



Anglican Communion Office
at the United Nations

Permanent Forum on Indigenous Issues

Wednesday, May 14 2014

Open Dialogue between governments, indigenous peoples' organizations, and UN agencies

By: Gaya Kodiyalam

Main Focus:

- The indigenous peoples in Bangladesh and the Philippines (both dealing with land disputes)

Notable Comments From the Delegates:

Bangladesh: *Debashish Roy (King of the Chakma Circle, Bangladesh's largest indigenous community)*

Problem:

- The indigenous peoples of Bangladesh are dealing largely with land disputes and displacements; the Land Commission Act of 2001 which aimed to alleviate these issues has not been effective until now (14 years later)
- The indigenous peoples of Bangladesh continue to lose their land to the military, settlers, and private corporations
- The indigenous peoples of Bangladesh are not being fully represented by law enforcers, and as a result, they are forced to flee their ancestral homes

Solution:

- UN Agencies and Systems must collaborate with the governments; this will increase the number of people involved and working towards the same goal
- The CHT Land Commission, which acts like a court to provide remedies for land disputes, and the Chittagong Hill Tracts Land Dispute Resolution Commission must work in accordance with the laws and customs of the region
- A neutral, knowledgeable leader should take over and head indigenous peoples activist groups

Conclusion:

- "The states shall establish and recognize the rights of indigenous peoples" (Article 27, UNDRIP)
- The indigenous peoples of Bangladesh should have rights to compensation for lands, territories, and resources which have been taken

Denmark: Permanent Mission of Denmark and Nordic Regions

- Denmark fully supports efforts to resolve issues in the Chittagong Tracts of Bangladesh
- The protection of human rights must be a collective effort; the most important issue at hand is the plight of women and girls who are still being effected by conflict in this area
- The threats against women's safety in the Chittagong Tract is truly alarming and needs to be resolved immediately

African Caucus:

- The indigenous peoples of Bangladesh, the Philippines, and of Africa are constantly displaced and deported by armed forces (usually in places of rich resources)
- There is extreme violence in these areas and individual property rights are not in accordance with indigenous ancestral rights
- The African Caucus calls upon organizations to look at colonial land ownership and its effect on the indigenous peoples

Disability Caucus:

- Data is available that indigenous girls and women with disabilities face chronic problems like the lack of access to sound medical help, discrimination, and abuse
- These girls and women are oftentimes not taken seriously; those with psychosocial disabilities are more vulnerable to trafficking
- Indigenous women and girls with disabilities need to have equal access to various different agencies to get help

Indigenous Peoples of Central Africa:

- Over the past two decades, there has been meaningful progress on the front of indigenous peoples in Central Africa; they have gained representation in almost all countries in Africa and they are being recognized in democratic institutions and public administrations
- However, in some areas, the indigenous peoples of Central Africa are still "wallowing in vulnerability and heightened in equality" and most are illiterate
- What is often disregarded is the prominence of slavery still existing in certain places; slaves are not accounted for as indigenous peoples

Recommendation:

1. Countries of Central Africa should bring up these issues at the 3rd conference in South Africa (including slavery)

Lagos Amazon River:

- The Amazonian indigenous peoples are facing land dispute claims, the aggressive policy of colonization, and the pillaging of ancestral regions and natural resources

- The indigenous peoples in this region are not being consulted about the processes occurring or any decision-making regarding their land
- The region is being destroyed by mining and hydrocarbons, which is damaging the environment and the socio-cultural aspects of the inhabitants
- With the new development projects of IRSA taking place in the region, the Amazon people's lands will be directly affected by the encroachment

National Alliance of Indigenous Peoples in the Philippines:

- The indigenous peoples of the Philippines face issues of systematic land grabbing and the violation of rights to sustainable development
- The indigenous peoples in this region who defend their land or fight for their rights are being vilified and criminalized
- The indigenous peoples should be allowed to defend their land and should not be penalized for attempting to protect their rights



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Permanent Forum on Indigenous Issues

Monday, May 19 2014

Discussion on the World Conference on Indigenous Peoples; High-level Plenary Meeting

By: Gaya Kodyalam

Main Focus:

- To observe the main objectives of the World Conference → to share the goals, objectives, and perspectives of the indigenous peoples

Notable Comments from the Delegates:

Global Coordinating Group (global indigenous planning group):

- Clearly there is a lack of progress in fostering equality for the indigenous peoples; it is frustrating for them and they wish to participate in decisions that affect them
- The high-level meeting helps create a new framework at the UN to make this happen; the Modalities Resolution needs to uphold the rights of the indigenous peoples
- The president of the General Assembly needs to present strength and leadership on order for the indigenous peoples to be equally and accurately represented

General Assembly President:

Roadmap (World Conference):

- The president will personally preside over consultation with member states and indigenous peoples and during the consultation he will invite member-states and indigenous peoples to share with him what they think should be in the outcome document
- He will create a zero-draft, which will be shared with member-states and the indigenous peoples, and then a revised document will be created
- *Timeframe:* The first consultation will be held on or before the 29th of May 2014; it will ensure a fair process and inclusion of the member-states and indigenous peoples

Minister of Women for Government of Paraguay:

- The Republic of Paraguay believes this body is important in moving forward transactions between the indigenous peoples and legislation
- Paraguay reaffirms that indigenous peoples should be represented and given space for dialogue in decision-making relating to them
- The World Conference with strengthen coordination and linkages between indigenous peoples around the world
- Sustainable development is possible with respect to the land, history, and culture of the indigenous peoples
- They need to be involved in decisions that not only affect them directly, but also indirectly; the Government of Paraguay responds to this by guaranteeing them the opportunity to be involved in decisions that affect their heritage and control things that meddle with it (both tangible and intangible)
- Their basic human rights, language, heritage, culture, regions and dialects are important because it preserves them; these should not be compromised

Latin America/ Caribbean:

- The plight of the indigenous peoples continues to be a priority in Latin America; they have been made visible through population censuses in 2010
- 30 million were identified in Latin America and Central America and they were extremely diverse in terms of geography, society, and ways of life
- The countries in Latin America have made efforts on the fronts of health and education of indigenous peoples- there has been an increase in formal education for indigenous boys and girls and the gender gap is slowly closing

Government of Chile (Minister of Social Development):

- There needs to be a community where indigenous peoples can experience their rights and autonomy with confidence
- The UN, along with Chile, should continue to build spaces for dialogue for the indigenous peoples
- There should be special consideration given to recommendations submitted by indigenous representatives (especially women and youth)
- It is indispensable to include the informed decisions of the indigenous peoples in the World Conference

Global Indigenous Women's Caucus:

- Indigenous women have knowledge and experience and should be given the right to speak up and make a difference

Pacific Caucus:

- The adoption of the UN declaration of 2007 was a major achievement for indigenous peoples; it facilitated positive negotiations between indigenous peoples and member-states
- However, some aspects of the organizational framework was disappointing because certain member-states did not guarantee representation from indigenous peoples
- “Equal, direct, and meaningful participation by all indigenous peoples in all stages of the World Conference is essential”

National Congress of American Indians:

- The Congress represents over 250 tribal nations in the United States
- The declaration of 2007 is having little impact on the human rights of indigenous peoples; they are being displaced from their lands because of mega projects
- Violence against indigenous women in the American Indian community is an ongoing issue

Recommendations:

1. UN established body should consist of indigenous experts, should be empowered to receive relevant information, and should promote compliance with the declaration
2. At the high-level conference, people must share their realizations, share their practices to focus on violence, and focus on human rights issues for indigenous women and children
3. Focus should be on the indigenous religious and cultural preservation (including their sites)- expert meetings, studies, and research should be conducted
4. The indigenous peoples should gain constitutional/ customary/ permanent status so that they do not have to call themselves NGOs and can represent themselves at UN events

Government of Finland (Permanent Representative):

- There should be more informal meetings for indigenous peoples organized
- Finland’s delegation encourages other governments to include them in national delegations
- Finland has a longstanding commitment to the reservation and promotion rights of indigenous peoples; The Alta outcome document and active participation of indigenous peoples in the Alta Conference is of extreme importance

Government of Brazil (Permanent Representative):

- The indigenous peoples are the heart of Brazil
- Some adjustments need to be made to the outcome document; they need to have rights to possession of land and natural resources owned by them
- They need to have the right to autonomy and self-governance

- They need to have the basic human right to development → strategies and priorities in their regions need to be created and decided by them
- Informed consent is integral



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Tuesday, May 20 2014

Human Rights: Implementation of the UN Declaration on the Rights of Indigenous Peoples

By: Gaya Kodyalam

Notable Comments from the Delegates:

Voluntary Fund for Indigenous Peoples (Oldest UN organization for Indigenous Peoples, created in 1985):

- The fund was created to mandate indigenous peoples to participate in the forum of indigenous peoples
- It provided them with resources and the means to participate in the processes/ mechanisms involved in their land use; it also helped claim them rightful seats at the UN declaration creation and implementation
- One issue however, is their ability to get to conferences and meetings pertaining their rights- they need to have the financial means to travel from their oftentimes poor and destitute hometowns to the places of decision-making

International Commission on Human Rights

- The indigenous peoples are subjects of their own history both socially and politically → they run their own systems and generated their own body of law
- The issue is that the Inter-American system does not adequately prevent the escalation of conflict in the areas inhabited by indigenous peoples; it fails to recognize their right to land and the conservation of their territories
- Human rights are a *construction* and are constantly *under development*
- A call to member-states (maintaining international relations) is important

Government of Paraguay (Minister of Women):

- The government of Paraguay has been examining the social and economic development of the indigenous peoples
- Educational programs directed towards various indigenous peoples have been developed
- In order to reduce poverty amongst them, hundreds of communities have received new housing through the construction program

- Spaces for women have been created (the largest gender gaps effect indigenous women in rural contexts)
- Indigenous women must become more visible in the post-2015 development agenda

Australian Human Rights Commission:

Recommendations:

1. The laws and policies of the Declaration should be audited
2. There should be human rights training and implementation
3. There should be meaningful dialogue between the indigenous peoples and their human rights institutions

*The National Strategy aims to operationalize the declaration, series of the community, businesses, and development meetings to discuss how to implement the declaration

Government of Brazil:

- There are 270 different languages in Brazil, many of those languages belong to the indigenous peoples who fill our country
- The National Health Care Policy of Indigenous Peoples has been developed and implemented in Brazil with the indigenous peoples at all levels (a quota system has been developed for indigenous communities)
- Brazil has been consistent with the declaration → there has been tangible results including increased land rights, educational advancements, the preservation of culture, and political involvement and representation at the legislative level

Asia Caucus:

- The indigenous people of Asia are extremely vulnerable
- The Asian government is trying to fight against the terrorism that effects the indigenous peoples → but local resistance and militarization is making it difficult
- There have been many violent acts towards indigenous peoples, increasing amounts of land-grabbers, and 16 indigenous women were killed recently, which are all unacceptable and unfair



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Wednesday, May 21 2014

Post-2015 Development Agenda

By: Gaya Kodiyalam

Main Focus: to discuss the involvement of the indigenous peoples in the post-2015 development agenda, both in decision-making and in representation

Program of Action: Second International Decade of the World's Indigenous Peoples (2005-2014)

- Proclaimed by the General Assembly
- Objectives: to promote non-discrimination and inclusion, to promote full and effective participation, to promote development policies that are culturally appropriate, including respect for the cultural and linguistic diversity of indigenous peoples, to adopt targeted policies, programs, projects and budgets for the development of indigenous peoples
- It looked to develop strong monitoring mechanisms and enhance accountability at the international, regional, and particularly the national level
- When looking at the development outcomes, indigenous peoples usually rank lower in educational attainment, health outcomes and political involvement
- The lack of data on status of the indigenous peoples hinders possible help from other parties
- There is a need for a paradigm shift so that the post 2015 agenda incorporates the indigenous peoples fully – it is important to take notes on the gains and gaps on this front

Program of Action: Global Conference of Indigenous Women from the 7 Socio-cultural regions (Lima, Peru)

- Position document- aims at promoting proactive and consensual decision-making participation, eradicating discrimination and poverty faced by indigenous women
- Priorities: access to eliminate inequality, protection and respect to the rights of indigenous peoples, especially women
- Recognition of the contribution of traditional knowledge to sustainable development, and recognition of the importance of women; “the custodians of traditional knowledge is none other than women”
- “All nurturing aspects of life actually rests on women”

- Human rights approach, environmental approach, gender based
- It is important to locate and use the budget allotted to indigenous peoples efficiently
- In these budgets, oftentimes there is no mention of women, girls and children, which are the pillars of society

Notable Comments From the Delegates:

Indigenous Peoples Major Group:

- It is important to focus on the Sustainable Development Goals and the Post-2015 Development Agenda
- There is a lot of focus on the World Conference and criticism from the indigenous peoples regarding the Millennium Development Goals
- The UN is now engaging with governments and civil societies to build momentum towards an “ambitious post 2015 development agenda”
- Criticism from the indigenous peoples includes: their invisibility throughout the MDG process, their lack of involvement in the formulation of the MDGs, and their lack of inclusion in learning about the MDG progress/implementation/ decision-making
- The situation for indigenous peoples has not really improved in terms of poverty eradication, health, education, and women’s rights
- The United Nation’s Conference on Sustainable Development (Outcome Document) sets the basis for the post-2015 agenda → within the process, the member-states have launched an “all inclusive and transparent process to converge with the post-2015 agenda” (participation in the Open Working Group on Sustainable Development is important and necessary in order to make this goal happen)
- According to the Open Working Group on Sustainable Development goals, one of the main points of interest is that the mandate calls for the full involvement of relative stakeholders
- Besides participating in Open Working Group, there is also the “world we want forum” which lists inequalities indigenous peoples face
- The High Level Political Forum on Sustainable Development will also have opportunities for indigenous peoples to participate, but the modalities have not been confirmed yet
- Intergovernmental Committee of Experts on Sustainable Development Financing is gaining a lot of participation from indigenous peoples
- There needs to be more representation from indigenous peoples in Action Networks, which are action-oriented communities meant to catalyze actions among all stakeholders and their networks to implement concrete policies, plans, programs, projects in support of the objectives of the network

Open Working Group on the Sustainable Development Goals (Co-chair):

- ***Mission:*** To eradicate poverty, to save the planet and to make sure that all societies are inclusive
- ***Vision of member-states during the last year:*** it is important for the major groups to always include indigenous peoples; they must work to reduce inequalities and eliminate hunger, extreme poverty; they must also work to significantly reduce relative policy and create a group that interests all vulnerable peoples, including indigenous
- A development model should be created that is gender sensitive, that increases resource and energy efficiency, and that contributes to social/human capital, and supports peaceful communities
- Combating climate change should be a priority; many member-states argue that it should be main-streamed and not a stand-alone job
- ***What is the way ahead?*** There are two more sessions that are very important; the open working group sessions will be open to everyone, so everyone should get involved
- Although most indigenous peoples believe they are misrepresented in the zero draft and outcome document, it should be known that they are included in the “vulnerable groups of society”
- Success or failure of achieving sustainable development will be in our national plans and national implementations- there must be collaboration with governments, since they decide what ultimately happens

****Civil societies, NGOs, and scientific actors will be very much needed in the phase of answering the question of how and what should be done to implement these goals according to national conditions***

Government of Mexico (Minister of Foreign Affairs):

- A Sustainable Development Goal that would close the gap in inequality should be based on human-rights and should incorporate culture and identity; indigenous peoples should be represented in the areas of education and health care (with cultural relevance and quality)
- During the global conference in Lima, Peru, it was indicated that indigenous women are not the problem but the solution; they are key players in achieving the goals set (the wisdom of the indigenous peoples is necessary in the development of world knowledge, land, and traditional knowledge)
- Violence against women, violence against mother earth, and spiritual violence must be eliminated
- A new agenda which is universal in nature is needed; it must have true statistical revolution that would provide for public policies that are inclusive in gender

Federal Parliament of Mexico

- The Millennium Development Goals were an achievement for the world because it helped make clear the state of affairs in each of the countries

that are part of the UN (it is the cooperation and dialogue among nations that brings about change)

- Mexico has reported on significant progress in access to primary education, promotion of world partnership for development, gender equity), but those which lack improvement have effected indigenous peoples greatly
- More than 80% of indigenous peoples are in abject poverty, 6.3 of indigenous children do not have access to education and the under 5 mortality rate for indigenous peoples is 60% more than those who are not indigenous
- Indigenous peoples need to be part of future decisions in general, not just for things that directly/indirectly them
- *Recommendation:* The central concepts which guide the action for the next years should be *intercultural exchange and sustainable development*; it should be based on the fact that all countries are multi-cultural
- It is necessary that the UN declaration be binding in nature and that each and every state commit to harmonizing its legislations, policies and budget with this instrument
- It is important to support specialized prosecutors offices that represent the indigenous peoples

Government of Australia

- Health, education and gender are at the forefront
- The new agenda should promote investment in the enablers of sustainable development such as infrastructure and modern energy; this will assure that people have access to health, energy, and water

Permanent Mission of Brazil

- Indigenous peoples need to be incorporated in the post development agenda and sustainable development goals
- The land is an integral part of their world view- natural elements permeate their spiritual life and cultural activities and it is important to their way of life
- PNGATI- adopted in 2012 and launched in Brazil; the main objective is to protect, recover, foster use of natural resources in indigenous territories
- Indigenous peoples are becoming increasingly involved in river basin committees and the Brazilian climate change forum so that they may be involved in decisions that directly effect their land
- *Strategies-* to foster social inclusion, economic development, and environmental protection in a way that respects their land

Asia Indigenous Caucus:

- There has been continuous neglect and deprivation of basic services for indigenous communities in Asia
- There are extractive industries, like mining and logging, that are being implemented in indigenous territories and displacing them
- Basic violation of human rights for women and children; indigenous leaders and activists are being killed (which causes dislocation and further marginalization of territories)
- The indigenous peoples were invisible in the creation and implementation of the MDGs and this cannot happen again with the creation and implementation of the SDGs
- Most indigenous peoples rely on hunting, gathering, pasteurization, and small-scale agriculture and farming to sustain themselves, so taking away their land is inhumane

Government of El Salvador

- The main objective of the agenda should be poverty eradication with a focus that attacks inequity and which overcomes deficiencies and gaps that have been implemented and identified in MDGs (shared responsibility, applicability of national context)
- Main areas of focus for indigenous peoples should be sustainable agriculture, ecosystems and biodiversity



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Permanent Forum on Indigenous Issues

Thursday, May 22 2014

Changing the name of the forum to “Permanent Forum on the Rights of Indigenous Peoples” from “Permanent Forum on Indigenous Issues”

By: Gaya Kodiyalam

Main Focus: to figure out whether or not the forum title should be changed to the “Permanent Forum on the Rights of Indigenous Peoples”

Notable Comments from the Delegates:

Greenland Government:

- The change of name is in line with the declaration of the rights of indigenous peoples and would reaffirm a strong commitment to the declaration and its implementation

Asian Indigenous Peoples Caucus:

- In Asia, indigenous peoples’ right to life of peace and security are increasingly threatened
- Many governments in Asia are implementing national security laws that have impacted the peace and security of indigenous peoples; in recent years, many communities and their leaders have been subject to harassment, attack, and killings as a result of these plans
- There has been massive evacuation of communities for long periods of time; it has been disrupting their socio-economies and general security
- The Military used to drive indigenous peoples out of their communal land and territories; many are separated from their people
- The Asian Indigenous Peoples Caucus feel that the title change will represent the rights of the indigenous peoples better

Government of Chile (National Corporation for Indigenous Development):

- The emphasis is being placed on the exclusion that has been suffered by Chile’s indigenous peoples; As a government, the great challenge is to make sure that the indigenous peoples can participate in the levels of decision-making that affect them (11% of Chile’s population are indigenous)
- There needs to be new institutions created for and by the indigenous peoples

- Conditions must be created in which indigenous peoples can actively participate: 1) free prior and confirmed consent for land use 2) health care 3) inter-cultural exchange
- The first step is to restore trust from the indigenous peoples and the state

Disability Caucus:

- The caucus of indigenous persons with disabilities recommends the development of an integrated approach for disabled indigenous peoples to have the same rights as non-disabled indigenous peoples and the non-indigenous
- Indigenous women have more trouble gaining rights to political say and citizenship
- Many of the disabled indigenous do not have birth registries; this makes them invisible and holds them back from being able to vote (they are also not allowed to be elected or run for positions)
- People who have problems with their fingers or upper parts of their bodies need to be accompanied in order to vote, and this is not allowed in the current electoral process
- As future work, the responsibility of indigenous peoples with disabilities is to invite and recommend the forum to have organizations like UN women, and UNICEF to join together and involve the indigenous peoples in meetings

Government of Argentina

- The Argentinian reform focuses on the integrated rights of indigenous peoples in the constitution and recognizes their rights to bilingual education, their culture, and participation in natural resource management
- Argentina has worked fruitfully to protect their rights in various multilateral levels like in the UN and on the local level
- The Government of Argentina believes that the World Conference is a worthwhile state for dialogue and is a unique opportunity to give new impulse to protecting, guaranteeing, and promoting the rights of indigenous peoples as enshrined in the UN Declaration
- The Government of Argentina fully supports the title change

UNIPP (European support and solidarity agreements working for indigenous peoples rights):

- The Permanent Forum should explore opportunities to provide guidance for the UN working group on business, and it should be actively involved in meetings between indigenous peoples and the UN working group (immediately and prior to the annual forum on business and human rights)

Government of Colombia:

- The Government of Colombia believes the forum name should be changed to the “Permanent Forum on Indigenous Peoples” (taking out the “rights” part because it is somewhat restrictive and there are discussions on more things than just rights)

Indigenous Peoples and Nations:

- Alta document took place on the traditional lands and territories of the Sami people of Alta- the UN should recognize indigenous peoples and nations based on inherent sovereignty and rights of self determination in international law
- The world must “Adopt as a matter of urgency appropriate permanent measures to assure that indigenous governments, bodies and institutions are able to participate at the UN as observers with at a minimum, the same participatory rights as NGOs and consultative status at ECOSOC”
- The delegation would like to support the name change of the agenda item

Indigenous Peoples of Canada:

- Canada’s own constitution recognizes the aboriginal rights– but it continues to promote colonialism where second class citizens are living in third world conditions
- Canada’s form of compensation is in the form of “take it or leave it”
- Canada is more interested in extinguishing indigenous peoples’ rights and their ownership of Canada
- Canada is still passing statutes and legislations effecting the indigenous peoples’ rights without consulting them at all
- The government is attempting to impose legislation on contraband tobacco, which will criminalize the people for their livelihood (tobacco is a part of indigenous traditions and ceremonies)
- Canada does not listen to the first peoples of this land