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Chair: Mr. Tommo Monthe (Cameroon)

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The meeting was called to order at 3.05 p.m.

Agenda item 65: Indigenous issues (*continued*)

(a) **Indigenous issues** (*continued*) (A/65/163 and A/65/264)

(b) **Second International Decade of the World's Indigenous People** (*continued*) (A/65/166)

1. **Mr. Burniat** (Belgium), speaking on behalf of the European Union; the candidate countries Croatia, the former Yugoslav Republic of Macedonia and Turkey; the stabilization and association process and potential candidates Albania, Bosnia and Herzegovina, Montenegro and Serbia; and, in addition, Armenia, Georgia and the Republic of Moldova, said that the Expert Mechanism on the Rights of Indigenous Peoples was an important forum for advising the Human Rights Council on ways and means of better promoting and protecting the rights of indigenous peoples as set out in the Declaration on the Rights of Indigenous Peoples. However, despite all the efforts made, indigenous peoples around the world faced discrimination, marginalization, racism, intolerance and poverty. Climate change threatened their very survival and affected their traditional lifestyles and cultures. Efforts to improve the situation of indigenous peoples should be increased and the European Union encouraged all States to implement the Declaration and to translate it into their countries' indigenous languages.

2. The European Union was committed to improving the situation of indigenous peoples through its development cooperation strategies, based on the principle of effective participation in development projects and on free, prior and informed consent. In cases where indigenous peoples lived in several bordering countries, cross-border cooperation was important to promote opportunities for maintaining traditional ways of life.

3. **Ms. Coyo-Felson** (Belize), speaking on behalf of the Caribbean Community (CARICOM), reaffirmed the Caribbean region's commitment to ensuring the development of its indigenous populations while preserving their cultures and identities and safeguarding their fundamental rights and freedoms. Additional funding must be provided to support the important work of the United Nations Voluntary Fund for Indigenous Populations, which had not only facilitated the engagement of indigenous populations

with the United Nations system, but had also strengthened international cooperation.

4. Indigenous populations constituted almost one third of the world's rural poor living in extreme poverty. Improving their socio-economic well-being was thus critical in efforts to eradicate poverty and achieve the Millennium Development Goals. To that end, CARICOM member States were striving to mainstream indigenous perspectives in national development agendas. However, exogenous shocks caused by, inter alia, the financial, food and fuel crises had undermined efforts to promote sustainable development.

5. CARICOM member States depended on the support of the international community to buttress national and regional initiatives to promote sustainable development. Such initiatives benefited all, but indigenous peoples, and in particular indigenous women and girls, were among those who had the most to gain.

6. CARICOM called on the international community to fully embrace the United Nations Declaration on the Rights of Indigenous Peoples and to support the implementation of the Programme of Action of the Second International Decade of the World's Indigenous People. CARICOM member States would continue to strengthen indigenous rights through consultations with civil society, public awareness campaigns and continued partnerships with indigenous peoples at all levels.

7. **Mr. Taalas** (Finland), speaking on behalf of the Nordic countries, said that most indigenous peoples in Europe lived within the territory of Denmark, Iceland, Norway, Sweden and Finland. The Declaration on the Rights of Indigenous Peoples was a goal-setting policy document promoting cooperation between Governments and indigenous peoples. The Nordic countries were having the Declaration translated into their national and indigenous languages to disseminate knowledge of its content, especially among public authorities, Parliaments and independent supervisory mechanisms.

8. The rights of indigenous peoples to participate and the duty of States to consult were core elements of the Declaration. The objective of consultations should be to obtain the consent of the indigenous people concerned. Although the indigenous peoples did not

have veto power, consultation procedures must be framed to build consensus.

9. Representatives of indigenous peoples ought to be invited to participate in international processes on matters that concerned them directly. The representatives from the Sami Parliaments in the Nordic countries were formally part of the national delegations to the United Nations Permanent Forum on Indigenous Issues. However, when those representatives addressed the Forum, they spoke on behalf of their own indigenous political bodies. In accordance with the Act on Greenland Self-Government, the Government of Greenland could speak on behalf of Denmark on matters of interest to Greenland.

10. The Nordic countries highly appreciated the proactive approach of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people, Mr. James Anaya. The independence of all special procedures mandate holders was crucial. Special Rapporteurs and other mandate holders were free to conduct their work without external interference. The Nordic countries had extended an open invitation to all the Special Rapporteurs of the United Nations. Mr. Anaya had visited the Sami region during the current year and had attended a conference in Finland organized by the Sami Parliaments of Finland, Norway and Sweden.

11. All of the Nordic countries were active members of the Arctic Council, which had made efforts to recognize the rights of indigenous peoples and improve their situation in the Arctic region. In the 2009 Tromsø Declaration, the Arctic Council emphasized the engagement of indigenous peoples as fundamental to addressing circumpolar challenges and opportunities and acknowledged the important role of indigenous peoples in combating and mitigating the effects of climate change in the Arctic. The Arctic Council's sustainable development programme promoted the economies, culture and health of indigenous communities in the Arctic and had actively addressed the issue of Arctic indigenous languages.

12. **Mr. Berti** (Cuba) said that the adoption of the United Nations Declaration on the Rights of Indigenous Peoples represented a historic victory in indigenous peoples' peaceful struggle for recognition of their ancestral rights. However, it did not mark the end of that struggle, but rather a new phase for the effective recognition of the rights to equality and

self-determination of more than 370 million indigenous peoples worldwide, within the framework of the Second International Decade of the World's Indigenous Peoples. He called on the international community to redouble its efforts in order to achieve the five goals of the Second Decade.

13. Although progress had been made in establishing human rights standards for indigenous peoples, they continued to face serious violations of their rights on a daily basis, particularly with regard to their land rights, which very few countries recognized.

14. Cuba reaffirmed that the Human Rights Council and its subsidiary organs should devote special attention to the full realization of all the human rights of indigenous peoples, in line with the Declaration. The United Nations should not confine itself to defining indigenous peoples' rights on the basis of development parameters which the majority of them rejected and which were not aligned with their unique qualities or essential needs.

15. **Mr. Errázuriz** (Chile) said that Chile considered coordination between the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people and other United Nations mechanisms to be crucial and part of a process of broader coordination between the various United Nations agencies. In response to the Special Rapporteur's reference to the right of indigenous peoples to development and participation, he said that his Government's indigenous policy focused on four main elements: freedom, dignity, identity and empowerment of indigenous peoples. To that end, discussions to reform the Constitution to recognize indigenous peoples had been prioritized by the Government and a national prize for outstanding contributions to promoting indigenous cultures and identities had been established.

16. The planned reform of institutional arrangements would strengthen the National Indigenous Development Corporation and establish a National Council of Indigenous Peoples, comprised of representatives of the different ethnic groups in Chile, to advise the Government on the national indigenous policy. The Council of Ministers for Indigenous Affairs was already advising the President on all public policies concerning indigenous peoples. As almost 70 per cent of the indigenous peoples in Chile lived in urban areas, the policies for rural areas would be

supplemented by special regional plans, designed with the help of indigenous organizations. Policies to improve indigenous peoples' access to education, training and production support had also been adopted and transparent and fair mechanisms for land transfer would be reactivated. The Government was currently considering the provision of specialist help for indigenous persons from the public criminal defence service. Finally, he announced that Chile had recently been elected as a member of the Governing Council of the Latin American and Caribbean Indigenous Peoples' Development Fund.

17. **Mr. De León Huerta** (Mexico) said that his delegation welcomed the Human Rights Council's decision to extend the Special Rapporteur's mandate which, for the first time, recognized the inherent rights of indigenous peoples as an intrinsic part of that mandate, consistent with the United Nations Declaration on the Rights of Indigenous Peoples. Moreover, it supported efforts to ensure the coordination of all United Nations mechanisms relating to the rights of indigenous peoples.

18. The right of the indigenous peoples to take part in decision-making was the basis for the enjoyment of all other human rights and their participation should be exercised through their own representative institutions. The Government was drafting national legislation on the right of the indigenous peoples to be consulted and, at the local level, some states had already adopted such laws. In addition, in order to guarantee the participation and inclusion of the indigenous peoples in the federal Government's public policies, the National Commission for the Development of Indigenous Peoples had set up a consultative committee composed of representatives of Mexico's indigenous peoples.

19. A four-year programme for the development of the indigenous population had been approved in 2009 to harmonize the national legal framework for indigenous rights, to improve the social standing of the indigenous population, and to promote the development with identity of the indigenous regions while the corresponding budget had been increased continuously since 2001. Education was the key to ensuring the full participation of the indigenous peoples in keeping with their identity and culture and one of the programme's principal strategies was to ensure that the indigenous population had access to quality and culturally relevant education. It promoted universal coverage, the improvement of bilingual

education at all levels, literacy campaigns and adult education for the indigenous population, particularly girls and women. In addition, nine intercultural universities trained indigenous professionals, both men and women, for participation in the development programmes and projects that affected their communities.

20. In addition, Mexico was promoting a multilingual society through the use of the different indigenous languages in public institutions and by training and certifying interpreters and translators in those languages, with special standards being approved for interpreters in the administration of justice. In addition, efforts were being made to promote an intercultural health-care policy for the indigenous peoples, as well as the recognition of traditional medicine as a cultural right under the Health Act.

21. Mexico urged other Member States to support the expansion of the mandate of the United Nations Voluntary Fund for Indigenous Populations to include financial support for the participation of indigenous peoples in meetings of the Human Rights Council and the human rights treaty bodies.

22. **Ms. Blum** (Colombia) said that, while her country's indigenous peoples comprised 3.4 per cent of the population, they owned nearly one-third of national territory. Colombia had been progressively strengthening the legal and constitutional framework, human rights jurisprudence, and general policies and affirmative actions in favour of its indigenous population, and had established consultation and dialogue mechanisms to coordinate their participation in the country's development. Those mechanisms had also been essential for consolidating the rights of the indigenous population, and had led to the registration of collective indigenous land; the constitutional recognition of traditional indigenous authorities; prior consultation on issues affecting indigenous communities; more extensive education and health-care coverage under the Government's social policy; and enhanced coverage of programmes in areas such as food security, forest management, and micro and small businesses.

23. Women played a crucial role in indigenous communities and the Government had provided specific local participation mechanisms for indigenous women as well as programmes to protect them and promote their well-being. Colombia supported the

principles of equality, respect for diversity and non-discrimination that inspired the United Nations Declaration on the Rights of Indigenous Peoples and appreciated the cooperation provided by the United Nations for initiatives to promote development for the indigenous population while respecting their cultural identity. Visits to Colombia by representatives of the United Nations had helped advance the situation of its indigenous peoples, and their recommendations had been important for its institutions.

24. **Mr. Séllos** (Brazil) said that his country had an advanced legal and institutional framework for protecting the rights of indigenous peoples. The boundaries of 488 indigenous areas, covering 105.6 million hectares, or 12.4 per cent of the national territory, had already been defined. Another 123 areas were in the process of being defined, in cooperation with indigenous peoples.

25. The National Indigenous Peoples Foundation had developed policies to monitor and protect indigenous peoples in voluntary isolation and in recent contact. The Foundation respected the decision taken by some 64 different indigenous groups not to maintain contact with the non-indigenous population. The Foundation intervened to mitigate negative effects in case of undesired contact. During the current year, the national census would allow the Government to create new policies for protecting indigenous peoples and to make some adjustments for those living in urban areas.

26. The rights of indigenous peoples in Brazil were enshrined in the 1988 Constitution. Brazil had ratified International Labour Organization (ILO) Convention No. 169 on Indigenous and Tribal Peoples in Independent Countries and fully recognized the Declaration on the Rights of Indigenous Peoples. A draft statute on indigenous peoples currently under consideration in the National Congress would further enhance the legal framework for indigenous rights. Such rights included the right to prior consultation, which, in cases concerning mining and hydroelectric exploitation in indigenous lands, was constitutionally protected. Such consultations were already a reality in some road and energy projects. As a result, changes had been made in projects for two federal highways.

27. **Mr. Eggleston** (Australia) said that the Australian Government was committed to closing the gap on indigenous disadvantage and had taken steps to reset its relationship with indigenous Australians based on

genuine consultation and partnership. Areas of partnership between the national Government and the governments of the states and territories to improve the quality of life for indigenous people included closing the life-expectancy gap within a generation, halving the gap in mortality rates for indigenous children under five within a decade; ensuring access to early childhood education for all indigenous four-year-olds in remote communities within five years; halving the gap in reading, writing and numeracy achievements for children within a decade; and halving the gap in employment outcomes between indigenous and non-indigenous Australians within a decade. A commitment to greater employment and training for indigenous people had been made in the mining industry.

28. The Government of Australia had announced its support for the Declaration on the Rights of Indigenous Peoples in early 2009. Since then, New Zealand had also expressed its support, Canada had announced that it would take steps towards endorsing the Declaration and the United States had indicated that it would review its position. A distinguished Australian aboriginal human rights scholar had recently been elected to serve as an independent expert member of the Permanent Forum on Indigenous Issues.

29. The Government of Australia had contributed to the United Nations Expert Mechanism on the Rights of Indigenous Peoples for its study on indigenous peoples and the right to participate in decision-making. The Special Rapporteur on the situation of the human rights and fundamental freedoms of indigenous people had visited Australia in 2009 and had found much common ground with the Government, particularly on the need to work towards full enjoyment of human rights by the indigenous people of Australia. The Government would establish an expert panel as part of a formal process to move towards constitutional recognition of the indigenous people of Australia.

30. The National Congress of Australia's First Peoples had been designed by and for indigenous Australians, and was expected to be operational by early 2011. It was modelled on various articles from the Declaration on the Rights of Indigenous Peoples. The National Congress would provide a central mechanism for Governments and the corporate and community sectors to be partners in indigenous reform initiatives.

31. The Government of Australia supported the unconditional repatriation of all Australian indigenous ancestral remains from overseas collections to their traditional lands or communities of origin. Over 1,200 sets of remains had been returned to Australia from Europe and North America, and negotiations continued with a range of countries and institutions.

32. **Mr. Godard** (United States of America) said that his Government believed that tribal leaders must be part of solutions and that their voices should be heard in policy discussions. Many indigenous peoples lacked official recognition and the ability to participate directly in political processes. The United States had a unique legal and political relationship with federally recognized Indian tribes, established by the Constitution, treaties, statutes, executive orders and judicial decisions. There were political relationships on a Government-to-Government basis with 565 tribes. The Government of the United States had a domestic commitment to building a better development and human rights situation through partnership with tribal governments.

33. Indigenous organizations could compete for small development grants offered by the United States Agency for International Development (USAID). USAID had supported indigenous efforts to establish title to lands and strengthen environmental protections for traditional lands and was now seeking to address challenges which the urban environment posed to indigenous peoples. Some conservation efforts and development goals conflicted with the interests of indigenous communities.

34. **Mr. Tolkach** (Russian Federation) said that of the more than 160 ethnic groups in his country, 46 were indigenous groups with small populations. The Russian Federation had been an initiator of the Second International Decade of the World's Indigenous Peoples and had been carrying out priority measures as part of the Decade since 2008. A fundamentally new conceptual approach to protection of the rights of indigenous peoples had been adopted. While financial support from the State had continued or increased, the new approach included the mobilization of internal resources. Self-sufficient economic development by indigenous peoples, including support for traditional livelihoods such as reindeer herding, was a particular focus.

35. A working group was drafting legislation on State support for reindeer herding. An inter-agency commission was considering changes to laws on hunting and fishing to give indigenous peoples easier access to their traditional hunting and fishing areas. Work to regulate relationships between industrial companies and indigenous communities was under way. Indigenous associations and companies had discussed a project for measuring damage caused by economic activity in areas where indigenous people traditionally lived.

36. The Russian Federation promoted broader involvement by indigenous non-governmental organizations (NGOs) in relevant areas of international cooperation, for example, the implementation of the Convention on Biological Diversity and the work of the Arctic Council. A Russian Federation initiative for a symposium on issues related to intellectual property protection for the traditional knowledge of indigenous peoples had received the support of the World Intellectual Property Organization. The symposium would take place in St. Petersburg in late October and early November of the current year and more than 30 countries would be represented. The Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people had visited the Russian Federation in 2009.

37. **Ms. Rubiales de Chamorro** (Nicaragua) said that Nicaragua was proud of its African and indigenous roots and intended to remedy the historic exclusion of indigenous peoples and Afro-descendants from participation in the elaboration and management of public policies. Their fundamental rights were recognized in the Nicaraguan Constitution and were regulated by recent comprehensive legislation that had served as a model for other countries in the region. In addition, indigenous people and Afro-descendants played important roles in the political life of the country and were striving to achieve a multi-ethnic, multicultural and multilingual State.

38. Among other mechanisms, the Government had established a council for the development of the Atlantic coast. Its purpose was to implement official measures to improve the institutional framework and to promote development in the autonomous regions and the indigenous communities. The council had developed a strategic development plan for the Atlantic coast as part of the National Human Development Plan. A special unit in the Ministry of Foreign Affairs was

responsible for coordination on indigenous issues addressed by international organizations, treaties and agreements. Furthermore, bilingual intercultural education was provided in the two Atlantic coast autonomous regions and literacy campaigns were conducted in the languages of the peoples of the region.

39. Nicaragua had made significant progress in promoting and restoring the rights of the peoples of the Atlantic coast. It had recognized their ancestral rights to their lands and the use of the natural resources in those areas. When the programme was complete, the indigenous population would have received title to 36,000 km² of national territory. In addition, Nicaragua had recently ratified ILO Convention No. 169.

40. **Ms. Morton** (New Zealand) said that New Zealand fully supported the United Nations Declaration on the Rights of Indigenous Peoples, both as an affirmation of fundamental rights and as an important statement of widely supported aspirations. The Treaty of Waitangi was central to the relationship between the Government of New Zealand and Maori. In accordance with that Treaty, her Government was committed to resolving outstanding historical grievances. It aimed to complete that task by 2014 and had allocated additional resources to facilitate that process.

41. Informative discussions had taken place on the concept of prior informed consent at the meeting of the Expert Mechanism on the Rights of Indigenous People in 2010. In that regard, New Zealand would continue to rely upon its own mechanisms and institutions that afforded opportunities for Maori involvement. They ranged from broad guarantees of participation and consultation to particular instances in which a requirement of consent was appropriate. At future meetings of both the Expert Mechanism on the Rights of Indigenous People and the Permanent Forum on Indigenous Issues, New Zealand looked forward to sharing best practices and lessons learned with States, indigenous groups and NGOs.

42. **Mr. Loayza Barea** (Bolivia) said that the emphasis on indigenous peoples' right to development with culture and identity was part of a new and more comprehensive approach to indigenous issues. Indigenous peoples represented approximately 5 per cent of the global population, but 15 per cent of the global poor. To date, the measures adopted to improve their well-being had been ineffective;

moreover, many States did not even acknowledge the presence of indigenous peoples in their countries. As a result, indigenous issues were usually dealt with as a more general social problem, in keeping with the general tendency to exclude such issues from national development planning and other official processes. Their lack of visibility in human development reports and the Millennium Development Goals was symptomatic of the wide gap between political declarations on issues that were fundamental for the rights of the indigenous population and the implementation of practical measures.

43. The Second Decade required renewed impetus in order to achieve the proposed goals. An objective assessment was needed to identify the measures required in such areas as culture, education, health care, human rights, the environment, and socio-economic development.

44. The Bolivian Government welcomed the Human Rights Council's resolution to renew the mandate of the Special Rapporteur and to modify his title in keeping with the provisions of the Declaration on the Rights of Indigenous Peoples. In that regard, the name of the current agenda item should be amended to read "Promotion and protection of the rights of the indigenous peoples". Moreover, the resolution on the expansion of the mandate of the Voluntary Fund for Indigenous Populations was a clear response by Governments to the need to promote the collective rights of indigenous peoples.

45. Bolivia's new Constitution encompassed the principles established in the Declaration on the Rights of Indigenous Peoples, and ILO Convention No. 169. Its indigenous population had contributed to the recent approval of the laws on the five basic mechanisms of the new State structure, and significant progress had been made in delivering individual and collective titles to community land under the agrarian reform. In addition, an indigenous peoples' development fund had been established to finance socio-economic projects for indigenous communities, and three indigenous universities had been created, financed by a direct tax on fuel.

46. The first World People's Conference on Climate Change and the Rights of Mother Earth had been held in Bolivia earlier in the year with the participation of 140 countries. One of the working groups had held extensive discussions on consultation mechanisms for

the application of the Declaration on the Rights of Indigenous Peoples.

47. **Mr. Talbot** (Guyana) said that Guyana was home to nine distinct indigenous, or Amerindian, groups, each with its own language. They comprised over 9 per cent of the population and were an integral part of Guyanese society, contributing to political life, economic and social development and Guyana's rich cultural heritage. Amerindian communities had their own local government structures and, at the national level, 2 out of 17 Government ministers and 10 out of 65 parliamentarians were of Amerindian heritage.

48. In order to ensure that its indigenous people attained their full potential as individuals and communities and enjoyed their human rights and fundamental freedoms, Guyana was striving to promote their economic and social development, while also safeguarding their cultural identities, languages and ownership of traditional lands.

49. The revised Amerindian Act of 2006, the establishment of a Ministry of Amerindian Affairs and the inauguration of the constitutionally mandated Indigenous Peoples Commission were tangible outcomes of a progressive policy to address indigenous issues through a cooperative approach based on principles of justice, respect for human rights, non-discrimination and good faith. The provision and expansion of vital services to Amerindian communities remained a key policy objective. Measures to promote education among Amerindians had resulted in improved access to education in hinterland areas. Guyana's poverty eradication strategy included a focus on improving the socio-economic conditions of Amerindians. The Hinterland Secure Livelihood Programme offered grants to facilitate skills training, income generating opportunities, and promoted food security for Amerindian communities. Guyana had also implemented a Low Carbon Development Strategy as the key framework for managing the country's extensive forest resources in support of national development priorities and initiatives to combat climate change. Furthermore, Amerindians had the opportunity to participate in a national-scale programme for reducing emissions from deforestation and forest degradation (REDD-plus) on the basis of free, prior and informed consent. The programme was supported by the Government of Norway.

50. Guyana was also working to provide solar power to every Amerindian community, provide laptop computers and computer training to every Amerindian village and improve health care services for all indigenous peoples. However, those development efforts were hindered by limited State resources and the remote location and small size of some Amerindian communities.

51. **Mr. Valero Briceño** (Bolivarian Republic of Venezuela) said that indigenous peoples and communities had, for centuries, been the victims of exploitation, extermination and violation of their human rights. The capitalist model of development, based on the overexploitation of resources beyond ecological limits, generated poverty and inequality, violated human rights and destroyed the environment. Furthermore, it undermined the cultural, social, and ecological integrity of the peoples of the world, especially indigenous peoples. In contrast, Venezuela was endeavouring to build a socialist model of democracy and freedom which was based on solidarity, equality, social justice and respect for indigenous peoples and communities.

52. With respect to the participation of indigenous people in decision-making, the Special Rapporteur had noted in his report that consultation mechanisms were lacking. However, he had not acknowledged the progress made on that issue by some countries. Venezuela's Constitution recognized the rights of indigenous people and strengthened their social, political and economic status. Additional legislation further strengthened their rights and mining activities that would adversely affect their interests were prohibited. The Ministry for Indigenous Peoples was working to empower indigenous people and communities at the national level. Venezuela funded projects to improve the quality of life of indigenous people and also offered them training in environmental agriculture, with a view to preserving biodiversity and encouraging self-sufficient agriculture for indigenous communities. Efforts were also being made to improve the health of indigenous people. Venezuela's approach to indigenous issues was an example of Indo-American socialism based on equality, justice and harmony with nature.

53. **Ms. Taracena-Secaira** (Guatemala) said that her Government had appreciated the visit made by the Special Rapporteur at the indigenous population's request and agreed with him that the problems

resulting from natural resources extraction and mega-projects of dam and highway construction could affect the indigenous population disproportionately. They were excluded from decision-making on issues that affected them, particularly in extreme cases such as eviction from their lands.

54. Indigenous peoples throughout the world faced similar problems in view of the lack of appropriate mechanisms for participation in development initiatives, the absence of adequate mitigation measures to address their environmental and cultural concerns and, above all, the failure to recognize their rights of ownership over ancestral lands and resources. The indigenous peoples also faced the problem of self-determination in the development process, and it was essential to train indigenous professionals who could implement their own development priorities and strengthen their institutions. Access to education would allow the indigenous population to take advantage of its valuable knowledge and to participate in development initiatives while ensuring that they were in harmony with their values, traditions and cosmovision.

55. The Guatemalan Government had taken action to recognize, respect and promote the rights of indigenous women. It had encouraged the participation of indigenous peoples in the development of public policy on migrants, conducted awareness-raising and training activities on human rights in coordination with indigenous peoples' organizations, particularly for indigenous women, and established a protocol for services for indigenous women whose rights had been violated.

56. The food, energy and financial crises had affected the indigenous population disproportionately, as had climate change. Droughts had led to chronic malnutrition, especially among indigenous people and children; the rainy season then brought flooding which jeopardized the harvests. Indigenous organizations and government agencies were holding meetings to address those problems.

57. **Mr. Mac-Donald** (Suriname) said that indigenous and tribal people constituted approximately 18 per cent of Suriname's total population and made a significant contribution to the country's multi-ethnic, multicultural and multilingual society. There were four distinct tribes of native peoples and six tribes of Maroons, the descendents of Africans who had freed

themselves from slavery during colonial times and had established communities deep in the interior of the country.

58. As part of its endeavour to create a more just society, Suriname was working to end the isolation and marginalization of its indigenous and tribal peoples, with the strong conviction that human capital was the country's most valuable asset. International cooperation in that regard was crucial. The Special Rapporteur had requested assistance in formulating legislation on land rights and implementing decisions of judicial authorities, including the decisions of the Inter-American Court of Human Rights. More needed to be done to achieve the specific objectives of the Second International Decade of the World's Indigenous People. The ecological and socio-economic importance of forests was of paramount importance in domestic and foreign policy and Suriname, as a Bureau member, played an active role in the United Nations Forum on Forests.

59. **Mr. García González** (El Salvador) said that El Salvador was proud to be a multicultural nation. For centuries, indigenous peoples in El Salvador had been persecuted and brutally oppressed by El Salvadorian Governments and had even been the victims of genocide. In order to survive, indigenous people had been forced to change the way they expressed their culture. The present Government of El Salvador wished to be the first to ask for forgiveness from the country's indigenous peoples for the suffering that had been inflicted upon them.

60. El Salvador recognized the need to combat discrimination against its indigenous peoples and was striving to conserve their cultures, languages, customs and beliefs. In that regard, a social inclusion secretariat had been established which aimed, inter alia, to support families, combat discrimination and promote social inclusion. El Salvador would continue to strengthen its institutions in order to better address the historic challenges related to indigenous issues in the country.

61. **Mr. Rai** (Nepal) said that the United Nations Declaration on the Rights of Indigenous Peoples was a landmark in the promotion and protection of the rights of indigenous peoples worldwide and that the Permanent Forum on Indigenous Issues and other United Nations bodies would continue to play an important role in raising global awareness of the rights of indigenous communities. The Second International Decade of the World's Indigenous People also

highlighted the importance accorded to that issue. Yet much remained to be done to overcome the exclusion, exploitation, discrimination and extreme poverty that many indigenous peoples continued to face.

62. There were 59 recognized indigenous groups in Nepal whose rights and freedoms were guaranteed by the Interim Constitution and who were represented by 218 of the 601 representatives in the Constituent Assembly. The Nepal Federation of Indigenous Nationalities had been established by the National Foundation for the Development of Indigenous Nationalities Act, 2002, to oversee the welfare of the indigenous nationalities. Moreover, Nepal had ratified ILO Convention No. 169 in 2007 and the Government was working on a national action plan to ensure indigenous peoples' effective participation in decision-making processes and equal political representation. Special budgetary provisions had been made to promote the socio-economic development of all oppressed and neglected groups, including indigenous peoples, and affirmative action policies and programmes had been introduced, including housing loans for impoverished families.

63. Nepal's community forestry programmes owed their success to the knowledge and skill of the indigenous peoples, whose creative potential and wisdom should be further utilized for the task of nation-building and for raising their standard of living. The international community should continue to provide the technical support and cooperation needed to achieve that goal.

64. **Ms. Melon** (Argentina) said that her Government had taken significant steps towards recognizing and redressing the situation of indigenous peoples, particularly with regard to indigenous land rights, education and language. A legislative review and implementation commission, comprising representatives of the executive branch, regional authorities and indigenous peoples, was to draft a bill on land rights. The National Institute of Indigenous Affairs and the National Institute of Statistics and Census would encourage the active involvement of indigenous peoples in the next national census, so that hundreds of communities across the country could participate in their own indigenous languages. Following the adoption of the United Nations Declaration on the Rights of Indigenous Peoples, the Department for the Affirmation of Indigenous Rights had been established within the National Institute of

Indigenous Affairs. The head of the department would be selected from the candidates nominated by indigenous organizations and would be responsible for encouraging the participation of indigenous peoples in public policies that affected their communities.

65. In order to provide additional educational support for indigenous peoples, the number of indigenous scholarships for primary and secondary school pupils would be increased, while there was no limit on the number of university scholarships. Act No. 25.517 provided that the remains of indigenous persons held in private or public museums or collections must be returned to their communities. The new Act on Communication and Audiovisual Services established funding for 10 indigenous FM radio stations and one AM station. All of the measures undertaken reflected the Government's desire to initiate a new phase of dialogue, social inclusion, recognition and redress with indigenous peoples in Argentina.

66. **Ms. Strauss** (International Organization for Migration (IOM)) said that the right to development with culture and identity and the right to participation in decision-making were significant issues for indigenous peoples who migrated, as they often faced pressure to assimilate into non-indigenous host communities. Migrant flows had far-reaching development implications for both home and host communities, and migration often became a means of ensuring the survival of the traditional way of life in indigenous territories through the transfer of remittances.

67. While globalization had compromised the lives of indigenous peoples in some ways, it had also facilitated the movement of peoples in search of economic opportunities. Nevertheless, the move to urban areas could prove extremely difficult for indigenous peoples who had to adapt their cultural practices and lifestyles. Issues of identity and integration were especially problematic for migrant indigenous peoples, as some Governments applied a rigid definition of indigenous identity for the purposes of access to State benefits. At times the migration of indigenous peoples resulted in the dilution of their customs and cultures and, at other times, it made them more visible. Nevertheless, special protection was needed to relieve the pressure to assimilate in order to avoid ethnic discrimination.

68. Indigenous empowerment required guaranteeing the right to participation of indigenous peoples as well

as addressing issues relating to discrimination, education and training, and labour rights. Promoting and encouraging cultural awareness and understanding between indigenous and non-indigenous peoples could help eliminate discrimination and exclusion, while providing culturally appropriate training for health-care professionals and recognizing indigenous health practices could enhance access to national health systems. In addition, guaranteeing indigenous migrants the right to a high-quality education, in their own language, that respected their culture was crucial for the preservation of their cultural integrity and maintaining the bond between generations.

69. Remittances from indigenous migrant workers had become an important source of income for many rural indigenous communities. Also, some migrants marketed indigenous arts and crafts in their host communities, thus benefiting from the natural wealth of their ancestral lands. In addition, programmes to promote cultural exchanges between the communities of origin and the host societies played an important role in fostering social, cultural and commercial ties between communities.

70. **Ms. Filip** (Inter-Parliamentary Union (IPU)) said that the representation and participation of indigenous groups in public and political life, including in the national parliament, was of great importance. Although many parliaments had adopted measures to enhance the political participation of indigenous peoples, including by recognizing their rights, much remained to be done to ensure their effective participation.

71. Research undertaken by IPU with the United Nations Development Programme (UNDP) had shown that the small number of parliamentarians who self-identified as members of indigenous communities spoke of the gulf between parliamentary procedures and the more participatory decision-making processes of their own communities. A survey had illustrated that while the substantive interests of indigenous peoples, such as health and education, were treated with understanding, special interests, such as land rights and the use of indigenous languages, were more controversial and required extensive discussion. The International Parliamentary Conference on parliaments, minorities and indigenous peoples to be held from 31 October to 3 November 2010 in Mexico would examine policy options for improving the participation of indigenous peoples, including prior

consultation and raising awareness of indigenous issues among all parliamentarians.

72. **Ms. Ratsifandrihamanana** (Food and Agriculture Organization of the United Nations (FAO)) said that FAO had approved a policy on indigenous and tribal peoples in August 2010 to ensure that all due efforts would be made to respect, include and promote indigenous issues in the work of the Organization, as indigenous communities were disproportionately affected by food insecurity but also possessed unique skills and knowledge that could contribute to sustainable and equitable development. Voluntary guidelines and implementation guides were also being prepared to enhance responsible governance of tenure of land and other natural resources. A workshop on gender, indigenous peoples and climate change was scheduled to be held in early 2011 to provide more holistic policy advice on climate change within the “delivering as one” process.

73. An agenda that pursued global food security, sustainable natural resource management and poverty alleviation could not ignore indigenous peoples. They should not be regarded as simply the recipients of development assistance but as equal partners in development.

74. **Ms. von Lilien** (International Fund for Agricultural Development (IFAD)) said that despite the steady progress made towards greater recognition of their rights, heritage and culture, the poverty gap between indigenous peoples, who accounted for one third of the world’s rural poor, and other population groups remained deep and largely unchanged.

75. The work of IFAD with indigenous peoples had shaped its country strategies, programmes and guidelines, and had demonstrated that indigenous communities must be the principal drivers behind efforts to end rural poverty in their regions. The diversity and knowledge of indigenous peoples were assets that could lead to innovative economic opportunities. However, natural resource entitlements and local government institutions needed to be strengthened and efforts to empower indigenous women reinforced.

76. In September 2009, the IFAD Policy on Engagement with Indigenous Peoples had been approved. The policy was designed to improve development effectiveness for indigenous communities in rural areas and to empower indigenous peoples to

overcome poverty. It also provided the establishment of an indigenous peoples' forum to ensure that its principles and instruments were translated into action.

77. One of the major challenges facing indigenous peoples was climate change, as many of them lived in fragile ecosystems and depended on natural resources and biodiversity. However, they should not be considered as victims of climate change, but rather as an integral part of climate change mitigation and adaptation strategies. Climate change policies and initiatives should respect the rights of indigenous peoples and take their opinions into account.

78. **The Chair** said that the Committee had thus concluded its general discussion of agenda item 65.

The meeting rose at 5.55 p.m.