARD/TF/GIWA/LWU/IPNGO/SAIWF/WSH** urge a general recommendation to the CEDAW, and that the SR's mechanisms of the Commission on the Status of Women look into violation of indigenous women's rights in Asia. Indigenous women's efforts must be supported in peace building, health,

education, land entitlement, etc. The SR on violence against women should establish dialogue with indigenous women.

ABPGYF/FBY/AATYL denounce India's unwillingness to end the conflict in Boroland and respect the **Boro** people, and ask the PF to press India to implement their right to self-determination, to free prior and informed consent, to their lands, and to live free of violence.

LAHURNIP/NUCE/NWTG/LILDA/KCLCDA call upon the PF to study gross violations against IPs' human rights. Nepal must ratify ILO Convention 169, invite the SR on IPs' human rights (also **Parshuram Tamang**, including the SR on violence against women) and make possible IPs' political participation and proportional representation (also **IPCN, NIWRF, KRLCDC, NWTG**).

The peaceful **Hmong** people hide to escape from persecution and torture by Laos' government (to contract their resources to extracting industries, say **WHPC/HCFIS**, calling on the UN to address this). In Thailand, severely traumatised Hmong refugees are held in prison in unacceptable conditions. The PF must take a public position on this, press Laos to stop hunting Hmong, and focus its seventh session on indigenous refugees (**LHRC/STP/YW/EP**).

AHF's repeated reports to the PF on the **Akha** people's land being taken away by Thailand (which objects to this statement) have only brought them governmental repression. UNESCO must explain its collaboration on Akha non-tangible heritage and language with the Summer Institute of Linguistics, responsible for eliminating oral transmission of Akha literature. (Responding to AHF's charges of sexual exploitation against a NGO it funds, **NORWAY** takes this very seriously and will strengthen prevention.)

The **Taroko** hunters, guardians of their nation's territories, are now violently harassed by Taiwan's forces because their territories became the Taroko National Park. **IPPA** demand an end to this harassment (otherwise the Taroko will enact customary self-defence), dismissal of perpetrators and a public apology. The Declaration and Taiwan's Indigenous Peoples Basic Law must be fully respected, especially by natural resources management units.

The Speaker of **NEPAL**'s Parliament calls for IPs' inclusion in decision making, and for fair compensation for IPs' usurped lands and resources, and resulting human rights violations. The government is committed to improved dialogue and to protecting and promoting the rights of the country's various IPs. Indigenous parliamentarians must build new initiatives to safeguard IPs' interests globally (also **Parshuram Tamang**).

The SR on trafficking in persons is wrong in pointing to **MYANMAR**, which is emerging from conflict, regarding effects of conflicts on indigenous women.

Objecting to allegations of mistreatment against **Hmong** people, the **LAO PEOPLE'S DEMOCRATIC REPUBLIC** claims to be promoting the fundamental rights and freedoms of its multi-ethnic people – as international and non-governmental organizations can witness – but will resolutely protect national security and the state of law.

THAILAND has to uphold the rule of law but is treating the **Hmong** according to humanitarian principles and consulting solutions closely with interested parties.

Eastern Europe, Russia, and the Circumpolar

FRSCIP demand that Ukraine restore the **Crimean Tatar** people's rights; recognise their indigenous identity, customary representative body and language as official in the Autonomous Republic of Crimea; compensate their losses in land and properties; and help resettle all exiled Tatar to their homeland.

PFB report on the Balkarian IPs' loss of autonomy and lands after the collapse of the Soviet Union.

IICKT warn over recent regression of human rights' protection and promotion in the Russian Federation, a very dangerous trend for indigenous communities.

Given lack of implementation of international instruments, of a human rights-based approach to development, and of the PF's and SR's recommendations (also **Qin Xiaomei, ECUADOR**), **FINLAND** calls for: keeping indigenous issues and human rights on international agendas; widened cooperation and synergies; awareness raising to reduce non-fulfilment of human rights' obligations; States' increased political will to support human rights bodies; eliminating violence against and trafficking in indigenous women and children.

The PF, Human Rights Council – particularly through the SR – and Declaration are key instruments in promoting IPs' rights. **DENMARK** recommends that the SR be present in every PF session and act as a liaison between the Human Rights Council and the PF.

Hassan Id Balkassm asks if the SRs have any specific comment on recognition of IPs' rights in Africa. **Aqqaluk Lynge** says IPs' rights are under serious threat but IPs will continue to fight against discrimination, degradation and marginalisation. **Victoria Tauli-Corpuz** commends the SRs' reports as bringing useful analysis from various viewpoints.

Item 6 – Half-day discussion on Asia

Various speakers – the **SR**, **IFAD**, **ILO**, **ADB**, **Asian Indigenous Caucus**, **AIWN/IWFNEI/TF/WSH/LWU/CARD/BWJF/NGOFC**, **AAH/ARC**, **AIPP/TF**, **Merike Kokajev**, **Wilton Littlechild**, **Otilia Lux de Coti**, **Parshuram Tamang** and **Hassan Id Balkassm** – call attention to IPs' rights to self-determination, land, territories and resources, including customary land ownership and use systems in Asia, and call for protective policies, appropriate legislation, and implementation. Most countries still fail to use "indigenous" to distinguish IPs from minority groups in general, even though doing so has been shown to improve IPs' situations; although the Declaration provides guidelines to determine who is legally indigenous, and some States have enacted legislation enabling IPs' rights, an implementation gap remains (also **UNFPA** for Cambodia and Philippines). To bridge this gap, more partnerships are needed with civil society, think tanks, the PF and UN agencies, and governments need to take part more actively in discussions (also **ILO**, **Qin Xiaomei**); legal professionals can also engage in making constructive arrangements for dealing with IPs' human rights issues.

Ganesh Thapa, **Regional Economist, Asia and the Pacific Division, IFAD**, says IPs' poverty is rooted in their marginalisation and lack of traditional access to land and forests (also **Parshuram Tamang**, **AIPP/TF** for Cambodia), and their lack of assets – and returns on assets. Therefore IFAD addresses sustainable management of IPs' assets and returns (also **UNDP**).

Rodolfo Stavenhagen, **SR on IPs' human rights**, calls attention to dramatic deforestation resulting from plantation economies, state concessions and illegal logging, especially in Indonesia, Malaysia and others in the South East region (see E/C.19/2007/CRP.11); megaprojects and extractive industries in China and India are forcing IPs to move (also **UNFPA** for Pakistan), and while "modernization" abolishes traditional cultivation in Laos, Thailand, and Vietnam, sedentarization policies affect traditionally nomadic pastoral cultures across Mongolia and Central Asia (also **ILO**, **SMHRIC**). Peace accords are hampered by militarization, internal migration, and land dispossession in Bangladesh (also **Parshuram Tamang**, **UNFPA**), India (Nagaland), and Indonesia (Western Papua and more recently Aceh). Massacres, extra judicial killings (also **Asian Indigenous Caucus**), forced disappearances, torture, and reprisal confront indigenous leaders and communities trapped in conflicts, such as the **Degard** and **Hmong** in Vietnam and Laos, and IPs defending their lands in the Philippines (also **AIPP/TF** for Cambodia, who also ask the **WB** to implement their 2006 recommendations).

Sultan A. Aziz, **Director of the Asia and Pacific Division, UNFPA**, says indigenous women are not just economically, but also politically and culturally isolated; he calls for governments to protect women from gender based violence, and to screen them for HIV/AIDS and STDs (also **ILO**). He highlights their roles as peacemakers and economic actors in Bangladesh (also **IFAD**). In Cambodia, IPs' access to services and programs would be improved by decentralization, along with procedures based on free, prior and informed consent to link local, provincial and national structures (also **AIPP/TF**).

Brigitte Feiring, **Chief Technical Advisor, Project to Promote ILO Policy on Indigenous & Tribal Peoples**, reports on a joint UN and NGO seminar in Cambodia emphasizing IPs' access to land and forest resources, which they depend upon for their livelihoods, culture and identity (also **AIPP/TF**). The ILO, PF and others agree that IPs need to be more included in Poverty Reduction Strategies, the UNDAF process, and MDG strategies (also **Asian Indigenous Caucus** and **AIWN/IWFNEI/TF/WSH/LWU/CARD/BWJF/NGOFC** for women and girls). Although re-establishment of democracy in Nepal creates an opening for excluded groups, IPs' rights are not being discussed for fear of generating conflict. Recognition of IPs' rights demonstrably leads to more stable, democratic societies, while lack of participation by IPs in decision-making processes that affect them has a negative effect (also **Parshuram Tamang**).

Indira Simbolon, **Senior Safeguard Specialist of the Environment and Social Safeguard Division, Asian Development Bank (ADB)** reports they are moving towards supporting faster, more inclusive, environmentally sustainable growth, with a regional and global, rather than national, focus that prioritises safeguards over development.

FPP, supported by the **Asian Indigenous Caucus**, express alarm at ADB reliance on country safeguard systems over existing international standards. The need for compliance is exemplified by the adverse effects of ADB projects on the **Katu** people in Indonesia and the **Khasi** of North East India; they insist ADB publicly commit to full and effective consultation with IPs in updating their safeguard policies, including the one on IPs (also **SGC** for Japan, **Asian Indigenous Caucus** for ASEAN governments).

SGC, supported by the **Asian Indigenous Caucus**, warn that the merger of the Japan Bank for International Cooperation (JBIC) and the Japan International Cooperation Agency (JICA) must ensure IPs' fundamental rights, in updated policy or any other guidelines, drafted in consultation with IPs (as those of **WB** and **ADB** are).

Though the **World Bank (WB)** now use more stringent guidelines for projects that affect IPs, they admit these do not amount to free, prior and informed consent; they will consider this again once the Declaration is adopted.

Chandra Roy, UNDP Regional IPs Programme, reports on UNDP's Regional Initiative on IPs' Rights and Development (RIPP), which has conducted case studies across the region to assess good governance and poverty reduction, showing that recognition of status does not end IPs' discrimination and exclusion in land ownership and natural resources management. Programs to strengthen indigenous women's decision-making skills and build capacity are being conducted, and the Asian Young Leaders in Governance initiative trains future leaders, using modules created specifically for South and Southeast Asia.

The **Asian Indigenous Caucus** lament militarization, political repression and anti-terrorist laws (also **Youth Caucus**) in Asia, which label individuals and their legitimate organisations as "terrorist" for asserting their rights or criticizing the government (also **SMHRIC** for Southern Mongolia). They warn that IPs' access to services should not depend on their approval of destructive/exploitative projects, and call for national human rights commissions (also **Parshuram Tamang**) and an Asian Human Rights Commission.

The **Youth Indigenous Caucus** ask UN agencies to use more Asian languages and provide English language education for youth. They ask the PF for a dedicated staff member for youth groups in Asia.

AIWN/IWFNEI/TF/WSH/LWU/CARD/BWJF/NGOFC report on their capacity building trainings for indigenous women, and on their information kit highlighting the work of indigenous women – an adaptation of the kit that Indigenous Women of the Americas published at the end of the First Decade.

SAIWF/IWFNEI/BWJF/CARD/GIWA/LWU/WSH/KCLCDA and

AIWN/IWFNEI/TF/WSH/LWU/CARD/BWJF/NGOFC both highlight human rights violations faced by indigenous women in South Asian countries (also **SR on IPs' human rights**), especially women healers, due to non-indigenous prejudice against traditional medicine (also **SMHRIC** for Southern Mongolia). They applaud the UNDP program for IPs' in Asia, and recommend it for other regions. They urge the SR and other human rights mechanisms to study the effects of armed conflict on the fundamental rights of IPs, especially women and children, in South Asian countries, and call for protection and promotion of traditional and customary indigenous conflict resolution (also **Asian Indigenous Caucus**). They deplore lack of disaggregated data on indigenous women (also **UNFPA, AIWN/IWFNEI/TF/WSH/LWU/CARD/BWJF/NGOFC**); they call for relevant mechanisms to provide it.

AIPP/TF applaud participation of IPs from Cambodia, and urge UN agencies, WB, ADB and bilateral donors to include IPs' land alienation issues, with follow-up implementation.

KKBA/KKF/MoF deplore religious persecution and military actions against Buddhist monks, civilians and **Degar** people, and ask for Vietnam to be put back on the "Countries of Particular Concern" list. They urge Vietnam to restore religious freedom to all 15 defrocked monks; and call for an SR on religious freedom to be sent to relevant areas in Vietnam. (**VIETNAM** responds that its Constitution guarantees religious freedom and upholds the principle of equality of all citizens before the law.)

SMHRIC say that the situation of five million indigenous Southern Mongolians has worsened over the past 60 years through extractive operations and the non-sustainable farming practices of millions of Chinese immigrants (also **AIPP/TF**). (In response, **CHINA**, acknowledges that IPs are important, but says inhabitants of Inner (Southern) Mongolia enjoy the same rights as other parts of China).

Qin Xiaomei asks governments to assist IPs' capacity-building, and the protection and enjoyment of their human rights (also **KKBA/KKF/MoF** for Vietnam).

Otilia Lux de Coti calls attention to similarities between Asia, Africa, and Latin America, such as violations against indigenous women' rights, States' resistance to change structures, and the damaging effects of mega development projects (also **AIPP/TF**).

Ida Nicolaisen recalls the difficulties IPs from India, Malaysia and Burma encounter in travelling to the PF (also **Youth Indigenous Caucus**); she urges the OHCHR in collaboration with IPs to create, and present to the PF in 2008, a roadmap for mainstreaming IPs' rights throughout the UN system.

Responding to **Parshuram Tamang** on effectiveness of national human rights institutions in Asia, the **SR on IPs' human rights** urges these institutions to develop departments dedicated to IPs' issues; a region-wide human rights commission should be created to make sure these bodies stay independent and accountable to parliaments and legislatures. Responding to **Merike Kokajev**, the SR affirms that his cooperation with other SRs regarding government persecution of human rights defenders will continue. He responds to **VIETNAM's** objection to his information on Central Highlands IPs, that this was given by people who provide serious, documentary information about the situation; he would, however, welcome further information from Vietnam, and asks that his previous communications be answered through appropriate mechanisms.

Item 7 – IPs and Migration

Panel members **Wilton Littlechild**, PF member; **Selman Ergüden**, UN-Habitat; **Rasmus Precht**, UN-Habitat; **Amy Emel Muedin**, IOM; **Julian Burger**, OHCHR; and **Fabiana del Popolo**, ECLAC Population Division, welcome the report on the expert group meeting on urban IPs and migration held in Chile in March 2007 (also **CANADA, CAPC/ICN**) (see E/C.19/2007/CRP.8), and call attention to factors that push IPs out of

their ancestral lands and into cities, such as development projects, loss of traditional livelihoods, and conflict and violence (also **North American, Amazigh and Asian Indigenous Caucuses, CAPC/ICN** for Canada, **CANO/ICSA, CAPAJ, ICITP/WAC/PAJHRA** for India). The panel cautions against seeing IPs' experiences as homogenous, or sharply divided between urban and rural IPs (also **Ida Nicolaisen**). Urban settings attract IPs – over half of all IPs in many countries – with hopes of better employment, education, health care, housing, political participation, and social recognition (also **CAPC/ICN** for Canada); but also to earn money to send back home, to help ensure the survival of traditional ways of life (also **PSF/RXI** for Latin America). Although IPs in cities have better living conditions and access to health and education than their rural counterparts do, inequities with the rest of the population persist, and even increase. Lack of skills and jobs, of access to services, and poor and culturally inadequate housing marginalize IPs (also **Asian Indigenous Caucus**), while exploitative labour practices, trafficking, racism and sexual exploitation are rife (also **NEW ZEALAND, Amazigh and Asian Indigenous Caucuses, CANO/ICSA, ICITP/WAC/PAJHRA** for India). Though IPs suffer alienation from their identity, language, and culture (also **CAPAJ**), panel members reject generalizing IPs' loss of identity. Though closely linked with their own lands and cultures, IPs see urban settings as extensions of their home territories, with long-distance and international networks that connect them with their rural homes. The panel calls for more disaggregated data on the entire process of migration and urbanisation (also **Latin American and Asian Indigenous Caucuses**, especially for women and youth, **PSF/RXI, SCF/RXI** on indigenous migrants in USA, **ALRM/FAIRA/ATSIJJC/ILCUNSW/MSHR/NACCHO/NNTC/NSWALC/WCC, CANADA**). IPs' urbanization is inseparable from implementation of the Declaration, and they should be involved as equal partners in decisions that affect them in the urban setting (also **North American Indigenous Caucus, ALRM/FAIRA/ATSIJJC/ILCUNSW/MSHR/NACCHO/NNTC/NSWALC/WCC**). There should be more programs for youth, such as arts, traditional games, and sports (also **CANADA**). The PF must adopt IPs' migration as a permanent agenda item (also **CANADA, NEW ZEALAND, NAFC**).

The **North American Indigenous Caucus** call attention to border controls by the USA, Canada and Mexico that violate IPs' human, cultural, treaty, sovereignty, and right to life. Especially in relation to the rape, trafficking, and murder of indigenous girls and women, they call a report on this, as well as a second international border security summit focusing on the human rights of IPs divided by international borders (also **IPCGC** for the Caribbean).

IPCGC call upon States and regional intergovernmental initiatives to create adequate mechanisms in conjunction with IPs to facilitate communication and border crossings between the **Arawak, Carib, and Warao** of Venezuela, Guyana, and Suriname; the **Taino** of Puerto Rico, Cuba, and the Dominican Republic; as well as the **Carib** of Dominica and Trinidad – all of whom share common ancestral heritage.

CAIPCD report on creating employment and develop infrastructure within IPs' areas in Saint Lucia, and ask the PF to consider the initiative of the Organization of Eastern Caribbean States (OECS) to mitigate the urban drift of IPs from their territories.

The **Latin American Indigenous Caucus** recall that illegal immigration began in 1492; today external migration follows resource exploitation, free trade and State terrorism, eliminating borders and reducing IPs' mobility. They ask for implementation of the International Convention against Torture.

The **Amazigh Indigenous Caucus** say that being prevented from speaking their language fosters a sense of inferiority, and the entire world loses part of its cultural capital.

The **Asian Indigenous Caucus** call for studies on child labour as this affects urban indigenous migrants, and ask the PF to recommend creating a fund for traditional knowledge and skills education for indigenous migrants in urban centres. The PF should lead studies on trafficking of indigenous women and children, and call for governments to provide mechanisms for return of displaced IPs to their original communities, including appropriate compensation and restitution and provision for sustainable livelihoods.

The **Pacific Indigenous Caucus** say Pacific peoples' needs are ignored by New Zealand's court-ordered forced relocations and Hawaii's relocation of IPs to islands remote from their ancestral homes. They call attention to IPs' cultural, economic, social and political rights (also **Amazigh Indigenous Caucus**), and ask that an SR study urbanization and migration of IPs (also **ALRM/FAIRA/ATSIJJC/ILCUNSW/MSHR/NACCHO/NNTC/NSWALC/WCC, PSF/RXI/CANO/ICSA/Cecilia Velasquez**).

ALRM/FAIRA/ATSIJJC/ILCUNSW/MSHR/NACCHO/NNTC/NSWALC/WCC say that the Australian government's agenda purports to make non-indigenous services more accessible to IPs in urban areas, but actually disadvantages indigenous-specific programs (also **Pacific Indigenous Caucus, NAFC**). IPs are positively impacted by freedom to live on traditional land and engage in traditional practices, while relocation risks losing the basic legal proof for recognition of native title: connection to the land.

CAPC/ICN deplore inadequate federal spending for urban IPs in Canada, compared to those on reserves, and emphasize their rights to benefit from IPs' programs and services. They commend Canada's investment of 70 million dollars over five years to focus on economic promotion of IPs.

PSF/RXI refer to **Apache, Yaqui, and O’Pata** people in Northern Mexico, subject to forced separation through exploitative labour practices that amount to cultural genocide. US immigration policy annihilates ancestral traditions by allowing IPs to work there, but not to raise their families. UNICEF and UNIFEM must include urban and migrant indigenous women and children in studies of violence against women.

NAFC recommend the UN study urban indigenous service delivery infrastructure, including presenting a formal report on best practices, push and pull factors of IPs’ urbanisation, and identity issues. An international gathering of urban IPs should be held to provide their perspectives on this.

EWFI express sadness at the distortion of IPs’ history in the Americas and the destruction – especially on North America’s East Coast – of indigenous nations at the time of conquest.

YVY-Rupa is alarmed because **Guarani (Kaiowa, Mbya and Nhandeva/Xiripa)** lands are not being recognized, thus preventing implementation of public policies or actions to guarantee their human rights. The PF should call international agencies’ attention to the necessity for Brazil to comply with its constitution and ILO Convention 169, and officially recognize Guarani lands.

CANO/ICSA insist that IPs have traditionally settled throughout their own territories wherever they liked. Invaders established legal systems, borders and passports, but IPs will not let their customary rights be violated by constitutional rights.

CAPAJ recommend inducements be created for IPs to stay on their lands and develop their own form of collective life tied to the earth and the cosmos.

Cecilia Velasquez, indigenous civil governor of Cotopaxi, Ecuador calls attention to women in migratory situations; they suffer the most from urban migration and ethnic discrimination due to speaking their mother tongue, lack of literacy, and wearing traditional clothes. She demands IPs’ participation in public policy along with indigenous legislators and regional governors.

ICITP/WAC/PAJHRA deplore the serious situation in New Delhi of thousands of migrant tribal women and girls working as domestic workers, and boys as labourers, who have to pay high fees for placement, receive no regular salary, and are mistreated physically and mentally. The UN system, ILO and WB must address this.

The **Khmer Krom** migrate because of degradation of their rice fields by destructive government projects. Vietnam must consult IPs before creating canals on IPs’ ancestral lands; adopt ILO Convention 169; implement laws to protect IPs’ lands; and start processing IPs’ land claims. **KKF/MoF** ask UN-HABITAT to help with adequate housing for **Khmer Krom** and **Montagnards**, and for ILC to assist on land rights.

ARC/SGC call attention to the situation of **Ainu** migrants who moved to the area surrounding Tokyo, due to financial hardship and discrimination associated with the Japanese assimilation policy in Hokkaido. Ainu migrants request a community centre, social welfare, and social counselling. The government does not recognise Ainu indigenous identity, rights to self determination, and to their own culture.

RF request to be able to be informed on, and attend, intergovernmental committees on indigenous matters.

CANADA reports on Friendship Centres that provide services to IPs across Canada, and on efforts to coordinate the different resources IPs’ potentially have access to.

NEW ZEALAND reports more than 80% of **Maori** now reside in urban areas, highly integrated with the non-Maori population. For the well being of IPs and societies as a whole, governments and IPs’ need to collaborate closely on urbanisation issues, and to support indigenous individuals in their choices.

Aqqaluk Lynge is dismayed that although Greenland’s **Inuit** are willing and ready to contribute to Danish society when they migrate to cities, they are further victimized as they face negative stereotypes propagated by the media.

Hassan Id Balkassm says policies of assimilation threaten to replace IPs’ unique identities, and that indigenous children have already accepted education in a foreign language; they are punished for using theirs at school. The international community must cooperate to retain IPs’ identities.

Item 8 – Ongoing priorities and themes and follow-up: data collection and disaggregation

The **WB** highlights findings of its 2006 and 2007 studies on IPs’ economic situation in Latin America from 1995 to 2004 focused on evolution of human development indicators for IPs, and on IPs’ economic opportunities and social networks. Together with similar studies on Asia and Sub-Saharan Africa, these will provide a global baseline for social and economic conditions among IPs, and facilitate monitoring of the MDGs and national Poverty Reduction Strategies.

Given the weak capacity of many countries for collecting disaggregated data, **ILO** doubts that IPs’ priorities can be reflected in indicators fitting international development targets such as the MDGs and CBD. Developing a set of IPs-specific core indicators seems more realistic. As to ensuring effectiveness of and IPs’ participation in monitoring mechanisms, ILO reminds of the monitoring mechanisms for its Conventions, and suggests exploring possibilities of amending existing mechanisms, to overcome limited resources.

The **Economic Commission for Latin America and the Caribbean** (ECLAC) informs on its novel system – elaborated collectively and with indigenous participation – of some 50 socio-demographic indicators on IPs' situation. ECLAC is also working with PAHO and indigenous groups in Argentina and Chile to improve vital and health statistics; and planning a preparatory meeting in 2008 on minimum contents and indigenous participation in the 2010 Latin American census (also **UNFPA**, working to improve data on IPs in Asia and Latin America for international monitoring; **ECUADOR** calls for this).

The **CBD Secretariat** recommends that IPs be actively engaged in establishing practical indicators relevant to them, as they have answers to many global challenges.

The **IIFB Working Group on Indicators** reports on the international expert seminar on indicators relevant for IPs, the CBD and the MDG held in March 2007, following a wide consultative process (see report in doCip's Online Documentation under PF 2007 session, agenda item 8). Outcomes include a short list of 12 core issues central to IPs' well being and sustainability: 1) security of rights to territories, lands and natural resources; 2) integrity of indigenous cultural heritage; 3) respect for identity and non discrimination; 4) culturally appropriate education; 5) self-determination; 6) free, prior and informed consent; 7) health; 8) access to infrastructure and basic services; 9) extent of external threats; 10) material well being; 11) gender dimensions; and 12) demographic patterns of IPs. Conclusions include the need to use a human rights-based approach and to distinguish structural, process and outcome indicators, so as to reveal the changes needed to improve IPs' well-being and monitor MDGs' achievement for IPs; and the need to share more widely and up-scale the few existing initiatives on information and data disaggregation according to ethnic identity – in view of building baseline information and monitoring systems (also **CADPI**). The expert seminar recommends encouraging continuation of this work on indicators and data collection (also **ARC/SGC**, **CADPI**), including by providing financial support, and wide collaboration on national pilot projects on data disaggregation and collection. The expert seminar strongly support recommendations, from the IASG report on data disaggregation, that the UN system further refine existing international indicators (MDGs, CCA, Human Development Index) to measure IPs' situation; and that independent national human development reports systematically include case studies and disaggregated data on IPs.

In Australia, lack of due evaluation of the frequently changing government policies on IPs (such as the current de-funding of indigenous-specific programmes to favour mainstream alternatives) carries the risk of repeating mistakes and deepening IPs' disadvantages, with predictable aggravation due to the importance of the youth indigenous population. **ALRM/FAIRA/ILCUNSW/NACCHO/NNTC/NSWALC/WCC** underline inadequate involvement of IPs in data collection resulting in lack of data on cultural appropriateness of services, well being or good governance. States should work with IPs to develop and implement indicators on IPs' well being within an integrated framework. UNICEF should hold an international seminar on suicide of indigenous youth.

Based on a recent UNDP/TF survey in northern Philippines to develop a methodology for data disaggregation and monitoring of rights-based development indicators, **TF** recommend: training of local governments to annually update national censuses; advocacy campaigns to ensure that the ethnicity variable is included in national censuses (also **CADPI**); respecting gender balance in future surveys; more pilot studies on data disaggregation to facilitate advocacy for future change in methodology; and sharing experience on this among indigenous organisations (also **ALRM/FAIRA/ILCUNSW/NACCHO/NNTC/NSWALC/WCC**).

Japan is not collecting specific data on the **Ainu** people. **ARC/SGC** deem inadequate a recent study on the Hokkaido's overall situation, due to focus on individual indicators, non-consideration of structural discrimination, insufficient funding and inadequate indigenous participation. Information also lacks on Ainu living in the Tokyo region. Following UN Treaty Bodies' recommendations, Japan collected data on indigenous children; it must publish the results, and conduct a survey of the socio-economic situation of the Ainu people, with their effective participation.

Underlining the comparatively high percentage of indigenous persons in the US prison population, and of indigenous children in foster care, **EWFI** discuss provision of sustainable education for indigenous children.

CANADA thanks the PF for leading a session on IPs and indicators of well being at the 2006 Aboriginal Policy Research Conference, and extends an invitation for the next Conference in 2009, to further develop common understanding on challenges of data collection and indicators development.

Item 9 – Future work of the PF including emerging issues

Wilton Littlechild reports on implementation of PF recommendations (listed at www.un.org/esa/socdev/unpfii, see also E/C.19/2007/5). Facilitating factors include: the PF mandate to provide expert advice; Secretariat reports; active engagement by UN bodies; IASG support; and the cutting-edge nature of IPs' issues. Annual repetition of ongoing priorities emphasizes their importance and non-implementation. Constraints on implementation include: lack of money and capacity in relevant bodies; general lack of awareness about IPs; and failure of UN bodies and governments to prioritise IPs' issues. Among other things the report recommends that

governments, agencies and IPs' organizations report back to the PF regarding implementation (also **RXI/WWT/TRKMA/NCSO/SCF/Caribbean Caucus**); that IPs' organisations set up their monitoring systems (also **Asian Indigenous Caucus**, who suggest clustering recommendations by addressee); taking advantage of the potential, for reaching IPs worldwide, of UN agencies and others whose participation in the PF is increasing (also **Ida Nicolaisen**); that UN bodies create synergy on joint projects; and that the Secretariat review statements delivered during sessions, noting references to implementation.

To reduce the number of recommendations, **Aqgaluk Lynge** supports the preparatory work of PF members and indigenous caucuses (also **Victoria Tauli-Corpuz** and **Ida Nicolaisen**, urging States to fund these), and recommends more time for PF members to meet with caucuses and actively participate in the debates. **LL** suggest setting apart specific times for plenary meetings and interactive engagement between all concerned parties (also **Ida Nicolaisen**).

The **Asian Indigenous Caucus** call for the topic to be addressed at the seventh session (also **MOSOP**), and support more focused half-day regional sessions (also **KKF/MoF**).

Regarding customary law and protection of traditional knowledge, **Michael Dodson** (E/C.19.2007/10) calls for a study on a customary law approach. Because intellectual property law does not protect indigenous traditional knowledge (also **Pacific, Asian and Arctic Indigenous Caucuses, ALRM/FAIRA/NNTC/NACCHO/NSWALC/ILCUNSW/WCC, ZORO/BIPO/BSC-B**), an entity is needed that goes beyond human rights, and trade, to create something completely new. He agrees with the **IPs' Contact Group on Treaties, Agreements and Constructive Arrangements** that IPs' own understanding of treaties, based on their own conceptions, must be the basis for all current treaty processes (also **CONAMAQ**), and a third expert seminar should be held on this (also **IPCGC**). To achieve IPs' full and active participation in ongoing international processes on protection of traditional knowledge – especially under the CBD and WIPO – the **Pacific Indigenous Caucus** urge the PF to commission a study on *sui generis* protection of traditional knowledge, and to appoint Michael Dodson as SR to study intellectual property and the role of customary law in protecting traditional knowledge (also **ALRM/FAIRA/NNTC/NACCHO/NSWALC/ILCUNSW/WCC, Arctic Indigenous Caucus**). Five members should be appointed at the seventh session to hold specialized meetings on this (also **KCHS/KLH/NKIKLH/WHCC/IC/KF**).

In addition, the **Pacific Caucus** also make a detailed series of recommendations (supported by the **Arctic Indigenous Caucus**) with respect to the CBD's international regime on access and benefit sharing.

The **Board of Trustees of the UN Voluntary Fund for Indigenous Populations** stress that the Fund gives IPs the opportunity to attend the PF and participate in meetings where decisions affecting their lives are taken. The new expert body of the Human Rights Council must be open to all IPs. They support broadening the Fund's mandate to finance participation in meetings of Treaty Bodies (also **OHCHR**), and to fund small projects to transfer and disseminate knowledge acquired in the WGIP and PF (also **ALRM/FAIRA/NNTC/NACCHO/NSWALC/ILCUNSW/WCC**).

The **Indigenous Youth Caucus** encourage the Secretariat, UN agencies, NGOs, indigenous organizations, and States to provide indigenous youth with adequate resources for full and effective participation in the PF's future work (also **BIPF, Indigenous children's delegation from Ecuador**). A structure and process should be created for indigenous youth's involvement, and a concrete action plan be implemented at future sessions (also **BIPF**). Each PF member should take on at least one apprentice (also **Ida Nicolaisen**), and an SR on youth issues, appointed by the PF, should report at next session.

The **International Indigenous Caucus on Water** call for a World Indigenous Forum on the Right to Peace and Water, covering all areas of the PF's mandate and the MDGs.

AILA/CAF/doCip/IPACC/ICC/RAIPON/SERPJA-AL/SDRDC recall that since 2002, in response to IPs' organizations' requests, doCip, AILA and the United Methodist Church have worked together to provide logistics, information and documentation enabling indigenous delegations to participate fully and effectively in the PF.

CAIPCD inform that a Small Islands Caucus will be formed by 2008, to assist small islands in bringing their concerns to the attention of the PF.

IPCGC urge the PF to facilitate a special regional consultative session on Caribbean IPs, along with **Taino** representatives from Borikén (Puerto Rico).

SERVINDI cite difficulties faced by IPs attempting to practice journalism. Indigenous communicators must be recognized as social agents who contribute to cultural diversity and inclusion; and the PF address this.

DEPIEA say immigrants to the USA are treated like terrorists; the popularity of immigration issues now means everyone considers himself an expert.

FTAE urge the PF to send a letter to governments outlining the rationale and the importance of protecting IPs' human rights, especially where oil extraction is being carried out (also **DEPIEA, Indigenous children's delegation from Ecuador, APAA, ZORO/BIPO/BSC-B**).

An **Indigenous children's delegation from Ecuador** offer to share their knowledge and experience of methodology for community participation, and call for national agendas enforcing indigenous children's rights – whose situation is worse than that of non-indigenous children.

APAA call for the PF's work to result in concrete actions (also **CATA** for the **Amarete** ayllu in Bolivia, **LL**), and urge follow up – including informing States – of all recommendations regarding land, territories and resources. States' constitutions must be modified so IPs can remain on their lands.

AMA suggest one indigenous language be selected as an official language for the seventh session, and that the OHCHR include indigenous language speakers in bodies dealing with violations of IPs' human rights.

CIDOB warn States that unless IPs' rights to territories and natural resources are recognised, they will never be able to achieve their own social and economic development (also **HAP, AMA, CONAMAQ, CPM PX** for the **Mapuche, FIPA**), and might lose their patience.

In IPs' fight in Bolivia against the underselling of that nation's gas resources to TNCs in 2003, protests were met with repression and death. **FNMCG-BS** call for remembrance of indigenous persons who died defending their natural resources.

CONAMAQ call upon States and indigenous organisations to change development and environmental policies.

CATA report that though an ILO study on the **Amarete** of Bolivia was meant to reflect their actual situation in terms of the MDGs, no respite from their desperate situation has resulted.

The large numbers of immigrants from continental Chile into Rapa Nui alarms **RNP**, as the small island's resources can't support them. **RNP** ask the PF to address immigration from mainland colonizers.

CPMPX suggest international law should integrate IPs' self-determination, collective land rights, and permanent sovereignty over natural resources (also **ZORO/BIPO/BSC-B**). The Chilean State uses **Mapuche** sovereignty to deny responsibility to restore their lands and natural resources.

AFN are dismayed by Canada's efforts to force First Nations to prioritise individual over collective rights, saying Canada should recognize and implement IPs' governments by investing in them and implementing structural changes to expedite land and treaty rights (also **Indigenous children's delegation from Ecuador** in general).

NCS/AILA/BRDN/IWA/HIHR are alarmed that certain NGOs receiving donations from Aveda Corporation (involved in litigation over their use of "indigenous") are providing credentials and access for Aveda to attend PF sessions; they ask the PF to restrain NGOs from providing such access.

BRDN expect negative reactions to their legal action against the Canadian government, and ask the PF to monitor this.

RXI/WWT/TRKMA/NCS/SCF/Caribbean Caucus recommend drafting a Convention on IPs' rights, with the participation of IPs, especially women. They support cancelling genographic projects.

PIPE/AWUG/GNP/GVC call for African governments to attend to the situation of "Captive Afrikan Survivor Refugees" in the USA.

EWFI ask the PF to adopt the petition for redress "We the People – Draft Bill 2007".

To promote self-determination in terms of language, culture and identity, **CFPNK** call for a statute providing comprehensive autonomy of Kabylia in Algeria and an end to intimidation and harassment of **Kabyle** and **Amazigh** militants, equitable distribution of natural resources, and prosecutions related to killings during the 2001 Kabylia Black Spring.

MOSOP are dismayed that with regard to Shell and the **Ogoni** oilfields, the peace process facilitator has been working with the Nigerian government and Shell to undermine and threaten MOSOP. They call for a special discussion at the seventh session to discuss UN agencies' role in promoting IPs' rights.

The **Asian Indigenous Caucus** urge follow-up on the expert meeting on free, prior and informed consent, and request ECOSOC to set up a fund to hold PF meetings outside New York.

KCHS/KLH/NKIKLH/WHCC/IC/KF inform on the call for papers for their publication regarding traditional knowledge and intellectual property rights.

ALRM/FAIRA/NNTC/NACCHO/NSWALC/ILCUNSW/WCC recommend promoting and supporting regional preparatory meetings before the PF, with additional funding from the UN Department of Economic and Social Affairs (DESA) and States; and that the PF develop guidelines on speaking arrangements and time limits.

WAC/ICITP urge that the issue of IPs facing extinction because of environmental factors be included in the PF's future work.

FIPA ask the PF to focus an upcoming session on militarization on IPs' territories.

ZORO/BIPO/BSC-B call for an end to forced migration and compensation of occupied lands.

BIPF recommend development of education programmes, including culturally appropriate training materials, on IPs' human rights.

KKF/MoF recommend a special session on the state of the MDGs.

AUSTRALIA reports on reforms in its approach to indigenous housing, employment and training, and health.

The **Arctic Indigenous Caucus** is dismayed that the PF has not implemented its decision to have indigenous parliamentarians address the PF in their own capacities; these representatives should be given their own seating area, with ample speaking time.

Eduardo Aguiar de Almeida praises the PF's gains in preventing wars, overcoming colonialism, and improving rights, but notes that peace has not yet been achieved.

Item 10 – Provisional agenda for the seventh session

Following suggestions in this direction (**DENMARK** and **GREENLAND, ECUADOR**), **Victoria Tauli-Corpuz** informs that climate change will be the theme for the 2008 session, underlining the threats IPs in small islands (also **CAIPCD**), mountainous regions and the Arctic are already facing (also **IWA, Eduardo Aguiar de Almeida, Liliane Muzangi Mbela, North American Indigenous Caucus**). **IWA**, on behalf of other 25 organisations, request including all documentation gathered for the WGIP's study on "The human rights situation of States and territories threatened with extinction for environmental reasons, with particular reference to IPs" by Françoise Hampson. **AAH/ARC** requests including relationship with IPs' traditional knowledge.

AFN-CCOL outline principles for Canada and First Nations governments to follow in addressing loss of indigenous languages (constitutional recognition of language rights and subsequent obligation for the State to provide for language protection, including indigenous children's right to be taught in their language; and First Nations' jurisdiction over languages). **AFN-CCOL** call upon the PF and Member States to support their linguistic rights.

The PF will hold several activities on languages (e.g., its expert meeting) during 2008, an international year for languages (**Victoria Tauli-Corpuz**; supported by the **North American Indigenous Caucus, International Caucus on Water**).

CAPAJ/COICAP/FECITED/APAA/YW ask for a half-day discussion on administration of justice, referring to the 2003 international expert seminar on IPs and the administration of justice.

The PF is considering asking the SR on anti-terrorist laws to analyze IPs' situations (**Victoria Tauli-Corpuz**, also **Asian Indigenous Caucus, IICKT**).

KKF/EP, with more than a hundred indigenous and support organisations, express their strong objection that Vietnam was able to stop two screenings of awareness-raising documentaries on **Hmong** Lao refugees ("Hunted Like Animals") and **Khmer Krom** people ("Eliminated Without Bleeding"). As dissemination of indigenous issues is part of the PF's mandate, **KKF/EP** request explanation and clear guidelines about side events. Welcoming this discussion, **Victoria Tauli-Corpuz** clarifies that this was **DESA**'s decision.

The 2008 G8 Summit, on environmental preservation and climate change, will take place in Japan on traditional land of the **Ainu** people, who face increasing difficulty to honour their environment due to mega development projects. **AAH/ARC** assume that the G8 will secure IPs' rights to implement alternative development models that respect customary law. National governments should pay respect to IPs when major international conferences are held on indigenous traditional lands.

YM/LIENIP/TI propose building a "Spiritual Culture Center of the IPs of the North" in Toronto, and a pavilion for the 2010 Olympics in cooperation with the "Four Host First Nations".

IWA/CMLT/CPMPX invite the PF members to visit the **Mapuche** peoples in Chile and Argentina, whose territories and resources are handed over by governments to contaminating logging companies and unsustainable monocropping plantations (also the **Zapara** people for Ecuador).

AIDSESEP demand full respect of the rights of IPs living in voluntary isolation in Peru, and suspension of oil concessions granted on their reservations. The PF should focus a future session on IPs living in voluntary isolation. Human rights bodies must speed up promotion of state protection of IPs in isolation; WHO address prevention of health emergencies; and a UN mechanism follow-up States' actions towards IPs in voluntary isolation.

Calling for measures based on IPs' proposals to protect their human rights and for ensuring IPs' access to land, territories and resources, **CIDOB** underline the importance of IPs' participation at the UN to make their voices heard internationally.

On behalf of the **Maya Tsotsil** people of Mexico, **WCC** call for a stop to inequality, exclusion, human rights abuses, bio piracy, IPs' forced assimilation, and exploitation of their lands and natural resources. They encourage working for the common good, respect towards humanity and for a fairer and inclusive society.

IIC/HHES recommend solidarity with IPs' issues and direct support in human resource development, investment, employment, and solving visa problems.

BANGLADESH highlights special benefits accorded to tribal peoples to enable them attain sustainable development and guarantee their participation in public service, and details its continuing efforts in the political,

economic, rights and development areas to implement the 1997 CHT Peace Accord. Bangladesh objects to information presented by the Asian Indigenous Caucus, and the SR on IPs' human rights.

IPs worldwide share a common history of exclusion and dispossession, but also a common responsibility to future generations, and a vision that enables them to challenge the world and find solutions (**Parshuram Tamang**).

Victoria Tauli-Corpuz requests governments who claim that information presented to the PF is inaccurate, to identify it clearly and send their own presentations for the PF to analyse. She underlines the PF's difficult task to synthesize all the problems brought before them in as few recommendations as possible. Governments (also **Parshuram Tamang**), IASG members and indigenous organisations are responsible for implementation.

Closing session

Wilton Littlechild reports on the 2007 preessional meeting on PF's achievements and on remaining challenges for indigenous issues, which include: insufficient human and financial resources at the UN; political sensitivity for governments and perception that IPs' needs are included in overall laws and policies; inadequate inclusion in UN commitments, such as the MDGs, at global and country levels; IPs' diversity and dispersion hampering common programmes and strategies; inadequate indigenous participation in environmental forums; insufficient attention to IPs' security and humanitarian assistance in conflict regions; IPs' lack of access to development programmes in developed countries. In Africa, challenges include lack of adequate recognition of IPs (also **KKH, William Langeveldt**), and insufficient awareness and resources constraining bilingual education. The PF needs to further strengthen long-term monitoring of recommendations; and engage WTO and UNCTAD in its work.

Ida Nicolaisen, Merike Kokajev, William Langeveldt, Aqqaluk Lynge, Parshuram Tamang and Wilton Littlechild express thanks for the work done and lessons learned during their term. **Ida Nicolaisen** says the PF has come a long way because participating IPs, UN agencies and States show respect to each other (also **Victoria Tauli-Corpuz**) and for cultural diversity. **William Langeveldt** acknowledges the ancestors' vision and recalls that it is people who make one human. **Merike Kokajev** underlines that much remains to be done (also **Aqqaluk Lynge**). **Aqqaluk Lynge** urges all participants not to forget all the peoples that cannot participate to the PF, especially when this would mean a risk not worth taking. **Wilton Littlechild** says IPs want to be involved as full and effective participants in the UN family (also **Otilia Lux de Coti**) with self-determination and treaty rights. **Otilia Lux de Coti** reiterates her commitment to work for the rights of IPs (also **Parshuram Tamang**), in particular children and women. As part of mother earth, IPs must defend her and have access to land.

Johann Scholvink, Director of the Division for Social Policies and Development of DESA, acknowledges the contributions of all participants to dialogue and partnership towards respect for the world's diversity, human rights and IPs' visions of development (also **Otilia Lux de Coti**). The PF's sessions are an opportunity for all to renew their commitment for peace, development and human rights.

Victoria Tauli-Corpuz commends participants for their ability to produce strong expert advice on such a difficult theme as land, territories and resources. The large indigenous participation is an indicator of how many problems remain unsolved for IPs locally and nationally (also **Parshuram Tamang**).

Adelard Blackman, Special Emissary for **BRDN**, reminds IPs that they have solutions which only need unity. Member States have nothing to fear from IPs, who have something to offer. He asks for the Creator's blessings and thanks for the session's achievements.

Abbreviations

| | |
|-----------|--|
| AAH: | Ainu Association of Hokkaido |
| AATYL: | All Assam Tribal Youth League |
| ABPGYF: | All Boro Post Graduate Youth's Federation |
| AC: | Andes Chinchaysuyo |
| AFN: | Assembly of First Nations |
| AFN-CCOL: | Assembly of First Nations - Chiefs Committee on Languages |
| AFNQL: | Assembly of the First Nations of Quebec and Labrador |
| AHF: | Akha Heritage Foundation |
| AIDSESP: | Interethnic Association for the Development of the Peruvian Rainforest |
| AILA: | American Indian Law Alliance |
| AIPP: | Asian Indigenous Peoples Pact |
| AIPR: | Association of Indigenous Peoples in the Ryukyus |
| AIWN: | Asia Indigenous Women's Network |
| AJIA: | Asociación de la Juventud Indígena Argentina |
| AKD: | Agence kanak de développement |
| ALI: | Arid Lands Institute |
| ALRM: | Aboriginal Legal Rights Movement |
| AMA: | Asociación de Mujeres Andinas, Perú |
| AMAN: | Aliansi Masyarakat Adat Nusantara |
| APAA: | Asociación de Productores Agrícolas Andinos, Perú |
| APIYN: | Asian and Pacific Indigenous Youth Network |
| ARC: | Ainu Resource Centre |
| ATSIJSC: | Aboriginal and Torres Straits Islander Social Justice Commissioner |
| AWUG: | Afrikan Women United Globally |
| BIPF: | Bangladesh Indigenous Peoples Forum |
| BIPO: | Bawn Indigenous Peoples' Organisation |
| BRDN: | Buffalo River Dene Nation |
| BSC-B: | Bawm Social Council - Bangladesh |
| BWJF: | Boro Women's Justice Forum |
| CADPI: | Centro para la Autonomía y Desarrollo de los Pueblos Indígenas |
| CAF: | Coordination autochtone francophone |
| CAIPCD: | Caribbean Antilles Indigenous Peoples Caucus & the Diaspora |
| CAMV-RDC: | Centre d'Accompagnement des Autochtones Pygmées et Minoritaires Vulnérables |
| CANO: | Consejo Andino de Naciones Originarias |
| CAPAJ: | Comisión Jurídica para el Autodesarrollo de los Pueblos Originarios Andinos |
| CAPC: | Congress of Aboriginal Peoples in Canada |
| CARD: | Community Action and Research Development |
| CATA: | Consejo de Autoridades Tradicionales de Amarete, Bolivia |
| CECOIN: | Centro de Cooperación al Indígena |
| CFPNK: | Collectif des femmes du printemps noir de Kabylie |
| Chirapaq: | Centro de Culturas Indígenas del Perú |
| CHRO: | Chin Human Rights Organisation |
| CIDOB: | Confederación de Pueblos Indígenas de Bolivia |
| CII: | Central de Informações Indígenas |
| CIPIACI: | Comité Indígena Internacional para la Protección de los Pueblos Voluntariamente Aislados y en Contacto Inicial |
| CIR: | Conselho Indígena de Roraima |
| CJG: | Consejo de Jefes Guaraní |
| CJIRA: | Comisión de Juristas Indígenas de la República Argentina |
| CMA: | Congrès Mondial Amazigh |
| CMLT: | Comisión Mapuche Los Toldos, Chile and Argentina |
| COIAB: | Coordinación de Organizaciones Indígenas de la Amazonía Brasileña |

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|-----------|---|
| COICAP: | Coordinadora Indígena Campesina Agroforestal |
| CONAIE: | Confederation of Indigenous Nationalities of Ecuador |
| CONAMAQ: | Consejo Nacional de Ayllus y Markas del Qullasuyu |
| CONAMI: | Conselho Nacional de Mulheres Indígenas, Brazil |
| CONAMIA: | Consejo Nacional de la Mujer Indígena, Argentina |
| CONIP: | Consejo Nacional Indígena de Paz |
| CPINM: | Consultoría de los Pueblos Indígenas en el Norte de México |
| CPMPX: | Centro de Cultura Pueblo Mapuche Autónomo PELON XARU |
| CPMRN: | Coordinadora del Parlamento Mapuche en Rio Negro |
| CRIC: | Consejo Regional Indígena del Cauca |
| CSUTCB: | Confederación Sindical Unica de Trabajadores Campesinos de Bolivia |
| CWNC: | Cabildo Wayúu Nóina de Campamento |
| CYE: | Council of the Yukagir Elders |
| DAP: | Dewan Adat Papua |
| DEPIEA: | Defensoría de los Pueblos Indígenas del Ecuador en América |
| doCip: | Indigenous Peoples' Center for Documentation, Research and Information |
| DTNTBC: | Douglas Treaty Nations and Tribes of British Columbia, Canada |
| ECMIRS: | Enlace Continental de Mujeres Indígenas Región Sudamérica |
| EP: | Earth Peoples |
| EWFI: | Ethiopian World Federation, Inc. |
| FAIRA: | Foundation for Aboriginal and Islander Research Action |
| FBY: | Federation of Boro Youth |
| FECITED: | Federación de Comunidades indígenas trabajadores del Ecuador |
| FIAAH: | Foundation for Indigenous Americans of Anasazi Heritage |
| FIPA: | Forum for Indigenous Perspectives and Action, Manipur |
| FMW: | Fuerza de Mujeres Wayúu |
| FNMCB-BS: | Federación Nacional de Mujeres Campesinas de Bolivia "Bartolina Sisa" |
| FPK: | First People of Kalahari |
| FPP: | Forest Peoples' Programme |
| FRSCIP: | Foundation for Research and Support to the Crimean Indigenous Peoples |
| FTAE: | Federación Tagaeri Amazónica del Ecuador |
| GIWA: | Garo Indigenous Women Association |
| GME: | Grandmothers of Mother Earth |
| GNP: | Ghana Nkwanta Project |
| GVC: | Global Village Congress |
| HAP: | Habitatpro Association Peru |
| HCFS: | Hmong Chaofa Federated State |
| HD: | Haudenosaunee Delegation |
| HHES: | Himalaya Health and Education Society |
| HIHR: | Hawai'i Institute for Human Rights |
| HIWN: | Himalayan Indigenous Women Network |
| HREOC: | Human Rights and Equal Opportunity Commission |
| IC: | Ilio`ulaokalani Coalition |
| ICC: | Inuit Circumpolar Conference |
| ICITP: | Indian Confederation of Indigenous and Tribal Peoples |
| ICN: | Innu Council of Nitassinan |
| ICSA: | Indian Council of South America |
| IEN: | Indigenous Environmental Network |
| IIC: | Indigenous Intellectual Council |
| IICKT: | Indigenous Information Centre of the Krasnoyarsk Territory |
| IIDHPIAM: | Instituto Intercultural para los Derechos Humanos de los PI y Medio Ambiente de Argentina |
| IIFB: | International Indigenous Forum on Biodiversity |
| IITC: | International Indian Treaty Council |
| ILCUNSW: | Indigenous Law Centre, University of New South Wales |

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|-----------|---|
| IMPACT: | Indigenous Movement for Peace Advancement and Conflict Transformation |
| INET: | Indigenous Network on Economics and Trade |
| INUCE: | Indigenous Nationalities Upliftment Centre, Nepal |
| IPACC: | Indigenous Peoples of Africa Co-ordinating Committee |
| IPCB: | Indigenous Peoples Council on Biocolonialism |
| IPCGC: | Indigenous Peoples Caucus of the Greater Caribbean |
| IPCN: | Indigenous Peace Commission, Nepal |
| IPNGO: | Alliance of Taiwan Indigenous Peoples NGOs |
| IPPA: | Indigenous Peoples of the Pacific Alliance |
| ITC: | Intertribal Committee |
| IWA: | Indigenous World Association |
| IWFNEI: | Indigenous Women's Forum of North East India |
| KCHS: | Kamakakuokalani Center for Hawaiian Studies, University of Hawai'i |
| KCLCDA: | Kirat Chamling Language and Culture Development Association |
| KF: | Koani Foundation |
| KKBA: | Khmer Krom Buddhist Association |
| KKF: | Khmer Kampuchea-Krom Federation |
| KKH: | Katz Korana House |
| KLH: | Ka Lahui Hawai'i |
| KNCI: | Koutu Nui, Cook Islands |
| KRLCDC: | Kulung Rai Language and Cultural Development Community, Nepal |
| LAHURNIP: | Lawyers' Association for Human Rights of Nepalese Indigenous Peoples |
| LHRC: | Lao Human Rights Council, Inc. |
| LIENIP: | Lauravetlan Information and Education Network of Indigenous People |
| LILDA: | Limbu Literature Development Association |
| LL: | Land is Life |
| LWU: | Lamkang Women Union |
| MADAM: | Movement Against Domination of African Minorities |
| MAWEED: | Masai Women for Education and Economic Development |
| MCSF: | Maa Civil Society Forum |
| MoF: | Montagnard Foundation |
| MOSOP: | Movement for the Survival of the Ogoni People |
| MPIDO: | Mainyoto Pastoralists Integrated Development Organisation |
| MSHR: | Menzies School of Health Research |
| NACCHO: | National Aboriginal Community Controlled Health Organisation |
| NAFC: | National Association of Friendship Centres |
| NAWHERC: | Native American Women's Health Education Resource Centre |
| NCS: | Native Children's Survival |
| NCSO: | Nihyaw - Cree Society |
| NEFIN: | Nepal Federation of Indigenous Nationalities |
| NGOFC: | The NGO Forum on Cambodia |
| NIWFN: | National Indigenous Women's Federation of Nepal |
| NIWRF: | Nepal Indigenous Women Republican Front |
| NKIKLH: | Na Koa Ikaika o Ka Lahui Hawaii |
| NNIW: | National Indigenous Women Network (Nepal) |
| NNTC: | National Native Title Council |
| NSWALC: | New South Wales Aboriginal Land Council |
| NTWG: | Nepal Tamang Women Ghedung |
| OIA: | Organización Indígena de Antioquia |
| OIK: | Organización Indígena Kankuama |
| OLPADEP: | Olmaa Pastoralists Development Programme |
| ONIC: | Organización Nacional Indígena de Colombia |
| OPIT: | Organización Payipie Ichadie Totobiegosode |
| PAJHRA: | Promotion and Advancement of Justice, Harmony and Rights of Adivasis |

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|------------|--|
| PDX: | Portal do Xingu |
| PFB: | Public Fund Balkaria |
| PFFPM: | Pû Fenua, Pû Metua |
| PHGEMN: | Pastoralist Hunter-Gatherers Ethnic Minority Network |
| PIA: | Parlamento Indígena de América |
| PIPE: | Partnership for Indigenous Peoples Environment |
| PIPV: | Parlamento Indígena do Pantanal, Viatan |
| PSF: | Pueblos sin fronteras |
| RAIPON: | Russian Association of Indigenous Peoples of the North |
| RF: | Retrieve Foundation |
| ROOTS: | Regional Organisation of Threatened Societies, Manipur |
| RXI: | Red Xicana Indígena |
| SAIWF: | South Asia Indigenous Women's Forum |
| SCF: | South Central Farmers |
| SDNU: | Sarawak Dayak National Union |
| SDRDC: | Southern Diaspora Research and Development Center |
| SERPAJ-AL: | Service for Peace and Justice in Latin America |
| SERVINDI: | Servicios en Comunicación Intercultural |
| SGC: | Shimin Gaikou Centre (Citizen's Centre for Diplomacy) |
| SGF: | Seventh Generation Fund |
| SIMOO: | Simba Maasai Outreach Organisation |
| SMHRIC: | Southern Mongolian Human Rights Information Centre |
| SP: | Saami Parliament, Norway |
| STP: | Society for Threatened Peoples |
| SZV: | Society of Zoram Vengtu |
| TF: | Tebtebba Foundation |
| TI: | Teepee International |
| TPM: | Te Pa Mataipo |
| TRKMA: | Te Runanga Kaimahi Maori o Aotearoa |
| UEFA: | Union pour l'émancipation de la femme autochtone |
| UPND: | Unión de Pueblos de la Nación Diaguita |
| VIPF: | Vanuatu Indigenous Peoples' Forum |
| WAC: | World Adivasi Council |
| WCC: | World Council of Churches |
| WHCC: | Waikiki Hawaiian Civic Club |
| WHPC: | World Hmong Peoples' Congress |
| WSDP: | Western Shoshone Defense Project |
| WSH: | Western Sumi Hoho |
| WWT: | Winnemem Wintu Tribe |
| YM: | Yurta Mira |
| YW: | Yachay Wasi |
| ZMI: | Zo-mi Inkuan |
| ZNC: | Zomi National Council |
| ZORO: | Zo Reunification Organisation |

3. UPCOMING MEETINGS AND DEADLINES FOR INDIGENOUS PEOPLES, MAY TO JULY 2008

The dates for the sessions of the Human Rights Council are subject to changes. Please check with the Council's website <http://www.ohchr.org/english/bodies/hrcouncil/> (to access the Extranet, the username is "hrc extranet" and the password is "Isession").

MAY

28 April – 16 May 2008 (Geneva, Switzerland)

40th session of the Committee Against Torture

Countries scheduled for consideration: Australia, Sweden, Iceland, Algeria, Indonesia, Zambia, the Former Yugoslav Republic of Macedonia, Costa Rica.

Contact: Ms. M. Morales Fernandez, Secretary

Office of the High Commissioner for Human Rights

United Nations, 1211 Geneva 10, Switzerland

Phone: +41 22 917 9139 Fax: +41 22 917 9022

Web: <http://www2.ohchr.org/english/bodies/cat/cats40.htm>

28 April – 16 May 2008 (Geneva, Switzerland)

40th session of the Committee on Economic, Social and Cultural Rights (CESCR)

Countries scheduled for consideration: Sweden, Benin, France, India, Kenya.

Office of the High Commissioner for Human Rights

Contact: Ms. Wan-Hea Lee, Secretary

United Nations, CH-1211 Geneva 10, Switzerland

Phone: + 41 22 917 9154 Fax: + 41 22 917 9022

E-mail: wlee@ohchr.org Web: <http://www.ohchr.org/english/bodies/cescr/cescrs40.htm>

5 – 16 May 2008 (Geneva, Switzerland)

Second session of the Human Rights Council Universal Periodic Review

Countries scheduled for consideration (in this order): Gabon, Ghana, Peru, Guatemala, Benin, Republic of Korea, Switzerland, Pakistan, Zambia, Japan, Ukraine, Sri Lanka, France, Tonga, Romania, Mali.

Office of High Commissioner for Human Rights

Contact: Ms. Laura Dolci-Kanaan, NGO Liaison Officer

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E-mail: ldolci-kanaan@ohchr.org Web: <http://www.ohchr.org/english/bodies/hrcouncil/>

5 – 16 May 2008 (New York, USA)

16th session of the UN Commission on Sustainable Development

Department of Economic and Social Affairs

Division for Sustainable Development

2 UN Plaza, Room DC2-2220, New York, NY 10017, USA

Phone: + 1 212 963 8102 Fax: + 1 212 963 4260

E-mail: See website Web: <http://www.un.org/esa/sustdev/csd/review.htm>

19 – 24 May 2008 (Geneva, Switzerland)

61st World Health Assembly

World Health Organisation

Avenue Appia 20

1211 Geneva 27, Switzerland

Phone: +41 22 791 2111 Fax: +41 22 791 3111

Web: <http://www.who.int/mediacentre/events/governance/wha/en/index.html>

17 – 18 May 2008 (Bonn, Germany)

Africa, Latin America & Asia and the Pacific Regional Preparatory Meetings for the CBD COP 9

Secretariat of the Convention on Biological Diversity

Contact: Mr. Ahmed Djoghlaif, Executive Secretary

413 St-Jacques Street, 8th floor, Office 800

Montreal, Quebec, Canada, H2Y 1N9

Phone: +1 514 288 2220 Fax: +1 514 288 6588

E-mail: secretariat@cbd.int Web: <http://www.cbd.int/cop9/>

19 – 30 May 2008 (Bonn, Germany)

Ninth Conference of the Parties to the Convention on Biological Diversity (COP 9)

Secretariat of the Convention on Biological Diversity

Contact: Mr. Ahmed Djoghlaif, Executive Secretary

413 St-Jacques Street, 8th floor, Office 800

Montreal, Quebec, Canada, H2Y 1N9

Phone: +1 514 288 2220 Fax: +1 514 288 6588

E-mail: secretariat@cbd.int Web: <http://www.cbd.int/cop9/>

19 May – 6 June 2008 (Geneva, Switzerland)

48th session of the Committee on the Rights of the Child (CRC)

Countries scheduled for consideration: Bulgaria, Eritrea, Georgia, Serbia, Sierra Leone, Republic of Korea, Philippines, USA.

Office of the High Commissioner for Human Rights

Contact: Ms. Maja Andrijasevic-Boko, Secretary

United Nations, CH-1211 Geneva 10, Switzerland

Phone: +41 22 917 9276 Fax: +41 22 917 9022

E-mail: crc@ohchr.org Web: <http://www2.ohchr.org/english/bodies/crc/crcs48.htm>

28 May – 13 June 2008 (Geneva, Switzerland)

97th International Labour Conference

International Labour Organisation

Contact: Official Relations Branch

Phone: +41 22 799 7732 Fax: +41 22 799 8944

Email: reloff@ilo.org Web: www.ilo.org/ilc

JUNE

2 – 13 June 2008 (Geneva, Switzerland)

8th session of the Human Rights Council

Office of High Commissioner for Human Rights

Contact: Ms. Laura Dolci-Kanaan, NGO Liaison Officer

United Nations, 1211 Geneva 10, Switzerland

Phone: +41 22 917 9656 Fax: +41 22 917 9004

E-mail: ldolci-kanaan@ohchr.org Web: <http://www.ohchr.org/english/bodies/hrcouncil/>

2 – 13 June 2008 (Bonn, Germany)

28th session of the Subsidiary Bodies for Scientific and Technological Advice (SBSTA) and for Implementation (SBI)

UN Framework Convention on Climate Change

Haus Carstanjen, Martin-Luther-King-Strasse 8

P.O. Box 260124, D-53153 Bonn, Germany

Phone: +49 228 815 1000 Fax: +49 228 815 1999

E-mail: secretariat@unfccc.int Web: <http://unfccc.int/meetings/items/2654.php>

5 June 2008 (Celebrated throughout the world)

World Environment Day: “Kick the Habit! Towards a Low Carbon Economy”

UN Environment Programme

Contact: Ms. Rajinder Sian, Division of Communications and Public Information

P.O. Box 30552, United Nations Avenue

Gigiri, Nairobi 00100, Kenya

Tel: +254 20 762 3401 Fax: +254 20 762 3692

E-mail: worldenvironmentday@unep.org

Web: http://www.unep.org/wed/2008/english/About_WED_2008/index.asp

23 – 27 June 2008 (Geneva, Switzerland)

15th Meeting of Special Rapporteurs, Representatives, Independent Experts and Chairpersons of Working Groups of the Human Rights Council

Office of the High Commissioner for Human Rights

United Nations, 1211 Geneva 10, Switzerland

Phone: +41 22 917 9000 Fax: +41 22 917 9011

Web: <http://www.ohchr.org/EN/NewsEvents/Pages/Meetings.aspx>

23 – 27 June 2008 (Geneva, Switzerland)

12th session of the Standing Committee on the Law of Patents

World Intellectual Property Organisation (WIPO)

34, chemin des Colombettes

PO Box 18, CH-1211 Geneva 20, Switzerland

Phone: +41 22 338 9111 Fax: +41 22 733 5428

For e-mail go to: <http://www.wipo.int/tools/en/contacts/index.jsp>

Web: <http://www.wipo.int/patent-law/en/scp.htm>

30 June – 18 July 2008 (New York, USA)

41st session of the Committee on Eradication of all Forms of Discrimination Against Women (CEDAW)

Countries scheduled for consideration: Finland, Iceland, Lithuania, Nigeria, Slovakia, United Kingdom, Tanzania, and Yemen.

Office of High Commissioner for Human Rights

United Nations, 1211 Geneva 10, Switzerland

Fax: +41 22 917 9022

E-mail: cedaw@ohchr.org Web: <http://www2.ohchr.org/english/bodies/cedaw/cedaws41.htm>

30 June – 25 July 2008 (New York, USA)

Substantive session of the UN Economic and Social Council (ECOSOC)

Division for ECOSOC Support and Coordination

Department of Economic and Social Affairs

1 UN Plaza, Room DC1-1428, New York, NY 10017

E-mail: esa@un.org Web: <http://www.un.org/docs/ecosoc/>

JULY

7 – 25 July 2008 (Geneva, Switzerland)

93rd session of the Human Rights Committee

Countries scheduled for consideration: France, San Marino, Ireland, United Kingdom.

Office of High Commissioner for Human Rights

Contact: M. P. Gillibert

United Nations, 1211 Geneva 10, Switzerland

Phone: +41 22 917 9332 Fax: +41 22 917 9022

E-mail: pgillibert@ohchr.org

Web: <http://www2.ohchr.org/english/bodies/hrc/hrcs93.htm>

25 – 27 July 2008 (venue to be determined)

Joint Article 8(j) and Clearing-House Mechanism Capacity-Building Workshop on Networking and Information Exchange (Eastern Europe and Arctic region)

Secretariat of the Convention on Biological Diversity

Contact: Mr. Ahmed Djoghlaif, Executive Secretary

413 St-Jacques Street, 8th floor, Office 800

Montreal, Quebec, Canada, H2Y 1N9

Phone: +1 514 288 2220 Fax: +1 514 288 6588

E-mail: secretariat@cbd.int Web: <http://www.cbd.int/meetings/default.shtml>

28 July – 15 August 2008 (Geneva, Switzerland)

73rd session of the Committee on the Elimination of Racial Discrimination (CERD)

Countries scheduled for consideration: Ecuador, Switzerland, Sweden, Germany, Austria, Togo, Namibia, Russian Federation.

Office of the High Commissioner for Human Rights

Contact: Ms. N. Prouvez, Secretary

United Nations, CH-1211 Geneva 10, Switzerland

Phone: +41 22 917 9309 Fax: +41 22 917 9022

E-mail: nprouvez@ohchr.org Web: <http://www2.ohchr.org/english/bodies/cerd/cerds73.htm>

4. OTHERS

The dates for the **Human Rights Council's Universal Periodic Review (UPR)** are now included in our **Calendar of Upcoming Meetings and Deadlines**, with mention of the **countries to be reviewed** at each UPR session, as well as contact information. Other information relevant to the UPR but available at shorter notice will be posted on our website www.docip.org.

2009 OHCHR Indigenous Fellowship Programme

Please note the following deadlines to apply to the various components of the 2009 OHCHR Indigenous Fellowship Programme.

English-speaking component: Friday 27 June 2008

Spanish-speaking component: Monday 30 June 2008

French-speaking component: Monday 15 September 2008

Russian-speaking component: Tuesday 30 September 2008

More information and application forms available at

<http://www2.ohchr.org/english/issues/indigenous/fellowshipprogramme.htm>

We will soon publish more information on the programme itself and the candidates selected for the 2008 programme.

Publication: "We are the Sámi"

Gáldu – Resource Centre for the Rights of Indigenous Peoples published in 2006 the information package "We are the Sámi" on fact sheets and DVD (available in English).

This package presents the Sámi as an indigenous people in Norway, their representative body (the Sámi Parliament), the history of struggle for their rights as an indigenous people followed by political and constitutional recognition by Norway, the State's international obligations applicable to IPs, and the drafting of the Nordic Sámi Convention, which aims at affirming and strengthening the Sámi people's rights as one people in Denmark, Finland and Norway.

Other issues developed are the Sámi people's rights to their traditional land and resources, traditional livelihoods, language, literature and other cultural activities, communication medias, children and youth organisations, as well as educational and research institutions.

Gáldu – Resource Centre for the Rights of Indigenous Peoples aims at increasing knowledge about and understanding of the rights of the Sámi and other indigenous peoples around the world. Its website in English is at www.galdu.org/web/index.php?giella1=eng.

If you have comments and suggestions about this Update, please do not hesitate to share them with us:

- 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!

Publication: IPs and UN Human Rights Treaty Bodies

“Indigenous Peoples and United Nations Human Rights Treaty Bodies”, prepared by Fergus MacKay and published by the Forest Peoples Programme, is a complete compilation of UN Treaty Bodies jurisprudence on IPs.

A first volume, covering the years 1993 to 2004, was published in September 2005. Volume II, published in September 2006, covers 2005 and 2006. Both look at the Concluding Observations to specific States, as well as at the General Comments concerning IPs, issued by the Committee on the Elimination of Racial Discrimination (CERD), Human Rights Committee (HRC), Committee on Economic, Social and Cultural Rights (CESCR), Committee on the Rights of the Child (CRC), and Committee on the Elimination of Discrimination Against Women (CEDAW).

Both Volume I (290 pages - available in English, French and Spanish) and Volume II (120 pages - in English and Spanish) are available on the website of the Forest People Programme at www.forestpeoples.org : chose *Publications and reports*, then *Law and human rights*, then *all law and human rights documents*, and find this publication under year 2006 (Volume II) or year 2005 (Volume I).

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Update is and will remain free for all indigenous organizations.

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- Support price (International Organisations, Administrations, Universities, Large NGOs and others): US\$ 60

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