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Held at Headquarters, New York, on Monday, 17 October 2011, at 3 p.m.

Chair: Ms. Popovici (Vice-Chair) (Republic of Moldova)

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In the absence of Mr. Haniff (Malaysia), Chair, Ms. Popovici (Republic of Moldova), Vice-Chair, took the Chair.

The meeting was called to order at 3.10 p.m.

Agenda item 66: Rights of indigenous peoples
(continued) (A/66/288)

(a) Rights of indigenous peoples (continued)

(b) Second International Decade of the World's Indigenous People (continued)

1. **Mr. Archondo** (Plurinational State of Bolivia) said that the adoption of the United Nations Declaration on the Rights of Indigenous Peoples had required 20 years of debate, yet they were still incorrectly labelled by such terms as “vulnerable groups” or “minorities”. There was still reluctance to mainstream the rights of indigenous peoples in accordance with a Declaration that had not been adopted by consensus, and to which some countries had expressed many reservations.

2. The international community must do its utmost to repay its historic debt to indigenous peoples for the infringement of their individual and collective rights. In that regard, Bolivia welcomed the initiative of the International Fund for Agricultural Development (IFAD) to establish an indigenous people's forum, and of the Food and Agriculture Organization of the United Nations (FAO), which recognized the rights of indigenous peoples. Bolivia welcomed the decision in General Assembly resolution 65/198 to hold the World Conference on Indigenous Peoples in 2014 and eagerly awaited the designation by the President of the sixty-sixth session of a facilitator for the Conference. It was vital to ensure wide and active participation of indigenous peoples in that Conference.

3. Recently, indigenous peoples in Bolivia had begun a march to protest a project to build a road through the Isiboro-Sécure National Park and Indigenous Territory (TIPNIS). The demonstration had sparked an internal debate on the development model in Bolivia, and the many attempts by the Government to dialogue with the protesters had been unsuccessful. In light of the controversy, the Legislative Assembly had approved a law suspending the roadworks and stipulating that indigenous peoples must be consulted on the planned route before it could be finalized. That

positive reply to the marchers' demands should encourage dialogue to end the conflict.

4. **Ms. Cavanagh** (New Zealand) said her Government remained committed to ensuring the fulfillment of the rights of indigenous peoples, as evidenced in the recent report to the Human Rights Council of the Special Rapporteur on the rights of indigenous peoples on the situation of Maori people in New Zealand. The Government was already acting on many of the recommendations contained in the report and would continue to do so. The World Conference on Indigenous Peoples to be held in 2014 was a significant occasion, and it was important to ensure meaningful indigenous participation in its planning.

5. The Government was committed to resolving, by 2014, any outstanding historical grievances under the Treaty of Waitangi — the cornerstone of the relationship with the Maori. Unprecedented progress was being made in the settlement process, with the majority of tribes having completed settlement, reached major milestones or begun the negotiation process. The Marine and Coastal Area (Takutai Moana) Act 2011, enacted following extensive consultation with all New Zealanders, removed Crown ownership over marine and coastal areas, restoring customary rights and giving them legal expression. While the Government harboured no illusions as to the significant challenges remaining — Maori were significantly over-represented in the criminal justice system and had a lower socio-economic status and poorer health than the rest of the population — it was committed to meeting them through the spirit of discourse and partnership on which New Zealand was based.

6. **Ms. Taracena Secaira** (Guatemala) said that the topic of indigenous peoples was clearly paramount to the Government of Guatemala, which sought greater cooperation between the various ethnic groups. With a view to regulating the process of consultation with indigenous peoples to ensure more legal certainty, the Government had drafted a regulation with the help of ILO and the Special Rapporteur, and sent it to the indigenous organizations for comments and proposals. However, some organizations had opposed that initiative from the outset and had taken the matter to the Constitutional Court. The ruling in their favour had suspended the Government's effort to comply with the provisions of the ILO Convention concerning Indigenous and Tribal Peoples in Independent Countries (Convention No. 169). Nonetheless, the

Government reiterated its willingness to engage in direct dialogue with all stakeholders; it had set up a structure for dialogue on projects relating to development, investment and poverty reduction.

7. Education was fundamental in allowing indigenous peoples to achieve their priorities for institutional development and strengthening. The Ministry of Sport and Culture was continuing to support MayaTV and a national campaign using social media to raise awareness of diversity. A number of inter-agency meetings on climate change were currently being promoted between the Government and indigenous associations. Droughts and torrential rains had devastated the country and its indigenous peoples in particular, dealing a blow to the infrastructure that had been put in place to address their situation. Despite the progress made in social cohesion programmes, the Government readily admitted that progress had been inadequate given the needs in education, culture, health care and other priorities contained in the Declaration. Lastly, she was pleased to report that 19 indigenous persons had been elected to the national congress in the recent elections.

8. **Mr. Balé** (Republic of the Congo) said that the practice of identifying citizens by their race, religion or customs, which had pre-dated and been perpetuated throughout the colonial period, had been banned after independence. Government programmes to combat the marginalization of indigenous peoples, including mandatory schooling for indigenous children, had met with little success, however, owing to the general economic hardship affecting the country, more acutely so the vulnerable indigenous peoples.

9. Recently, favourable economic conditions and a resumption of growth had made it possible to implement a programme to combat poverty. The Government had taken care to consider the specificity of indigenous peoples and adopt appropriate measures, which included a national action plan to improve their quality of life and a programme, funded from the investment budget, for their empowerment. Results were encouraging, though modest, in most of the country's departments; in some, indigenous populations coexisted with the majority Bantu population, sitting on village and district councils, and even intermarrying.

10. In 2011, the Parliament had adopted a law on promotion and protection of the rights of indigenous

peoples, strengthening Government policy in the matter. The Act, unprecedented in Africa, was the fruit of the participatory approach used in its drafting and of the widespread recognition of rights in the country, which was evidenced by the translation of international human rights instruments into domestic law. Its commitment to the promotion and protection of the rights of indigenous peoples was reflected in its regional and subregional initiatives and its active participation in international bodies such as the Permanent Forum on Indigenous Issues and the Human Rights Council. The Congo reaffirmed its adherence to the Declaration and welcomed the adoption of Resolution 65/198. While the World Conference on Indigenous Peoples was still three years away, it was important to begin preparations to ensure that it set new milestones in the promotion of the rights of indigenous peoples. A participatory approach that involved all stakeholders would guarantee success.

11. **Ms. Salman** (Malaysia) said that ensuring the protection of the rights of Malaysia's many indigenous peoples and their development had always been a national priority. Indigenous peoples were entitled to the same rights as all other citizens, as guaranteed under article 8 of the Constitution and the Indigenous Peoples Act of 1954. To address the most significant challenge, encouraging them to become part of the globalized world and mainstream society, the Government had introduced comprehensive development policies centred on improving the status and quality of life of indigenous peoples through socio-economic and income-generating programmes, while giving priority to preserving their cultural heritage. In remote areas, they were trained in farming practices to increase productivity. Indigenous peoples were also given equal opportunities in education, which would promote their economic, social and cultural rights. Another ongoing effort ensured that everyone, regardless of race, sex or religion, was registered and issued a national identity card and other personal documents. Aside from it being a basic human right, it enabled them to seek employment, enroll in schools or sit public exams. Mobile registration units had been set up in remote areas.

12. The development and welfare of indigenous peoples continued to be high on the national agenda as the Government aspired to include them in mainstream society and in national development. In the 2012 budget, \$29 million had been allocated for the

provision of basic necessities, clean water supply and income-generating programmes for the 190,000 indigenous people of Malaysia. The Government was sensitive to their needs and interests, in line with the desire to create a caring society in a multiracial country.

13. **Mr. de Séllos** (Brazil) said that the Constitution of Brazil (1988) granted indigenous peoples permanent, exclusive and imprescriptible rights to the lands they traditionally occupied. The birth rate in Brazil's indigenous population was six times that of other ethnic groups. Despite the shortcomings in the full realization of the indigenous rights enshrined in the Constitution and the law, much had been done in the last decades in education and health. There were currently 2,500 indigenous schools in Brazil attended by 177,000 students and more than 90 per cent of the teachers were themselves indigenous. The Government intended to increase the number of and enrolment in indigenous schools, while its affirmative action policies facilitated access by indigenous students to public and private universities nationwide. The Government had also introduced family benefits specifically for indigenous peoples, although with some difficulty in adapting the programme to the socio-cultural realities of the beneficiaries. Another Government initiative supported projects relating to food security, income generation and cultural enhancement that were proposed and implemented by indigenous communities. It had also established a new federal agency devoted to health care in indigenous areas, combining Western science and traditional medicine. All indigenous policies were debated in the National Commission on Indigenous Policy, composed of Government officials and indigenous representatives in equal number. The Brazilian Government was a pioneer in indigenous protagonism, but it was aware that much remained to be done.

14. **Mr. Oli** (Nepal) said that the Interim Constitution of Nepal, which defined the country as multi-ethnic, multi-lingual, multi-faith and multi-cultural, guaranteed the civil liberties and fundamental freedoms of all, including the 59 indigenous nationalities recognized among the more than 100 ethnic groups. Around 36 per cent of the members of Constituent Assembly, its Chair among them, were indigenous, and for the first time in the country's history, those elected representatives were writing a new constitution. The Nepal Federation of Indigenous

Nationalities had been established as an autonomous statutory body, pursuant to a 2002 law, to ensure the overall welfare of indigenous peoples. Nepal attached great importance to the work of the United Nations on indigenous issues and had taken several significant measures promoting the rights of indigenous peoples. It had ratified and begun implementation of ILO Convention No. 169 with the necessary policy and structural reforms and had made special budgetary provisions for a number of policies and programmes in the area of social justice and to empower disadvantaged groups, including indigenous people. It had also been pursuing an inclusive development approach, placing indigenous peoples and minorities at the centre of development by focusing on participatory planning, capacity-building, empowerment and social security. The Civil Service Act made provisions for the participation of indigenous peoples and minorities at policy-making level, and was beginning to show encouraging results.

15. Nepal was committed to preserving traditional knowledge, skills and technology. Indigenous peoples had their own knowledge in sustainable development, as could be seen in the successful community forestry programmes. Their wisdom could be utilized for nation-building and improving their own standard of living.

16. **Mr. MacDonald** (Suriname) said that it had benefited from the dialogue with the Special Rapporteur concerning technical assistance in legislation to secure indigenous peoples' rights to land and resources. Suriname had made modest but significant strides in including indigenous and tribal peoples in high offices, ranging from the current President and several Cabinet Ministers to local government officials.

17. Measures were being taken to provide good quality education in the interior, where most of the ten indigenous tribes were established, including building new schools, training qualified personnel, offering incentives to teachers to take up jobs there and evaluating region-specific curricula. Recognizing that those efforts were inadequate, the Government remained committed to taking all necessary measures to ensure that indigenous peoples could participate fully and effectively in matters affecting them. Suriname acknowledged the complexities relating to extractive operations in proximity to indigenous territories and was aware that a delicate balance had to

be found between the opportunities that industry provided for sustainable development and the respect for the rights of indigenous peoples.

18. Lastly, Suriname looked forward to the forthcoming World Conference, which would be useful for sharing experiences and best practices on the rights of indigenous peoples.

19. **Mr. Fiallo** (Ecuador) said that the country's Constitution contained 21 collective rights recognizing that indigenous and tribal communities were all a part of the indivisible State of Ecuador, in accordance with international human rights instruments. The national development plan, entitled "National Plan for Living Well 2009-2013" contained 12 national goals for the recognition of a number of collective and other rights.

20. The Government had been implementing a number of programmes and plans — on development and cultural diversity, against racism and social exclusion — to promote pluralistic and inclusive citizenship. With the help of OHCHR, it had drafted legislation for coordination and cooperation between the indigenous system of justice and the ordinary courts. Efforts to change attitudes within the administration and eradicate racism and exclusion had been stepped up, with training programmes on intercultural issues, diversity and collective rights. It was also promoting sustainable livelihoods for indigenous peoples through businesses mainly run by women, the custodians of ancestral knowledge, who thus contributed to cultural revitalization, food security and higher income for families.

21. The Government had established databases disaggregated by ethnicity as a fundamental tool for implementing public policies that met the needs and guaranteed the rights of indigenous peoples. The focus was on including a gender and intercultural perspective in landmark public policies resulting from a participatory process that examined the causes of discrimination, which affected indigenous women most.

22. Socio-economic indicators for indigenous people historically revealed an imbalance compared to national averages: in 2006, 74 per cent of women on average had professional care during childbirth, as against barely 30 per cent of indigenous women. The Government had made significant efforts to change the health care model and provide culturally appropriate, high quality and caring service, fitting out, for

example, culturally appropriate birthing rooms in regions with large indigenous and Afro descendant populations. It had also implemented measures to protect peoples in isolation, restricting oil drilling in the areas they inhabited. The initiative required cooperation from the international community.

23. Ecuador urged Member States to continue cooperation with indigenous peoples to ensure the full participation in the preparations for and holding of the World Conference. It recognized the importance of a meeting ground where Governments and indigenous peoples could discuss policies that guaranteed rights. Much progress had been made, but much remained to be done in that irreversible process that was one of the main axes of the peaceful, democratic revolution in Ecuador.

24. **Ms. Klein Solomon** (International Organization for Migration (IOM)) said that, in an increasingly mobile world, indigenous people faced three particular challenges. The first concerned the preservation of their indigenous cultures as they moved to urban centres. They had difficulty adapting their customs and practices to urban life and the fear of the loss of identity could inhibit them from full participation in their new society. Identity and integration issues were especially strenuous for migrant indigenous people who had left their communities or had assimilated into non-indigenous societies. Special measures might be necessary to avoid discrimination and afford them the same rights as others. For example, providing culturally appropriate health services and training for health professionals could foster recognition of indigenous health practices, diminishing discrimination based on traditional understanding and enhance indigenous peoples' right of access to national health systems.

25. Second, poverty levels among indigenous peoples could be twice that of non-indigenous communities. That economic pressure often led to migration to more economically-developed regions in search of a better livelihood. The transfer of remittances by indigenous migrant workers to their communities at home, often the main source of income for many rural communities, was a means to ensure the survival of the traditional way of life. It was therefore important to ensure easy access to safe remittance channels and lower the administrative costs.

26. Third, the effects of climate change rendered more areas of the world uninhabitable and were likely to affect disproportionately rural indigenous populations whose subsistence depended directly on the productivity of their ancestral lands. Migration had always been and would continue to be a coping strategy, a last resort for persons affected by environmental degradation or hazards. Thus, appropriate opportunities for safe, legal and orderly internal and cross-border migration must be created. Rather than wait for disaster to strike, it was in the interest of all to identify cooperative and pro-active measures to protect the lives and livelihoods of at-risk populations. IOM would work with relevant stakeholders to ensure that the rights and specific challenges of indigenous peoples were identified and integrated into local, national and international migration planning.

27. **Ms. Riedel** (Inter-Parliamentary Union (IPU)) said that IPU believed that a democratic parliament should reflect the social diversity of the population in all its politically significant characteristics. The recognition of the rights of indigenous peoples was an important precondition for their effective participation in politics and IPU had outlined some policy options which could help to promote those rights for parliaments and policy-makers to consider.

28. The international conference “Parliaments, minorities and indigenous peoples” held in Chiapas, Mexico in 2010 had ended with a declaration, in which the parliamentarians from more than 35 countries had called for genuine change. They had stated their unwillingness to accept that minorities and indigenous peoples, the most vulnerable members of society, remain excluded from decision-making that affected their lives. The Chiapas Declaration called on parliaments to adopt a Plan of Action to make the right to equal participation and non-discrimination a reality and recommended that such plans should contain a number of provisions relating to the rights of indigenous peoples. The provisions included: observing the principle of free, prior and informed consent in every step in the adoption of legislative and administrative measures affecting indigenous peoples; including an assessment of the impact on indigenous peoples of all draft legislation and budgets submitted to parliament; allocating sufficient resources to establishing dialogue between indigenous peoples and the State; and holding Governments to account on their

international commitments, urging ratification of ILO Convention No. 169 and the United Nations Declaration on the Rights of Indigenous Peoples.

29. Convinced that parliamentary action in that vein was necessary for the fulfillment of indigenous peoples’ rights, IPU was currently preparing a handbook on those rights for parliamentarians in cooperation with the Permanent Forum on Indigenous Issues, OHCHR, the International Fund for Agricultural Development and the United Nations Development Programme. The handbook, scheduled for launch in the first half of 2012, would provide practical ideas for the implementation of the Declaration at local and national levels.

30. **Ms. Brennen-Haylock** (Food and Agriculture Organization of the United Nations (FAO)) said that her organization’s work on indigenous issues had been increasing in recent years as it aimed to improve the capacity of indigenous peoples to meet their food security needs. It also assisted Member States in improving policies and legislation to create the enabling conditions for rural development and hunger alleviation and provided expert advice. As a neutral forum, part of its role involved developing normative instruments and standard-setting agreements concerning sustainable rural development.

31. One example was the adoption in 2004 of the Voluntary Guidelines on the Progressive Realization of the Right to Adequate Food in the Context of National Food Security. The Guidelines provided practical guidance, grounded in a human rights-based approach. All people were entitled to food security, and States should pay particular attention to the needs of vulnerable groups, which often included indigenous peoples in disproportionate numbers. An operational guide to help indigenous peoples and organizations to understand the Guidelines and use them as a lobbying tool had also been developed.

32. The FAO Code of Conduct for Responsible Fisheries, unanimously adopted in 1995, provided a framework for national and international efforts to ensure the sustainable and environmentally harmonious exploitation of aquatic resources. It was the most comprehensive document of the sort to date and was of great significance to indigenous peoples whose livelihoods were based on fishing. Though voluntary, parts of the Code were based on relevant rules of international law, giving them significant legal clout.

FAO had drafted an operational guide to provide indigenous fishing communities and persons working with them with insight on the impacts and benefits of the Code from the perspective of indigenous peoples and their fundamental human rights.

33. In 2001, FAO adopted the International Treaty on Plant Genetic Resources for Food and Agriculture, a binding instrument that formally recognized the contribution local and indigenous communities and farmers made to the conservation and development of the world's food resources and agriculture production. The Treaty established the responsibility resting with national Governments to realize farmers' rights with regard to food and agriculture resources. States should therefore make tangible efforts to support communities that played a critical role therein, and in many countries, such communities were largely indigenous.

34. FAO undertook and supported numerous other activities which had progressively strengthened its engagement on those issues, culminating in the adoption in 2010 of a corporate FAO Policy on Indigenous and Tribal Peoples. Offering a framework to guide its actions, the policy stipulated minimum standards for the treatment and recognition of indigenous partners and was the basis of all subsequent efforts to entrench the rights of indigenous peoples worldwide.

35. **Ms. Von Lilien** (International Fund for Agricultural Development (IFAD)) said that the development and empowerment of indigenous peoples was critical to the work of IFAD. Its support and commitment of over 30 years had been reaffirmed in the new Strategic Framework for 2011-2015, which aimed to enable poor rural people to improve their food security, nutrition and income. The Strategic Framework underscored that the lack of effective political representation often resulted in policies that did not meet the needs of indigenous peoples. Consequently, IFAD would expand its policy engagement to work with governments, farmer associations, indigenous peoples' organizations and other partners to develop comprehensive rural development policies for poverty reduction and food security. The Policy on Engagement with Indigenous Peoples, approved in 2009, set out nine principles to which IFAD adhered. In 2011, to implement that Policy effectively, IFAD had established an Indigenous Peoples Forum. The objective was to provide an opportunity for dialogue and consultation and would

build and strengthen partnerships between IFAD and indigenous peoples. It also aimed to promote the participation of indigenous organizations in IFAD activities at country, regional and international levels and at all stages of programme cycles. The first global meeting was scheduled for February 2013, preceded by regional consultations in 2012.

36. IFAD also had a dedicated, demand-driven fund for small projects, the Indigenous Peoples Assistance Facility, which was being bolstered through increased financial resources and decentralization of management to regional indigenous organizations. It was also working on linking the Facility's micro-projects and grass-roots organizations with its larger regular programme. In 2010 alone, IFAD had provided some \$106 million in regular loans and grants for the development of indigenous peoples.

37. Although there had been progress, it was all too evident that much more needed to be done to make a difference on the ground. IFAD would focus subsequent efforts on four main areas: promoting the active participation of indigenous organizations in the design of IFAD Country Programmes; improving the design, monitoring and evaluation of IFAD-funded projects using specific indicators; supporting the empowerment of indigenous peoples by promoting effective and sustainable indigenous organizations; and improving its advocacy in disseminating best practices at national, regional and international levels.

38. **Mr. Cassidy** (International Labour Organization (ILO)) said that his organization, which had been concerned with the situation of indigenous and tribal peoples since its inception, supported their empowerment through a dual strategy of promoting policies to protect their rights and supporting capacity-building initiatives. The adoption of the United Nations Declaration on the Rights of Indigenous Peoples had ushered in a new era as it represented a global consensus and universally accepted standard on the rights of indigenous peoples. The International Labour Organization believed that the Declaration and ILO Convention No. 169 were intertwined and mutually reinforcing instruments whose implementation must be mutually sustaining. In 2010, the ILO Committee of Experts on the Application of Conventions and Recommendations had provided important guidelines on the right to consultation of indigenous peoples, among which were the right to effectively participate in national decision-making processes and the

importance of granting indigenous peoples as much control as possible when implementing measures affecting their own economic, social and cultural development.

39. The implementation of the Declaration should be tracked and monitored to assess its real impact on the daily living conditions of indigenous peoples. To that end, ILO had committed itself to investing in inter-agency work on indicators and had co-hosted the first Experts Meeting on the issue in 2010. The experts had acknowledged the importance of creating a common assessment framework to enhance coordination, complementarity and synergies and which should reflect the full range of rights enshrined in the Declaration and Convention No. 169. It should also identify bridges to the broader human rights framework and to existing institutionalized supervisory mechanisms.

40. The ILO programme on indigenous peoples was the largest in the world, with activities taking place in over 22 countries in Latin America, Asia and Africa, training government officials and indigenous peoples and mainstreaming their needs into national development agendas. ILO continued its unwavering contribution to international initiatives and was currently serving as Technical Secretariat of the United Nations Indigenous Peoples' Partnership (UNIPP), an unprecedented joint initiative between ILO, OHCHR, UNPD, UNICEF and the United Nations Population Fund (UNFPA), which called for full realization of the Declaration through financial cooperation and technical assistance. As global discussions and awareness on indigenous rights gained momentum, ILO stood ready to assist Member States in ratifying and implementing ILO Convention No. 169.

41. **Ms. Roca-Hachem** (United Nations Educational, Scientific and Cultural Organization (UNESCO)) said that UNESCO was strengthening support to indigenous peoples via a more comprehensive approach, in line with its Medium-Term Strategy 2008-2013. The Declaration on the Rights of Indigenous Peoples was the organization's guidepost for a new house-wide policy being developed under the Director-General on engaging with indigenous peoples that would help to re-shape its strategies in all its fields of competence. A side event would be held during the forthcoming General Conference on "Knowledge Systems, Knowledge Diversity, Knowledge Societies: Towards a

UNESCO Policy on Engaging with Indigenous Peoples".

42. The UNESCO standard-setting instruments that preceded the Declaration were being aligned with the rapidly changing international landscape on indigenous issues. For example, the World Heritage Committee had been revising its Operational Guidelines to include communities, including indigenous communities, in all World Heritage processes and had noted the critical importance of involving such communities in the implementation of the World Heritage Convention. The UNESCO Conventions on cultural diversity, the intangible cultural heritage and the diversity of cultural expressions had been important milestones in the recognition of indigenous peoples as custodians of unique cultural and biological diversities.

43. Indigenous peoples were among the most vulnerable to the effects of global climate change, but they were perhaps among the most resourceful in coping with and adapting to it. UNESCO's Local and Indigenous Knowledge Systems (LINKS) continued to work to bring recognition to the concerns, knowledge and adaptation strategies of indigenous peoples in the face of climate change. The project "On the Frontlines of Climate Change", funded by Denmark and implemented jointly with other United Nations bodies, had an online forum with an estimated 60,000 following worldwide and a growing network of community-level projects. The LINKS programme also worked to ensure recognition of the vital role of indigenous knowledge in promoting sustainable development, managing biodiversity and understanding climate change. In July 2011, UNESCO and the United Nations University had organized an international expert meeting in Mexico and was providing the Intergovernmental Panel on Climate Change with peer-reviewed data on the key role of local and indigenous knowledge for understanding climate change. The LINKS programme also cooperated with indigenous communities to enhance intergenerational transmission of indigenous language and knowledge as a complement to mainstream education. Projects were under way in Nicaragua and in the Solomon Islands to bring indigenous language and knowledge into the school curricula.

44. UNESCO invited indigenous communities and NGOs to reinforce their engagement with the organization through the many avenues available,

including the establishment of official relations with UNESCO.

45. **Mr. Rama Rao** (World Intellectual Property Organization (WIPO)) said that indigenous and traditional knowledge, genetic resources and traditional cultural expressions or “expressions of folklore” were economic and cultural assets of indigenous and local communities and their countries. The organization addressed the role of intellectual property principles in protecting indigenous knowledge and cultural expressions and in generating shared profits from their commercialization. It had begun work in that area in 1998 with fact-finding visits to over 3,000 stakeholders in 60 locations worldwide. The results of those missions had led the WIPO General Assembly to establish the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC), mandated to negotiate an international legal instrument to ensure the effective protection of traditional knowledge, cultural expressions and genetic resources.

46. Indigenous and local communities had always played an active and important role in the work of IGC, and the need to enhance their role had been voiced repeatedly by both government delegations and IGC. Similarly, the WIPO General Assembly had decided at the highest level that IGC should further facilitate the involvement of indigenous communities, encouraging Member States to include them in delegations to the Intergovernmental Committee, and inviting the participation of the Permanent Forum on Indigenous Issues. Further to those decisions, a Voluntary Fund of Accredited Indigenous and Local Communities had been established in 2005. It was managed by a Committee of representatives of indigenous communities and its rules had been amended in 2010 to allow financial support for nominated representatives to attend IGC sessions and Intersessional Working Group (IWG) meetings: in 2010, representatives had thus participated in three IWG meetings. In addition to its meetings, which were always preceded by presentations from indigenous representatives on their experiences and concerns with regard to the protection of indigenous knowledge, the Intergovernmental Committee also organized several global symposia and workshops.

47. The negotiations towards the international legal instrument would continue in 2012, by agreement of WIPO Member States, in view of a decision to convene

a diplomatic conference in September 2012. The delegations had universally welcomed the substantial progress made by IGC and many looked forward to continued developments in the next biennium.

The meeting rose at 4.50 p.m.