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Chair: Mr. Mac-Donald. (Suriname)

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The meeting was called to order at 10.15 a.m.

Agenda item 66: Rights of indigenous peoples
(A/67/221, A/67/273 and A/67/301)

(a) Rights of indigenous peoples

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

1. **Ms. Akhtar** (Assistant Secretary-General for Economic Development, Department of Economic and Social Affairs) said that the discussions under way regarding the development agenda beyond 2015 came at an opportune time, as the Second International Decade of the World's Indigenous People would end in 2014.

2. Adoption of the United Nations Declaration on the Rights of Indigenous Peoples represented major progress. The Declaration had guided constitutional and legislative reform in a number of countries and served as a reference in several rulings by national tribunals, regional courts and human rights systems. It also served as a reference for the United Nations treaty bodies and the universal periodic review.

3. Efforts to mainstream the issues of indigenous people in the development agenda at country level should be continued and strengthened. Challenges persisted in recognition of the right of indigenous people to ownership and use of their lands, territories and natural resources. It was imperative that indigenous people be consulted about projects affecting their communities. The principle of free, prior and informed consent must be fully operationalized and applied. Corporations and extractive industries interested in exploiting resources located in indigenous territories must abide by the principles and norms of corporate social responsibility.

4. While many Member States, United Nations agencies and intergovernmental organizations had reported important initiatives for indigenous peoples that were aligned with the objectives of the Second Decade, indigenous peoples remained mostly invisible in the implementation, monitoring and evaluation of progress towards the Millennium Development Goals (MDGs), which lacked a specific reference to indigenous peoples. Public policies, laws, programmes and projects must be designed in consultation with indigenous peoples. Indigenous peoples needed to be heard and wanted to be agents of their own change.

5. **Mr. Anaya** (Special Rapporteur on the rights of indigenous peoples), presenting his report on the rights of indigenous peoples (A/67/301), said that his activities fell into the four related areas of promotion of good practices; reporting on country situations; examination of cases of alleged human rights violations; and thematic studies. He had made country visits to Argentina, the United States of America, El Salvador and Namibia, engaged in exchanges with Governments on allegations of human rights violations and updated his ongoing study on the impact of extractive industries on indigenous people. His report also addressed violence against indigenous women and girls.

6. There were many United Nations institutions and procedures affecting indigenous peoples that required harmonization, such as the United Nations Educational Scientific and Cultural Organization (UNESCO), the Food and Agriculture Organization of the United Nations, the World Intellectual Property Organization, the World Bank Group and processes carried out in the framework of United Nations treaties and other instruments. In all instances, the relevant bodies should ensure that the design and execution of their activities was consistent with the Declaration.

7. The World Conference on Indigenous Peoples, a high-level plenary meeting of the General Assembly set for 2014, should allow for full and adequate participation by indigenous peoples. Ensuring effective indigenous participation would require flexible and innovative interpretation and application of General Assembly resolution 65/198 on indigenous issues, which governed the modalities of the conference.

8. **Ms. Arias** (Peru), referring to her country's recent adoption of a law on the right to prior consultation with indigenous people that was fully aligned with International Labour Organization (ILO) Convention No. 169 on identification of indigenous and tribal peoples and guaranteed the inclusion of indigenous people in decision-making and respect for collective rights, expressed the desire for more information on how the various United Nations entities, funds and programmes could assist the Special Rapporteur in his work.

9. **Ms. Schlyter** (Observer for the European Union) said that in the context of violence against indigenous women and girls, the report of the Special Rapporteur on the rights of indigenous peoples (A/HRC/21/47)

referred to the need for indigenous people to challenge and combat any existing patriarchal social structures, continued attitudes of superiority of men over women and supposed justifications based on culture for battering or discriminating against women. She wondered what steps could be taken to address those barriers to full gender equality. She also requested information on best practices in establishing genuine partnerships between indigenous peoples and representatives of the extractive industries, noting that the report stated that indigenous people had in some cases developed partnership arrangements that were more profitable for them than the traditional ones. Finally, she wished to know what expectations the Special Rapporteur had for the outcome of the World Conference on Indigenous Peoples.

10. **Mr. Hasbun** (El Salvador) expressed the hope that the Special Rapporteur had noticed a change in attitude and greater readiness to advance the indigenous agenda during his recent visit to El Salvador. He also hoped that there would be monitoring to help implement the recommendations of the Special Rapporteur.

11. **Ms. Phipps** (United States of America) referred to the suggestion in the report that the Inter-Agency Support Group on Indigenous Peoples' Issues engage in capacity-building to help indigenous representatives better participate in United Nations meetings. She requested further information on the types of training proposed.

12. **Mr. Llorenty Solíz** (Plurinational State of Bolivia) said that the issue of free and informed prior consent was important for his country and the Andean region as a whole, where use of the coca leaf was a traditional practice among indigenous people. He wondered what steps the United Nations should take to remedy the injustice that had been committed against indigenous people by categorizing the coca leaf as a narcotic and how to ensure that use of the coca leaf was respected by the international community.

13. **Mr. Weisleder** (Costa Rica) said that ILO Convention 169 had been domesticated in his country at the level of the Constitution, and the Supreme Court guaranteed its effective application. Dialogue with representatives of indigenous groups was getting under way, facilitated by recommendations made by the Special Rapporteur during his visit. The El Diquis hydroelectric project consultations were extremely

complex. Progress was ongoing, and there was full respect for considerations raised by indigenous people.

14. **Mr. Ruidiaz** (Chile) said that his Government was awaiting a technical opinion from the Special Rapporteur on the mechanism for consultation with indigenous peoples, and asked him to share best practices and experience so that credible and legitimate processes could be developed.

15. **Mr. Anaya** (Special Rapporteur on the rights of indigenous peoples), speaking in response to questions and comments by delegates, said that his report included recommendations on how United Nations agencies and programmes could do more to promote indigenous rights. The report mentioned possible capacity-building by the Inter-Agency Support Group to enable indigenous people to gain access to United Nations programmes, treaty bodies and other mechanisms.

16. Greater coordination with local indigenous communities was needed. United Nations agencies required capacity-building to improve delivery of services to indigenous people, become more responsive and assess how their programmes affected indigenous people. Capacity-building was also needed to help indigenous people participate more effectively in existing mechanisms for the development of new instruments on indigenous traditional knowledge and genetic resources. Much could be done to facilitate indigenous participation in such arenas. It was not enough for United Nations agencies to do no harm. United Nations agencies must assess how their programmes affected indigenous people, and whether their effect was positive or negative. The agencies must actively promote the interests of indigenous people.

17. The designation of Taos Pueblo as a UNESCO World Heritage Site had been carried out in cooperation with the Taos people themselves. A similar project had been implemented in northern Sweden in coordination with the Sami people.

18. Solutions to violence against women should be promoted from within indigenous communities. Indigenous women consistently noted that imposition by the broader society of certain solutions or ways of being on indigenous communities was not the solution to the problem of violence against women. Rather, the solutions lay within the indigenous communities themselves and could be achieved through healing and strengthening of cultural patterns.

19. The prevailing model of extractive activity on indigenous lands involved outsiders going into the communities and providing certain benefits in exchange for resources. However, a new model was called for, in which indigenous people themselves developed plans for extraction on their territories and operations and then executed them, possibly in cooperation with outside partners.

20. The World Conference on Indigenous Peoples represented an opportunity to make more concerted efforts to advance the rights of indigenous peoples more coherently and to promote greater action at national and local levels. There was a significant gap between the standards articulated in International Labour Organization Convention 169 on indigenous and tribal peoples and the reality on the ground. The World Conference should promote further action to narrow that gap, including through specific national legislation and programmes on prior consultation and securing land and resource rights. The Conference would also be a way to move forward within the United Nations system using improved modalities of indigenous participation. The proposal for a mechanism connected to the Human Rights Council to develop modalities of indigenous participation within the United Nations system should be supported.

21. The Conference should also be a celebration of the fact that indigenous people had survived tremendous adversity and had a very promising future. Their rights had been affirmed at the global level, and they now faced the task of implementing those rights.

22. Specific steps were being taken to develop modalities for effective consultation with indigenous people. Dialogue between the Government and indigenous people on the El Diquis hydroelectric dam project in Costa Rica, while not perfect, represented a step towards a type of participatory engagement that was needed wherever there were projects or legislation that could affect indigenous people. A number of States, including Brazil, Peru and others, were developing consultation procedures.

23. In many cases, indigenous people were not entirely satisfied with the steps being taken. However, the development was generally a positive one. Communication on enhancing consultation methods needed to be improved and good practices created where they did not exist.

24. **Mr. Mayr-Harting** (Observer for the European Union), speaking also on behalf of the acceding country Croatia; the candidate countries Iceland, Montenegro, Serbia, the former Yugoslav Republic of Macedonia and Turkey; the stabilization and association process countries Albania and Bosnia and Herzegovina; and, in addition, Armenia, Azerbaijan, Georgia, Liechtenstein, Norway, the Republic of Moldova and Ukraine, welcomed the recent endorsement of the Declaration on the Rights of Indigenous Peoples by the four States that had originally voted against it.

25. Indigenous issues were mainstreamed in European Union development cooperation programmes and other policies of the European Union. Through the European Instrument for Democracy and Human Rights, the European Union gave direct support to civil society organizations working on indigenous issues to ensure inclusion of indigenous organizations in policymaking processes. There was also long-standing cooperation between the European Union and the Office of the High Commissioner for Human Rights and the International Labour Organization to promote and protect the rights of indigenous peoples.

26. Because issues affecting indigenous peoples often crossed national boundaries, international cooperation was essential in order to advance the rights and improve the situation of indigenous people. The European Union provided support to help develop the economic, social and environmental potential of the Arctic regions of the European Union and neighbouring areas through a regional approach, including cross-border collaboration in the fields of innovation, business competitiveness, accessibility, education, research, natural resources and cultural heritage. In the new European Union human rights strategy, the European Union was committed to further developing its policy in the context of the Declaration.

27. **Ms. Young** (Belize), speaking on behalf of the Caribbean Community (CARICOM), noted that once again an observer delegation had spoken before a State speaking on behalf of a group. That should not be taken as a precedent.

28. The mechanisms with mandates specific to indigenous peoples, the Permanent Forum on the Rights of Indigenous Peoples, the Expert Mechanism on the Rights of Indigenous Peoples and the Special Rapporteur, should be complementary and should

reinforce the Declaration. Their cooperation should aim for improved alignment of efforts towards promotion of the rights of indigenous peoples and consolidate efforts to raise awareness of the Declaration institution-wide.

29. Despite recent steps such as the launching of the United Nations Indigenous Peoples' Partnership and the drafting of the United Nations Development Group Guidelines on Indigenous Peoples' Issues, more must be done to address the continued lack of knowledge of the Declaration. In that context, note was taken of the Special Rapporteur's recommendation that the agencies, funds, programmes and intergovernmental organizations of the United Nations system consult with indigenous peoples in accordance with the same standards of consultation that applied to States under the Declaration. Absent further clarification, CARICOM was hesitant to endorse that recommendation, as it seemed to expand the obligation of the United Nations beyond what was set forth in the Declaration.

30. The World Conference on Indigenous Peoples in 2014 should provide an opportunity to secure the highest political support for the rights of indigenous peoples. The outcome should therefore be focused on pragmatic, action-oriented measures that would engender an environment in which indigenous peoples could fully enjoy their inalienable human rights.

31. CARICOM member States had seen a paradigmatic shift in the relationship of the State and indigenous peoples. Commonwealth jurisprudence had long ago repudiated any doctrine claiming to extinguish indigenous rights by conquest or settlement, and that was reflected in the laws and policies of the CARICOM countries. All of the CARICOM Constitutions guaranteed fundamental rights and freedoms to all, without discrimination. The rule of law had institutional support, and there was access to an impartial judiciary through transparent legal systems. CARICOM member States were committed to strengthening human rights throughout the region for all its people and would continue efforts to fulfil the aspirations of indigenous peoples within the context of States' national institutions and in line with the Declaration.

32. **Mr. Han Qing** (China) said that, for historical and objective reasons, indigenous people were in a vulnerable position and faced difficulty gaining respect

for their legitimate rights. The international community was duty-bound to promote and protect their human right to the natural resources they relied upon for survival. Indigenous people, who were less resistant to the risks of climate change, the food crisis and other challenges, found themselves in an increasingly difficult situation. The relevant United Nations agencies and countries should take effective measures to minimize the negative impact of the crises on the rights and interests of indigenous people.

33. While there were no indigenous peoples in China, the Government supported the protection and promotion of the rights and freedoms of indigenous people.

34. **Ms. Phipps** (United States of America) said that her country's policies on indigenous people involved them in the design of culturally appropriate development policies and programmes and allowed them to benefit from economic growth, health care, education, democracy and conflict mitigation and management. Indigenous people should be involved at each stage of decision-making. The Government worked with federally recognized tribes and encouraged the sustainable use of environmental resources.

35. Efforts had been focused on eliminating violence against women. The Government worked with tribes to address the disproportionate rates of violence indigenous women suffered in the United States and other countries.

36. Work was under way to promote a green economy and train indigenous groups in business management skills. That would attract private investment in sustainable resources management and improve the quality of life in indigenous communities.

37. **Mr. Coelho de Séllos** (Brazil) said that his country's Constitution of 1988 affirmed the right of indigenous peoples to learn in their native languages and according to their own methods of learning. A programme of indigenous education had been launched in 1991, aimed at strengthening indigenous culture, language, native teaching and learning processes and social infrastructure. There were 2,500 indigenous schools in Brazil in 24 states, attended by 17,000 students. Between 2002 and 2007, the number of indigenous students had grown at a rate of 45 per cent, while in secondary schools, growth had been over 600 per cent. More than 90 per cent of the 10,000 teachers

at the indigenous schools in Brazil were themselves indigenous. There were affirmative action programmes to facilitate access by indigenous students to public and private universities across the country.

38. Nearly 56,000 indigenous families were covered by the Bolsa Familia (Family Grant) programme. The Government's major challenge was to adapt the programme to the sociocultural realities of the various ethnic groups who benefited from the initiative.

39. The Indigenous Portfolio initiative supported food security, income generation and cultural enhancement projects proposed and implemented by indigenous communities themselves. More than 80 per cent of the projects were submitted directly by indigenous organizations, and every project involved direct community participation. The Government had established a new federal agency dedicated to health care in indigenous lands, combining scientific methods and indigenous traditional medicine.

40. The National Commission of Indigenous Policy, which consisted of equal numbers of Government officials and indigenous representatives, debated all relevant policies concerning indigenous people in Brazil. Brazilian national policy for indigenous peoples was based on the pillars of the rights to land and cultural identity. Once believed doomed to extinction, indigenous people were now increasing in number and had large land holdings.

41. **Ms. Hewanpola** (Australia) said that her Government's indigenous policy was in line with the United Nations Declaration on the Rights of Indigenous Peoples and the theme of the Second International Decade of the World's Indigenous People, "Partnership for action and dignity". The principles of the Declaration were embodied in her Government's Closing the Gap strategy, the aim of which was to address indigenous disadvantage. Her delegation shared the Secretary-General's view that the inclusion of indigenous peoples' rights in the development agenda beyond 2015 was critical in order to support the Declaration.

42. To address the disadvantages faced by indigenous populations, her Government had invested \$5.2 million in indigenous Australians' education, health, and community development and safety. To strengthen the partnership between indigenous peoples and the State, it had provided \$29.2 million to establish the National Congress of Australia's First Peoples. It had committed

\$10 million annually to indigenous leadership programmes.

43. As stated in the report of the Secretary-General (A/67/273), the constitutional recognition of indigenous peoples was essential in order to guarantee that their rights were upheld. Her Government was actively working to amend the Constitution accordingly and had proposed an Act of Recognition to acknowledge the unique and special place of Australia's first peoples.

44. Her delegation looked forward to the 2014 World Conference on Indigenous Peoples, and urged States Members to support the participation of indigenous peoples' representatives and civil society in the Conference. As highlighted in the reports of the Secretary-General (A/67/273) and Special Rapporteur (A/67/301), full consultation with indigenous peoples on matters which concerned them was essential.

45. **Mr. Boon Som Inong** (Malaysia) said that his Government's aim by 2020 was for Malaysia to become a developed nation and for all members of society, including indigenous people, to enjoy the benefits. Since indigenous communities were a priority in the 2013 National Budget, \$29 million had been allocated to improve their infrastructure. His Government remained committed to strengthening the Department of Indigenous Peoples' Development and the state and district offices responsible for their welfare. Since they should be consulted on matters affecting them, communication was needed to realize the full potential of policies and programmes. The Government encouraged initiatives which benefited indigenous communities and involved the public and private sectors and non-governmental organizations in them.

46. His Government supported the mainstreaming of indigenous peoples' views. It had marked the 2012 International Day of the World's Indigenous Peoples with a national celebration encouraging the use of the media to promote sustainable development for such peoples.

47. In May 2012, the Human Rights Commission of Malaysia had begun its first public hearings on indigenous land rights. Indigenous people had submitted complaints on various matters and had raised concerns about logging, pollution and private estates. The hearings had allowed them to call directly on the Government and civil society for policy guidelines,

and had enabled the Government to respond appropriately. His Government was aware of the challenges faced by indigenous people and was working to overcome them.

48. **Ms. Sandoval** (Nicaragua) said that her Government had reversed the historical exclusion of indigenous people and people of African descent from State policy-making and was implementing the United Nations Declaration on the Rights of Indigenous Peoples. It was convinced that its human development model should be in harmony with the environment and had therefore ratified International Labour Organization Convention 169 concerning Indigenous and Tribal Peoples. It had been a main sponsor of General Assembly resolution 65/198 on the 2014 World Conference on Indigenous Peoples and a co-sponsor of the Commission on the Status of Women's resolution 56/4 on indigenous women.

49. The views of indigenous people and people of African descent were reflected in Nicaraguan legislative reforms. Her Government was determined to implement communal ownership by indigenous peoples of Nicaragua's autonomous regions, and had taken a multi-ethnic approach in its health, education and cultural models. A National Committee for Food and Nutritional Sovereignty and Security had been created, comprising representatives of the State, the Autonomous Regional Councils (representing the indigenous peoples of the Caribbean coast), municipal government and civil society. The autonomous institutions needed to be strengthened in terms of their coordination, competencies and links with the Government.

50. Nicaraguans were proud of their indigenous and African heritage, and respected the Government's good practices. All Nicaraguans recognized the work of the Government and population to restore indigenous people's rights.

51. *Ms. Alfeine (Comoros), Vice-Chair, took the Chair.*

52. **Ms. MacIntosh** (Suriname) said that although all forms of discrimination were outlawed under the Constitution, indigenous groups were among the most marginalized in the country. Her Government had therefore launched a consultation with them and held a national conference on territorial rights in 2011, but the process was complicated and would require time.

53. In the interior, more teachers were being provided to bridge educational gaps; health care already been improved through the construction of medical facilities, and a regional hospital was currently being built. Unique solutions were essential in order to preserve the balance between tribes and ethnic groups while respecting the Declaration on the Rights of Indigenous Peoples.

54. Her Government had noted national and international good practices which could help meet the goals of the Second International Decade of the World's Indigenous People. The lack of disaggregated data on indigenous peoples, however, made the outcome of such practices difficult to assess, particularly with regard to national reporting on the implementation of the Millennium Development Goals (MDGs).

55. It was vital for the development framework beyond 2015 to allow the progress of development initiatives addressing the needs of indigenous peoples to be measured. Intergovernmental outcome documents should pay particular attention to such peoples, and Governments should make commitments regarding them. In the outcome document of the United Nations Conference on Sustainable Development (Rio+20), "The future we want", States Members had recognized the importance of the Declaration on the Rights of Indigenous Peoples.

56. Her Government looked forward to the 2014 World Conference on Indigenous Peoples, which would allow such peoples to participate in discussions concerning them. Her delegation would take part in the preparatory process and generate a climate permitting productive dialogue.

57. **Ms. Mozolina** (Russian Federation) said that her country was one of the world's largest multi-ethnic States. As the country had formed and unified, its ethnic makeup had undergone continuous change, but the notion of colonialism was alien to the Russian Federation. Diverse traditions had always flourished.

58. The Constitution granted special status to indigenous peoples and guaranteed their rights under international law. Their rights were protected under federal law, as well as under the laws of various smaller territories within the Russian Federation. Regions where indigenous peoples lived were able to design their own legislation on the rights of indigenous peoples. Those laws covered such issues as indigenous

participation in government bodies at various levels, traditional livelihoods, setting aside lands for traditional natural resource management and ensuring cultural and educational rights and State support for native languages and literature.

59. Various unique cultures coexisted and thrived in the Russian Federation. Such experience was needed in the world as never before, for globalization threatened to blur the boundaries of cultural and ethnic identity.

60. **Ms. Sumi** (Japan) said that her Government's efforts to uphold the rights of the indigenous Ainu people of Hokkaido and northern Japan were continuing through the Council for Ainu Policy Promotion. In July 2012 the Government had approved the Master Plan for the Symbolic Space for Ethnic Harmony, a national centre to promote respect for the Ainu and transmit their culture to the next generation. Research had also been carried out, for the first time, on Ainu living outside Hokkaido, revealing income and education gaps between them and other Japanese people. Her Government was studying measures to address the problem, and would continue to work closely with the Ainu to create a society in which diversity was respected. It was committed to tackling issues facing indigenous peoples worldwide, in conjunction with the international community.

61. **Ms. González Lofante** (Cuba) said that the adoption of the United Nations Declaration on the Rights of Indigenous Peoples had been a victory in the struggle to recognize the rights of such peoples, and the Second International Decade of the World's Indigenous People had led to progress in the search for solutions to their problems. Contributions to funds supporting the Second Decade should continue and the necessary human resources should be allocated.

62. Her delegation welcomed the General Assembly's decision to organize the World Conference on Indigenous Peoples in 2014 and hoped that it would allow the sharing of best practices relating to indigenous people's rights.

63. Although rules on their rights had been established, indigenous people continued to face grave violations. Her delegation reaffirmed the right of indigenous peoples in the Andes to preserve traditional practices such as the chewing of coca leaves, and recognized the right of the Government of the Plurinational State of Bolivia to protect those practices.

64. The United Nations Human Rights Council should ensure indigenous peoples' full enjoyment of their human rights on the basis of the Declaration. Those rights should not be subsumed into development parameters which had been rejected by indigenous peoples but should be upheld in line with such peoples' needs and interests.

65. **Mr. Errázuriz** (Chile) said that the report of the Secretary General on the Second International Decade of the World's Indigenous People (A/67/273) showed that despite the progress made since the approval of the United Nations Declaration on the Rights of Indigenous Peoples, such peoples remained the most economically and socially disadvantaged group. Their rights should therefore be taken into consideration in the development agenda beyond 2015 and they should be consulted on programmes and policies affecting them.

66. In conjunction with the United Nations Development Programme (UNDP), his Government had conducted a study, including disaggregated data, of progress in the achievement of the MDGs among Chile's indigenous population, submitted in October 2012.

67. The consultation of indigenous people was essential to the exercise of their rights and to his Government's indigenous policy. Many consultations had taken place, more were planned, and the Consultation on Indigenous Institutions had been launched in March 2011. Rules were being developed for future indigenous consultations. The World Labour Organization and the Office of the High Commissioner for Human Rights South American Regional Office had been contacted. His delegation asked the Special Rapporteur on the rights of indigenous peoples for his collaboration on the matter.

68. His Government had introduced a development plan for the Araucanía region, which had increased growth, employment and investment and reduced poverty. An indigenous development area had been created to allow indigenous representatives to influence policies affecting them. The aim of those efforts was to give the indigenous people of Araucanía the same development opportunities as the rest of Chile.

69. **Mr. Staur** (Denmark), speaking on behalf of the Nordic countries, said that despite the progress made over the preceding decade, indigenous peoples faced

injustice because of States' failure to uphold their rights. The gap between the ideals of the Declaration on the Rights of Indigenous Peoples and its implementation should be addressed. His delegation hoped that the 2014 World Conference on Indigenous Peoples would contribute to full respect for such peoples' rights. Their participation and consultation at all stages of the Conference was imperative, and the participation of civil society would also add value.

70. The Nordic countries welcomed the work of the Special Rapporteur on the rights of indigenous peoples, the Expert Mechanism on the Rights of Indigenous Peoples and the Permanent Forum on Indigenous Issues, and called for coordination between them to avoid duplication and create synergies. His delegation supported the Programme of Action for the Second International Decade of the World's Indigenous People (A/60/270) and the United Nations Indigenous Peoples' Partnership. It urged the Special Rapporteur to continue the dialogue with States and the Human Rights Council.

71. The international community should continue to focus on the rights of indigenous women and girls, who suffered from multiple forms of discrimination and were vulnerable to violence.

72. Many indigenous women and girls, however, were able to uphold their rights and those of their peoples. They were essential to the transmission of traditions to future generations. The international community should put measures in place to uphold their rights without discrimination.

73. His delegation was concerned by the disproportionate effect on indigenous peoples of natural resource extraction and infrastructure development. It welcomed the work of the Human Rights Council Working Group on the issue of human rights and transnational corporations and other business enterprises and the Organization for Economic Cooperation and Development in encouraging multinational enterprises to engage more with the rights of indigenous peoples. Although States were the duty bearers in upholding indigenous peoples' rights, business also had a responsibility not to contribute to abuses.

74. Although the participation of indigenous peoples in decisions affecting their rights was fundamental to the United Nations Declaration on the Rights of Indigenous Peoples, there were barriers hindering the

participation of such peoples' representatives in United Nations bodies. The matter should be explored by States Members and indigenous peoples on the basis of the report of the Secretary-General on ways and means of promoting participation at the United Nations of indigenous peoples' representatives on issues affecting them (A/HRC/21/24), in which it was suggested that the General Assembly could set up a working group to provide guidance on the enhancement of such participation.

75. **Mr. Llorentty Solíz** (Plurinational State of Bolivia) drew attention to the fifth anniversary of the United Nations Declaration on the Rights of Indigenous Peoples in September 2012. The Plurinational State of Bolivia was the only country which had incorporated the Declaration in its legal system and the rights of indigenous peoples in its Constitution. The population census to be carried out in November 2012 would provide disaggregated data on intercultural matters and ethnicity.

76. The nationalization of the oil and natural gas industries had allowed his Government to make progress in health, education, housing, employment and infrastructure, and to create the Development Fund for Indigenous Peoples and Rural Communities. Progress had been made in the field of intercultural and bilingual education. Indigenous peoples, in particular women, had been given land to hold on a community basis. His Government had achieved the MDGs relating to extreme poverty, which particularly affected indigenous women, and aimed to eradicate such poverty by 2025. It had passed a law the aim of which was to promote comprehensive development in harmony with Mother Earth, preserving traditional knowledge.

77. Despite the above progress, opposition groups funded by the United States had hindered the implementation of his Government's social policies, as in the case of the planned motorway in the Isiboro Sécure Indigenous Territory and National Park (TIPNIS). On the basis of a February 2012 law, two thirds of the indigenous communities in the Territory had now been consulted as part of a process which would finish in December 2012. In October 2011, indigenous people had participated in elections to the Supreme Court of Justice, Agro-environmental Court, Plurinational Constitutional Court and Judicial Council.

78. Despite many centuries of stigmatization during the colonial period, quinoa and llama meat were now generally considered important foods. The chewing of coca leaves, however, was still internationally prohibited under the 1961 Single Convention on Narcotic Drugs. Studies carried out at universities in developed countries had shown that the ancient practice of chewing coca leaves in their natural form was not harmful. His delegation therefore asked the World Health Organization to conduct a full study of the leaf's properties.

79. General Assembly resolution 66/296 had provided a chance to guarantee the participation of indigenous peoples in the 2014 World Conference on Indigenous Peoples, and would lead to an outcome document based on the Declaration on the Rights of Indigenous Peoples. In December 2012 an international meeting would be held in the Plurinational State of Bolivia to prepare for the World Conference.

80. His delegation would present a draft resolution on the rights of indigenous peoples, emphasizing the Secretary-General's May 2014 final report on the Second International Decade of the World's Indigenous People and progress on the MDGs, which would contribute to the development agenda beyond 2015.

81. **Mr. Fiallo** (Ecuador) said that the world view and rights of Ecuador's indigenous peoples were enshrined in the Constitution. The National Plan for Living Well recognized indigenous peoples' right to community health practices, intercultural education, the dissemination of their cultural heritage, and political participation.

82. His Government had created disaggregated data systems, an essential tool for implementing policies in support of indigenous people. Gender and interculturality were increasingly important in policy-making, and the participation of indigenous people, particularly women and children, allowed them to set out the causes of discrimination. Indigenous peoples' social and economic status was below average; in 2006, indigenous women's rate of access to professional care during childbirth was less than half that of the population as a whole. His Government was adapting the health care system accordingly. Steps were being taken to protect peoples in voluntary isolation, and would require the participation of the international community.

83. His Government had formulated policies to eliminate racism and promote an inclusive society. A bill on coordination between indigenous and ordinary justice systems had been drafted, and training was provided to civil servants to change racist attitudes and behaviour. The first indigenous woman had been appointed to the Permanent Mission of Ecuador to the United Nations, and the first indigenous women and women of African descent had been selected for diplomatic careers. More work was needed, however, to remedy the inequalities between indigenous people and the rest of the population. His Government had therefore supported the inclusion on the agenda of the eleventh session of the Permanent Forum on Indigenous Issues in May 2012 of an item entitled "The Doctrine of Discovery: its enduring impact on indigenous peoples and the right to redress for past conquests".

84. In relation to the fifth anniversary of the approval of the United Nations Declaration on the Rights of Indigenous Peoples, his delegation regretted the fact that the United Nations had not provided appropriate facilities for the high-level meeting. He drew attention to resolution 56/4 of the Commission on the Status of Women, entitled "Indigenous women: key actors in poverty and hunger eradication", and urged the States Members to participate in the 2014 World Conference on Indigenous Peoples, which was a chance to promote such peoples' rights. The process being implemented by his Government with regard to indigenous peoples was an irreversible and essential part of its reform of the State.

85. **Ms. Lyons** (New Zealand) said that the sharing of experiences was one of the strengths of the Permanent Forum on Indigenous Issues. Her delegation welcomed the acknowledgement in General Assembly resolution 66/296 of indigenous peoples' right to participate in the 2014 World Conference.

86. Her Government remained committed to partnership with the Maori in line with the 1840 Treaty of Waitangi and was working to resolve indigenous peoples' grievances, which existed despite the Treaty. The goal was to reach agreement with all tribes by 2014, and the momentum in the settlement of Treaty claims was strong.

87. Maori, however, were over-represented among the most vulnerable New Zealanders. Her Government was addressing this challenge and was committed to

upholding the rights of indigenous peoples. Her delegation welcomed the Special Rapporteur's call for better coordination within the United Nations system and reiterated its support for him, the Permanent Forum on Indigenous Issues and the Expert Mechanism on the Rights of Indigenous Peoples.

88. **Mr. de Alba** (Mexico) said that the 2014 World Conference on Indigenous Peoples was a unique opportunity to promote such peoples' rights. Thanks to the participation of their representatives in the consultation for General Assembly resolution 66/296, the Conference would be organized in line with the United Nations Declaration on the Rights of Indigenous Peoples. The unprecedented arrangements for the participation of indigenous people in the Conference would ensure its success. That approach should be maintained for the drafting of the outcome document.

89. The specific characteristics of each region should be reflected to ensure that the outcome document would serve as a road map through which indigenous peoples' rights could be upheld and steps taken towards the development agenda beyond 2015.

90. The Special Rapporteur, the Permanent Forum on Indigenous Issues and the Expert Mechanism on the Rights of Indigenous Peoples should continue defining good practices in the defence of such peoples' rights, and should ensure coordination to avoid duplication. The Commission on the Status of Women had also turned its attention to indigenous matters and adopted resolution 56/4 on indigenous women. The importance of indigenous peoples to sustainable development had been recognized in the Rio+20 outcome document, "The future we want". His delegation, however, would have preferred a more direct link between indigenous peoples' rights and sustainable development; such a link should be made in the development agenda beyond 2015.

91. His Government would continue contributing to the United Nations Voluntary Fund for Indigenous Populations, to which it had donated \$30,000 in 2012.

The meeting rose at 1 p.m.