

Preparatory Regionals & Alta Conference

Indigenous representatives on six continents, the Pacific Region and a Women's and Youth Caucus convened regional meetings around the world to formulate "themes" and "topics" important to each region. The results of these sessions are published here. After the regional and caucus sessions were concluded up to 52 individuals from each of the regions and caucuses traveled to the Sami town of Alta in Norway to negotiate a combined document that would be called the Alta Declaration--published here as well.

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Resolution of the 6th Congress of the Indigenous Peoples of the North, Siberia and Far East of the Russian Federation

From:

<http://www.raipon.info/en/the-vi-congress.html>

April 24, 2009, Moscow

The 6th Congress of the Indigenous Peoples of the North, Siberia and the Far East of the Russian Federation (hereinafter referred to as the Congress) representing 40 peoples of the Russian Federation declared that its main objective is the preservation and development of their traditional lifestyles as an inseparable component of the ethno-cultural diversity of the peoples of Russia. The Congress points out that the federal authorities have been engaged in legislative activities aimed at ensuring sustainable socio-economic and ethno-cultural development of the indigenous peoples of the North, Siberia and the Far East of the Russian Federation.

The Congress welcomes the approval by the Government of the Russian Federation of the Concept of the Sustainable Development of the Indigenous Peoples of the World, Siberia and the Far East, hereinafter referred to as the Concept, which promotes the creation of the prerequisite conditions and stimuli for the sustainable development of the indigenous people both with the support by the state and through mobilization of the internal resources of the peoples themselves.

The Congress supports the interaction of the federal authorities and NGOs of the indigenous peoples in preparing the Concept and the draft Plan of Measures for its implementation in 2009 – 2011. The Congress approves of some work by the federal authorities of a number of entities of the Russian Federation in solving the important problems of socio-

economic and ethno-cultural development of indigenous peoples in refining the regional legislation aimed at the protection of the rights of indigenous peoples.

The Congress welcomes the establishment of the National Organizing Committee for conducting the Second International Decade of the Indigenous Peoples of the World declared by the UN General Assembly, which started implementing the set of urgent measures for the preparation and conducting the Second International Decade of the Indigenous Peoples of the World.

The Congress also welcomes the adoption by the General UN Declaration on the Rights of Indigenous Peoples, which declared a wide set of individual and collective rights, including the right to the conservation and development of their cultural peculiarity and a specific identity, the rights to education and participation in the economic and social life of the society in which indigenous peoples live.

The Congress supports the intention of the Russian and foreign nongovernmental organizations to promote the conservation and development of the indigenous peoples of the North, Siberia and the Far East and calls upon the strengthening of their interaction with the federal authorities.

The Congress calls upon the leaders of the UN members countries to use wider the experience of the Russian Federation and to contribute actively to the Second International Decade of the Indigenous Peoples of the World.

At the same time, the Congress pays attention to the fact that until recently there remain some unsolved problems preventing the sustainable development of indigenous peoples of the North, Siberia and the Far East of the Russian Federation and their successful adaptation to present-day conditions, including:

- Ineffective management in integrated approach to the problems of sustainable development of the indigenous peoples of the North, Siberia and the Far East of the Russian Federation ;
- The absence of effective mechanisms of involvement of indigenous peoples of the North, Siberia and the Far East of the Russian Federation in developing and making decisions regarding the socio-economic and cultural development, protection of the traditional environment, traditional lifestyle, traditional economy and occupations on the principle of voluntary, prior and informed agreement by the indigenous peoples as proclaimed by the UN Declaration on the Indigenous Rights ;
- Imperfect legislation, lacking a number of norms guaranteeing the indigenous peoples of the North, Siberia and the Far East some specific rights in conformity with the Constitution of the Russian Federation;
- Impossibility of the implementation of the right to use lands of various categories and other natural resources required for the leading and conservation of the traditional lifestyle, economy and occupations of the indigenous peoples of the North, Siberia and the Far East of the Russian Federation in connection with their distribution on the basis of competitions and tenders.

In order to ensure the legal rights and interests of the indigenous peoples of the North, Siberia and the Far East of the Russian Federation, the Congress believes that the following problems should be solved:

1. The refinement of the legislation regarding the protection of indigenous peoples of the North, Siberia and Far East, including the rights to long-term use of lands of various categories, the use of natural resources required to maintain the traditional lifestyle, traditional economy and occupations serving as a basis for their sustainable development;
2. Ensuring the protection of the native environment, traditional lifestyle and traditional subsistence economies of indigenous peoples of the North, Siberia and the Far East, including the development and adoption of the federal laws : «On the Amendments to the Federal Law «On Traditional Subsistence Areas of Indigenous Peoples of the North, Siberia and the Far East of the Russian Federation» with the retaining of the status of the traditional subsistence territories as protected areas, «On the Protection of the Native Environment, Traditional Lifestyle and Traditional Subsistence of the Indigenous Peoples of the Russian Federation»;
3. Approval of the method for assessment and redemption of the damage to the native environment and traditional lifestyle caused by the detrimental impact of the industrial use of natural resources and removal of lands for state and municipal use at the sites of traditional life and traditional subsis-

- tence of the indigenous peoples of the North, Siberia and the Far East;
4. Incorporation of enactments establishing the rights of the indigenous peoples of the North, Siberia and the Far East into a special legal institution;
 5. Solution to the problems of socio-economic development of the indigenous peoples of the North, Siberia and the Far East and elimination of unemployment among them on the basis of governmental support by introducing state orders for traditional subsistence products of indigenous peoples, organization of high-level processing and marketing of the products of reindeer herding, fishing, sea fisheries, hunting, gathering and development of crafts;
 6. Development of the social infrastructure facilities, medical, educational, cultural, social, transport and other facilities in the areas of the traditional life and traditional subsistence activities of the indigenous peoples of the North, Siberia and the Far East, taking into account their traditional lifestyles and culture;
 7. Augmentation of the social protection of the indigenous peoples of the North, Siberia and the Far East ;
 8. Taking measures to render healthier the demographic situation among the indigenous peoples of the North, Siberia and the Far East;
 9. Settlement of the issues of guaranteed representation of the indigenous peoples of the North, Siberia and the Far East in legal (representative) authorities of the entities of the Russian Federation and the representative authorities of the local administration; including the candidate lists of the political parties and election in the state authorities and inclusion onto the lists of candidates from political parties of for election to the regional representative (legislative) state authorities of representatives of the indigenous peoples of the North, Siberia and the Far East to ensure representation of the above-mentioned peoples in the government bodies of the Russian Federation;
 10. Establishment of an institution of the authorized representatives of indigenous peoples of the North, Siberia and the Far East on the federal and regional levels ;
 11. Establishment of a special division for protection of the rights and socio-economic development of the indigenous peoples of the North, Siberia and the Far East under a federal executive authority;
 12. Development of the mechanism of contribution by indigenous peoples of the North, Siberia and the Far East to the development and implementation of enactments and state decisions regarding the protection of their native environment, socio-economic and cultural development, including the preparation and implementation of the plan for measures of under the Concept; preparation and implementation of the measures under the state support of economic and social development of the indigenous peoples of the North, Siberia and the Far East through allocations from the budget of subsidies to the budgets of the entities

of the Russian Federation;

13. Development and implementation of the measures of state support of economic development of indigenous peoples of the North, Siberia and the Far East under conditions of the world economic crisis;
14. Augmentation of the role of territorial public self-administration by the indigenous peoples of the North, Siberia and the Far East where they have been traditionally residing.
15. Increase in the effectiveness of measures for the development of the cultures of indigenous peoples of the North, Siberia and the Far East due to their vulnerability in the face of modern industrial impact on the environment.

The Congress calls upon the President of the Russian Federation, Federal Assembly of the Russian Federation, the Government of the Russian Federation, legislative authorities (representative) and executive authorities of the entities of the Russian Federation, the international governmental and nongovernmental organizations to take the necessary measures to fulfill the above objectives.

RECOMMENDATIONS

Recommendations of the VI Congress of Indigenous Peoples of the North, Siberia and the Far East of the Russian Federation

April 24, 2009, Moscow

VI Congress of Indigenous People of the North, Siberia and the Far East of Russian Federation (hereafter called Congress) representing in the fully authorized way 40 indigenous ethnoses of the North, Siberia and the Far East of Russian Federation (hereafter

called indigenous people) having heard the reports and accounts from delegates to and participants in the Congress on the existing socio-economic status of indigenous people calls upon the President of Russian Federation, State Duma of the Russian Federation, the Government of Russian Federation, regional legislative and executive authorities of Russian Federation, international intergovernmental and non-governmental organizations, business and industrial companies and indigenous people organizations to take necessary measures for implementation of the following recommendations:

The President of Russian Federation:

- To authorise federal executive authorities:
- To introduce amendments to the legislation on land in Russian Federation in the parts related to execution of indigenous people right for gratuitous use of different categories of land as well as of natural resources in the areas traditionally inhabited by indigenous people and used for traditional economic activities;
- To introduce changes to the legislation on subsoil resources and the use of subsoil resources in Russian Federation in the parts related to secured execution of indigenous people rights for conservation of traditional environment and traditional life style during development of subsoil resources in the areas traditionally inhabited and used for traditional economic activities by indigenous people, following the principles of free precautionary and conscious choice and consent of these indigenous people and also the rights for compensation of damage made to traditional environment of indigenous people making it impossible to continue traditional economic activities;

- To carry out integrated assessment of environmental, economic and social impacts from the implementation of state programmes for development of oil and gas deposits and development of hydro-energy complex in the areas of the North, Siberia and the Far East and adjacent shelf on the traditional environment and traditional life style of indigenous people;
- To secure implementation of provisions of the UN Declaration on Indigenous Peoples Rights during further improvement of legislation in Russian Federation.
- To recommend to the Presidential Plenipotentiary Envoys in federal districts to carry out, jointly with indigenous people organizations, annual monitoring of violations of indigenous people rights;
- To recommend to the Presidential Plenipotentiary Envoy in North-Western Federal District that a consultative experts council on indigenous peoples issues is established and includes authorised representatives of indigenous people;
- To introduce for ratification by the Federal Assembly of Russian Federation Convention 169 of the International Labour Organization “On Indigenous and Tribal Peoples” signed in 1989; Federal Assembly of Russian Federation
- To develop and adopt the Federal Law “On amendments to the Federal Law “On the Guarantees of Indigenous Peoples Right in Russian Federation” to authorise the Government of Russian Federation to develop and approve methodology for assessment of damage to traditional environment and traditional life-style of indigenous people caused by economic activities of individuals and organizations, and for the procedures to assign the citizens of Russian Federation to certain indigenous ethnoses of the North, Siberia and the Far East;
- To develop and adopt the Federal Laws “On conservation of traditional environment, traditional life style and traditional land use of indigenous peoples of Russian Federation” and “On introduction of amendments to certain legislative acts of Russian Federation linked to adoption of the Federal Law “On conservation of traditional environment, traditional life style and traditional land use of indigenous peoples of Russian Federation”;
- To develop and adopt the Federal Law “On amendments to the Federal Law “On the Traditional Land-Use Territories of Indigenous People of the North, Siberia and the Far East of Russian Federation” and to certain legislative acts of Russian Federation” as concerns applications and appeals from indigenous people, their unions or authorized IP representatives for designation of traditional land-use territories of indigenous people of the North, Siberia and the Far East of Russian Federation as well as management and control of their gazettment, functioning and protection;
- To introduce amendments to the Federal Law “On Fisheries and Conservation of Aquatic Biological Resources” as concerns priority access rights for indigenous people to the fishing plots and to aquatic biological resources (such as signing the agreements on the use of fishing areas with individuals that belong to indigenous people of the North, Siberia and the Far East of Russian Federation or their communities and family enterprises without the tenders

for the rights to use fishing areas; providing exempt mechanisms in terms of timing and areas for harvesting of aquatic biological resources, sex and age ratios and total amounts of aquatic biological resources to be harvested; allocation of exclusive indigenous peoples rights for harvesting of certain types of aquatic biological resources, specifics of marine mammals harvesting etc.);

- To introduce amendments to the Tax Code of Russian Federation as concerns the use of terminology in compliance with the Federal Law “On General Principles for Set Up And Operations of Indigenous Communities And Community Enterprises of Indigenous Peoples of The North, Siberia And The Far East of Russian Federation” and the Federal Law “On Fisheries and Conservation of Aquatic Biological Resources”, as well as for provision of tax exemptions and preferences to indigenous communities and community enterprises carrying out traditional land use;
- To develop and adopt the Federal Law “On Game-Hunting” as concerns secured priority access of indigenous peoples, their communities and other types of indigenous organizations to the game-hunting areas and game resources;
- To develop and adopt the Federal Law “On Marine Mammals Harvesting by Indigenous People of the North, Siberia and the Far East of Russian Federation”;
- To develop and adopt the Federal Law “On the Northern Reindeer Herding”; To introduce amendments to the legislation on land in Russian Federation in the parts related to execution of indigenous people right for gratuitous use of different categories of land as well as of natural resources in the areas traditionally inhabited by indigenous people and used for traditional economic activities;
- To develop and adopt the Federal Law “On amendments to some legislative acts of Russian Federation” (to the Water Code, Forest Code and Land Codes of Russia, and to the Federal Laws “On the turnover of agricultural lands” and “On specially protected natural areas”) as concerns introduction of regulatory mechanisms for implementation of priority rights of indigenous people of the North, Siberia and the Far East of Russia to use renewable natural resources and the areas (aquatories) where they can be harvested;
- To develop and adopt the Federal Law “On amendments to the Forest Code of Russian Federation and to certain legislative acts of Russian Federation” as concerns specifics of forest management and the use of forest resources in the areas traditionally inhabited and used economically by indigenous people;
- To develop and adopt the Federal Law “On amendments to the Federal Law “On Subsoil Resources” as concerns specifics of subsoil resource development in the areas traditionally inhabited and used for traditional economic activities by indigenous people to secure full implementation of their rights for conservation of traditional environment and traditional life style, following the principle of free precautionary and conscious choice and consent of these indigenous people, and also the rights for compensation of damage made to traditional environment

and traditional economies of indigenous people;

- To develop and adopt the Federal Law “On introduction of amendments to certain legislative acts of Russian Federation” as concerns regulation of payments for the lands of different categories in the areas traditionally inhabited and of traditional economic activities of indigenous people;
- To develop and adopt the Federal Law “On amendments to the Federal Law “On Environmental Impact Assessment” in terms of obligatory assessments of overall acceptability of planned industrial or other developments in order to prevent unfavourable impacts from these activities on the natural environment, traditional land-use and traditional life-style, economic activities and harvesting practices of indigenous people and related social, economic and other consequences of those development projects that are subject to EIAs;
- To develop and adopt the Federal Law “On amendments to the Federal Law “On the Main Guarantees of Voting Rights and the Rights for Referenda to the citizens of Russian Federation” and to the Federal Law “On the general principles of organization of legislative (representative) and executive governing bodies in the regions of Russian Federation” as concerns additional guarantees of electoral rights for the indigenous citizens, including the quotas for representation of indigenous people in legislative (representative) authorities in those regions of Russian Federation where indigenous people live;
- To develop and adopt the Federal Law “On amendments to Article 16 of the Law of Russian Federation “On Education” and to Article 11 of the Federal Law “On Higher and Post-Graduate Professional Education” to provide for quotas in target education groups for representatives of indigenous people of the North, Siberia and the Far East of Russian Federation;
- To develop and adopt Federal Law “On amendments to Article 12 of the Law of Russian Federation “On Education” as concerns inclusion of nomad schools into the list of educational bodies;
- To develop and adopt the Federal Law “On Amendments to the Law of Russian Federation “On Education” and to the Federal Law “On the general principles of organization of legislative (representative) and executive governing bodies in the regions of Russian Federation” in the parts providing for authorised rights and responsibilities of state government authorities in the regions of Russian Federation to develop within the existing system of education the conditions for conservation and development of indigenous peoples languages and for teaching of mother tongue indigenous languages as part of obligatory school curricula;
- To develop and adopt the Federal Law “On amendments to the Federal Law “On additional guarantees of social support for orphans and for children left without parental care” to assign provisions for social support during the study period to students and undergraduates from indigenous people of the North, Siberia and the Far East;
- To develop and adopt the Federal Law “On the Sea of Okhotsk”;
- According to Paragraph 2 Article 5 of the

Federal Constitutional Law “On designation within Russian Federation of the new administrative region of Russian Federation as a result of merging of Krasnoyarsky krai, Taimyr (Dolgano-Nenets) Autonomous Region and Evenk Autonomous Region” – to develop and adopt the Federal Law “On the Status of Taimyr (Dolgano-Nenets) Autonomous Region and Evenk Autonomous Region as part of Krasnoyarsky Krai” to provide for retaining the status of autonomous regions for these two administrative subregions;

- To support adoption of the Federal Law □ 429576-4 “On amendments to the Federal Law “On retirement pensions in Russian Federation” in the part that provides for definition of baseline portion of retirement pensions taking into account regional coefficients for those people who live in the areas with severe climate conditions though not belonging to the areas of Extreme North and the areas assigned to this category.

The Government of Russian Federation

1. To develop and approve regulatory legal acts of the Government of Russian Federation:
 - “On the measures of state support to traditional economic activities of indigenous people” to provide for the state government order for the products of traditional land use and traditional economy of indigenous people of the North, Siberia and the Far East;
 - “On the strategy of relationships between indigenous people of the North, Siberia and the Far East with industrial companies operating in the areas traditionally inhab-

ited and used for traditional economic activities of these people”;

- “On the land planning and land management of reindeer pastures in different zones of reindeer herding”;
- “On the methods to assess the loss imposed as a result of damage to traditional environment and traditional life style of indigenous people as a result of economic activities by organisations and individuals”;
- “On the procedure and regulations for documental proof of the indigenous people status for the citizens of Russian Federation identifying themselves as indigenous people of the North, Siberia and the Far East”;
- “On the increase and subdivision of quotas for (harvesting) of aquatic biological resources into two types: quotas to support traditional life-style and subsistence of indigenous people, and quotas to carry out traditional economic activities”;
- “On prophylactic medical examination of indigenous people of the North, Siberia and the Far East to prevent social diseases, reduction of child mortality, and mortality from alcoholism, traumatism and suicides in the areas traditionally inhabited and used for traditional economies of indigenous people of the North, Siberia and the Far East of Russian Federation”;
- “On the special rule on funding for small-size schools, boarding schools and preschool educational institutions in the areas traditionally inhabited and used for traditional economic activities of indigenous people of the North, Siberia and the

- Far East of Russian Federation”;
- “On re-training and re-education of persons that belong to indigenous people of the North, Siberia and the Far East of Russian Federation who are disengaged from traditional economic activities”;
 - “On conservation and development of traditional knowledge, and cultural and spiritual heritage of indigenous people of the North, Siberia and the Far East of Russian Federation”;
 - “On the promotion of folk crafts and traditional products of indigenous people of the North, Siberia and the Far East at the Russian and international markets”;
 - “On employment of people that belong to indigenous people of the North, Siberia and the Far East of Russian Federation”;
 - “On the standard regulation on the nomadic comprehensive school”;
 - “On the measures of state governmental support to the target training and re-training of professionals from indigenous people of the North, and for provision of text-books and methodology materials for the system of primary, secondary and higher education taking into account modern technologies to learn languages and to study cultures of indigenous people”;
 - “On support to small and medium-size businesses and entrepreneurship by indigenous people of the North, Siberia and the Far East of Russian Federation” (in the part that provides for support to increase efficiency of traditional activities, including development of the financial system to support loans, credits and leasing);
- “On the measures to secure implementation of obligations by Russian Federation that are provided for by the International Whaling Convention”;
2. To amend the Statement of the Government of Russian Federation No. 713 from 17 June 1995 “On the approval of rules for registration and signing out of the citizens of Russian Federation to record them at the temporary living/presence and permanent living address within the Russian Federation and on the list of officials responsible for registration” to provide for registration of citizens who live in the areas outside legally recognized communities and follow nomadic of half-nomadic life style;
 3. To authorize the Ministry of Regional Development of Russian Federation to continue together with the Association of Indigenous People of the North, Siberia and the Far East of Russian Federation and regional and ethnic indigenous people organizations the work needed to improve and define more specifically the List of Areas Traditionally Inhabited and Used for Traditional Economic Activities of Indigenous People of the North, Siberia and the Far East of Russian Federation that outlines the area governed by legislation on indigenous people rights;
 4. To authorize the Ministry of Agriculture of Russian Federation to assist in setting up and development of management institutions for reindeer herding by indigenous people of the North, Siberia and the Far East of Russian Federation, and to take measures to support the leading role of Russian in Global Association of Reindeer Herders;

5. To authorize the Ministry of Education of Russian Federation to facilitate and ensure development of the Institute of the Northern Peoples as the center for ethno-linguistic and ethno-cultural education and research that ensures targeted training and re-training of professionals among indigenous people of the North, Siberia and the Far East; development of integrated plan to provide workbooks and methodological materials for the system of primary, secondary and higher education taking into account the modern techniques of leaning languages and culture of indigenous people of the North, Siberia and the Far East;
 6. To ask the Russian Academy of Sciences to consider the possibilities to restore the Institute of the Issues of Indigenous People of the North in Siberian Branch of the Russian Academy of Sciences and to give it the legal status of an independent legal body that would be able to carry out integrated fundamental and applied research on the issues of socio-economic and cultural development of indigenous people of the North, Siberia and the Far East;
 7. To authorize the Ministry of Natural Resources and Environment to develop a “Set of Measures for Conservation of Marine Biological Resources in the Kamchatka Fishing Areas during Development of Oil Deposits at the Continental Shelf of Russian Federation”, that includes the development of the Federal Law “On the Sea of Okhotsk”, which provides for the priority to secure wise use of aquatic biological resources and for the integrated management plan of the natural resources in the Sea of Okhotsk, allocation and legal designation of the areas important for fisheries at the West Kamchatka shelf (to secure zoning of the Sea of Okhotsk) where the works for excavation of carbohydrates will be banned completely;
 8. To secure successful implementation of the Concept for Sustainable Development of Indigenous People of the North, Siberia and the Far East of Russian Federation – to consider the opportunity to set up in the Government of Russian Federation a Coordinating Body to monitor implementation of the Concept workplan and to assign the Association of Indigenous People of the North, Siberia and the Far East within the Coordinating bodies as the plenipotentiary representative of indigenous people of the North, Siberia and the Far East of Russian Federation.
- State governing authorities in the administrative regions of Russian Federation where indigenous people live:**
- According to the provisions of the federal legislations and to the norms of international law and international agreements signed by Russian Federation – to involve authorized indigenous people representatives in the process of development of laws and other regulatory acts of regional legislation that touch upon the interests of indigenous people;
 - In the processes to improve regional legislation on indigenous people life style to apply wider the provisions of the UN Declaration on Indigenous Peoples Right;
 - To adopt regulatory legal acts to secure traditional environment and traditional life style of indigenous people, - in the regions where it has not yet been done;

- To carry out an inventory of sites traditionally inhabited by indigenous people and used for traditional economic activities of indigenous people as well as assessment of natural resources, and also to compile the registers of cultural heritage objects acknowledged by these people;
- To assess cultural, environmental and social impacts in the process of decision making on the issues of natural resource development in the areas traditionally inhabited and used for traditional economic activities of indigenous people taking into account the consequences of the proposed development work and in compliance with the principle of free-will precautionary and informed consent of indigenous people;
- To carry out referenda when the system of territorial set up of the local self-governance is subject to reforms in the areas, traditionally inhabited and used for traditional economic activities of indigenous people;
- To develop a mechanism that would provide for implementation of indigenous people rights for participation in the preparations of programmes for economic development of the regions, in the process of ethnological assessments related to the projects for industrial development in the areas traditionally inhabited and used for traditional economic activities of indigenous people;
- To develop legal regulatory acts on conservation of indigenous people sacred sites;
- To intensify cultural education and advocacy work for full acknowledgement of the value of cultural and natural heritage

of indigenous people, and the value of their traditional knowledge and practices of land-use and of the use of natural resources.

Non-governmental organisations

- To support information sharing with indigenous people organizations, and to disseminate through press and media information of their life, cultures and current challenges, as well as on the projects targeted to solve existing problems;
- To assist indigenous people in development and implementation of Russian and international charity projects aimed to develop culture, health care, education, self-governance, environmental protection and nature conservation, and to improve their socio-economic status;
- To support development of modern communication networks to save indigenous peoples' languages, cultures and traditional forms of using nature, to facilitate exchange of experience with other indigenous people of the Arctic region, to help promote the value and importance of their traditional cultures;
- To assist indigenous people in defending their rights.

International organizations:

- To address the UN Permanent Forum on Indigenous Peoples Issues, all the UN structures, Council of Europe, European Union, and the Arctic Council to provide further support to implementation of joint projects for sustainable development of indigenous people. Industrial companies and private business sector:

- To follow the principle of free-will, precautionary and informed consent of indigenous people and other international standards in the field of human rights and main freedoms of indigenous people during planning and execution of economic activities in the areas traditionally inhabited and used for traditional economic activities by indigenous people.

Association of Indigenous Peoples of the North, Siberia and the Far East of Russian Federation

- To improve ideology, strategy and tactics of the Association to meet the challenges of socio-economic and cultural development of indigenous people;
- To continue coordination of activities carried out by all non-governmental indigenous people organizations;
- To develop a Concept to set up the Parliament of Indigenous Peoples of the North, Siberia and the Far East;
- To intensify activities for dissemination of Association work experience in the field of information sharing and legal education of indigenous people;
- To develop the strategy of relationships between indigenous people of the North, Siberia and the Far East with industrial companies operating in the areas traditionally inhabited and used for traditional economic activities of these people;
- To initiate development of programmes for conservation and development of native languages and cultures, traditional forms of economic activities, education and health care for indigenous people;
- To improve the mechanisms for interaction between Association and the state authorities at the federal and regional levels and with the local municipality authorities to defend and secure enforcement of indigenous people rights;
- To continue jointly with the Ministry of Regional Development of Russian Federation and regional and ethnic indigenous people organizations the work to improve and define more specifically the List of Areas Traditionally Inhabited and Used for Traditional Economic Activities of Indigenous People of the North, Siberia and the Far East of Russian Federation;
- To make known and widely publicize through press and media, including discussions in the UN, the Arctic Council and other international and intergovernmental organizations the cases and facts on violations of indigenous people rights;
- To expand the network of information centers in the areas traditionally inhabited and used for traditional economic activities by indigenous people;
- To develop proposals for training of indigenous people representatives as management and governing staff;
- To improve interaction of Association with Russian and international non-governmental organizations in order to seek support to the projects on organizational development and capacity building in organizations and communities of indigenous people of the North, Siberia and the Far East of Russian Federation;
- To initiate the work for collation of information on the objects of cultural and natu-

ral heritage of indigenous people using the traditional knowledge of indigenous people themselves;

- To work out the Association Policy on Youth, to introduce the position of Vice-President for the Youth Policy, to carry out trainings for young indigenous people, and to improve interaction with state authorities to stimulate young indigenous people to come back to their traditional areas after graduation and/or training received;
- To declare 2010 as the Year of Indigenous People Youth;
- To assist in preparation and running of the Youth Congress of Indigenous People of the North, Siberia and the Far East;
- To develop feasible Action Plans based on proposals from the Congress delegates.

Address to the Government of the Russian Federation by the delegates of the 6th Congress of the Indigenous Peoples of the North, Siberia and the Far East of the Russian Federation regarding the construction of the Evenk Hydropower Station

The delegates of the 6th Congress of the Indigenous Peoples of the North, Siberia and the Far East of the Russian Federation heard the addresses by the delegates of the Congress representing the indigenous peoples of the Krasnoyarsk Territory and also an address to the Government of the Russian Federation by the delegates of the 3rd Congress of the Evenks of Russia (March 11-15, Yakutsk), and address of February 20, 2009 by the Evenk Public Movement for the Support and Promotion of the Development of the Indigenous Peoples of the North Nyeramni (Walking Forward) and the Evenk Association of the Indigenous

Peoples of the North Arun (Revival) on the need to ban the construction of the Evenk Hydropower Station.

Among the major hazards of the construction the following were mentioned:

- high probability of the destruction of the native areas of traditional subsistence of seven thousand Evenk – Ile - an indigenous people of the Russian Federation, and also the flooding of several villages, including the Tura village, the monuments of culture, and sacral sites, which would actually imply the destruction of the northwestern Evenks as a people ;
- flooding of about 1 million of hectares of larch forests virtually unaffected by human activities, which are of extreme importance to the conservation of the native environment, and traditional subsistence practices : reindeer herding, hunting and fisheries;
- contamination of huge resource of drinking water of the region as flooding may involve the radioactive brine chamber of at least a single of the three subterranean nuclear explosions in the floodplain of the Nizhnyaya Tunguska River in the 1970s ;
- as a consequence, there may be some fatal changes in the climate for a huge region.

Unfortunately, until today there has been no reliable information available for the Evenkia population as to the possible consequences of such a large-scale project as the construction of the hydroelectric power station.

«Ousting the people from the only ecological niche acceptable for life implies intrusion and destruction of the lifestyle, of the

economic basis, actually the extinction of the Evenks living there and conducting their traditional subsistence lifestyle » - says the address of the Evenk representatives.

The Congress deems it necessary to conduct integrated studies of all ecological, social, social and economic consequences of the construction of the Evenk Hydropower Station and to perform special ethnological assessment of the impact of the Evenk Hydropower Station impact on the environment and the traditional lifestyle of the indigenous peoples living in the zone of the Project impact. The Congress also believes necessary a public discussion of the findings of the assessment of the project and in case the above detrimental effects are confirmed, a decision should be made to ban the construction of the Evenk Hydropower Station and its exclusion from the Master Plan for the Disposition of the Energy Industry Facilities until the Year 2020.

On behalf of the delegates of the 6th Congress of the Indigenous Peoples of the North, Siberia and the Far East of the Russian Federation

President of the Association
S.N. Kharyuchi

Option letter by the delegates of the V I Congress of indigenous peoples of the North, Siberia and the Far East of the Russian Federation

President of the Russian Federation Dmitri Anatolievich Medvediev

Chairman of the Government of the Russian Federation Vladimir Vladimirovich Putin

Dear Dmitry Anatolievich!

Dear Vladimir Vladimirovich!

The delegates to the VI Congress of Indigenous Peoples of the North, Siberia and the Russian Far East, held April 23-24 in Moscow are turning to you because of the catastrophic situation in Kamchatka province regarding the organization and conduct of the tender over the fishing grounds for traditional fisheries of Indigenous Peoples.

The Association of indigenous small-numbered indigenous peoples of the North, Siberia and the Far East of Russia, and organizations of indigenous peoples of Kamchatka have repeatedly appealed to authorities to make the necessary changes to the register of fishing sites, which in its present form deliberately ignores the specifics of the localities assigned, has no scientific justification. Most of the areas in which indigenous peoples of Kamchatka have for centuries fished in their traditional ways protected the spawning grounds of the pacific salmon, have been transferred into the register of sites for commercial fishing and have been divided up between commercial entities.

For the fishing as a part of the traditional way of life and traditional economic activities of indigenous peoples, sites have been assigned which are not suitable for this purpose, are located far from their traditional places of residence, and which make it impossible to use traditional fishing methods. Thus, federal laws have been breached as well as international principles and legislative norms which stipulate that indigenous peoples enjoy preferential access to biological resources and have the first right to fishing sites and, ultimately, have access to traditional food.

Today in Kamchatka a tender is being held which will bring fishing sites under the control

of the successful bidders for a period of 20 years. This creates the danger that indigenous peoples will never been able to return to their traditional fishing grounds on their rivers. Additionally, the Commission which oversees catch of anadromous fish species in Kamchatka Krai in 2009 set the limit of production to 100% of the expected permissible maximum for some rivers in the area traditionally inhabited by indigenous Peoples of Kamchatka. The commission set particularly ruinous conditions for fishing on the river Kovran, the location of the only settlements where the Itelmen indigenous people constitute the majority.

Thus, the Indigenous Peoples of Kamchatka, for whom fishing is not just a traditional way of nature use but the sole source of livelihood, have been put into a situation where they are deprived of the last piece of bread as a result of uninformed decisions by the authorities of Kamchatka Krai. Nearly 20 thousand indigenous inhabitants of Kamchatka are losing the opportunity to engage in traditional fishing, which is the basis of their existence. Furthermore, the permission of industrial fishing in the spawning rivers and in areas traditionally inhabited by indigenous peoples and of drift-net fishing will inevitably lead to depletion of fish stocks in Kamchatka, that is, to the destruction of traditional territory of indigenous people.

This comes at a time when the state is taking major decisions such as the recent approval of the Concept of Sustainable Development of Indigenous Peoples of the North, Siberia and the Far East and while, according to the greeting address from the President of the Russian Federation to the VI Congress of Indigenous Peoples of the North, Siberia and the Far East «the State is taking all steps necessary to preserve the traditional way of life of Indigenous

Peoples to address the challenges in the field of socio-economic tasks lying ahead ».

Any continued denial of access of indigenous people of Kamchatka to their traditional fishing grounds may not only aggravate social instability in the region, but also lead either to illegal fishing, or to mass starvation among the indigenous inhabitants of Kamchatka.

Dear Dmitry Anatolievich!

We ask you to urgently intervene and take steps to ensure the constitutional rights of indigenous peoples of Kamchatka Krai to the protection of their native environment and traditional way of life!

Yours sincerely,

SN Kharyuchi
President of the Association



Global Indigenous Peoples Preparatory Meeting, Alta, Norway, June 8-14, 2013

More than 450 representatives of indigenous peoples' non-governmental organizations, constitutional and customary governments and the United Nations Permanent Forum converged on the Sami town of Alta in Norway in June 2013 for the Global Indigenous Peoples' Preparatory Meeting hosted by the Sami Parliament.

Nuuk Arctic Declaration on the World Conference on Indigenous Peoples 2014

Adopted in Nuuk, Greenland, Oct. 23-24, 2012

Representatives of Inuit and Sami peoples gathered at Nuuk, Greenland, October 23- 24, 2012,

Welcome the decision of the United Nations General Assembly to organize a high-level plenary meeting of the General Assembly to be known as the World Conference on Indigenous Peoples, to be held in 2014, in order to share perspectives and best practices on the realization of the rights of indigenous peoples, including to pursue the ends of the United Nations Declaration on the Rights of Indigenous Peoples¹

Welcome further the United Nations General Assembly resolution A/66/296² of 17 September 2012, concerning the organization of the High-level Plenary Meeting of the General Assembly, to be known as the World Conference on Indigenous People, which contains constructive ways of ensuring indigenous peoples' substantive participation in the World Conference process;

Welcome and support the Inari Declaration on the World Conference on Indigenous Peoples, adopted by representatives of Sami institutions and organizations in Finland, Norway, Russia and Sweden, in Inari, Finland, 27 - 28 June 2012;

Urge Inuit and Sami representatives participating in the process towards the World Conference on Indigenous Peoples, to promote and advocate for an action-oriented outcome of the World Conference, with the aim of achieving full and effective implementation of the rights of indigenous peoples, including the human rights recognized in the United Nations Declaration on the Rights of Indigenous Peoples;

Encourage Inuit and Sami representatives participating in the process towards the World Conference on Indigenous Peoples, to advocate for the inclusion of the following provisions and initiatives in the outcome document of the World Conference:

Reaffirm that indigenous peoples are free and equal to other peoples, and that indigenous peoples, in the exercise of their rights, including their human rights, shall be free from discrimination of any kind, in particular discrimination that is based on their indigenous origin or identity;

Reaffirm further that indigenous individuals and groups are entitled to full enjoyment and effective implementation of all human rights recognized in international law without discrimination, including indigenous women, children, youth, elders and persons with disabilities, and bearing in mind that the rights and freedoms recognized in the United Nations Declaration on the Rights of Indigenous Peoples are equally guaranteed to male and female indigenous individuals;

¹ Resolution A/65/198 of 21 December 2010;

² A/66/L.61

Reaffirm also that traditional knowledge, traditional cultural expressions and genetic resources are integral parts of indigenous peoples' right to cultures, livelihoods and identities, and contribute to sustainable development of resources in indigenous territories;

Emphasize that indigenous languages constitute core elements of their cultures, and recognize that indigenous peoples have the right to use their language in all aspects of life;

Recognize the urgent need to take decisive and concrete measures to ensure full and effective implementation of indigenous peoples' rights, including the rights recognized in the United Nations Declaration on the Rights of Indigenous Peoples, with a particular focus on land and resource rights, and their right to self-determination;

Reaffirm that the rights recognized in the United Nations Declaration on the Rights of Indigenous Peoples constitute the minimum standards for the survival, dignity and well-being of the indigenous peoples of the world;

Recall that the United Nations Declaration on the Rights of Indigenous Peoples obliges States, in consultation and cooperation with the indigenous peoples concerned, to take measures, including legislative measures, to achieve the ends of the Declaration;

Noting that the ILO 169 remains a relevant international standard in recognizing and protecting the rights of indigenous peoples;

Welcome the report of the Secretary-General on the ways and means of promoting participation at the United Nations of indigenous peoples' representatives on issues affecting them;

Recognize that in order to achieve the ends of the United Nations Declaration on the Rights of Indigenous Peoples, it is appropriate to establish a voluntary international mechanism to receive and consider communications from indigenous peoples claiming that their rights to territories, lands and resources, and/or their right to self-determination have been violated;

1. Indigenous Peoples' Right to Self-determination

Reaffirm the commitment of all States to fulfill their obligations to promote universal respect for, and observance and protection of all human rights and fundamental freedoms for all in accordance with the Charter of the United Nations, other instruments relating to human rights, and international law;

Underscore that respect for the right to self-determination constitutes a pre-requisite for the realization of all other human rights and fundamental freedoms;

Underscore also that indigenous peoples' right to self-determination encompasses the right to identify who belongs to the people in accordance with the traditions and customs of the people concerned, compatible with international human rights standards;

Recommend that States, in order to fulfill their obligations to guarantee the realization of indigenous peoples' right to self-determination, as a matter of urgency, establish national committees, or other

constructive mechanisms, consisting of State and Indigenous Peoples' representatives, with the aim of reaching substantive agreements on the content and scope of indigenous peoples' right to self-determination, as well as on how this right can be effectively implemented;

Call on States to facilitate the effective implementation of the right to self-determination, including through the allocation of sufficient financial resources, to be determined through agreement with the indigenous peoples concerned;

2. **Indigenous Peoples' Rights to Territories, Lands, Waters, Resources and Traditional Livelihoods**

Recognizing that control by indigenous peoples over developments affecting their territories, lands, waters, coastal waters and other resources enables them to freely pursue their traditional livelihoods and economic, social and cultural development, **including to maintain and strengthen their food security**, in accordance with their own aspirations and needs;

Recognizing also that States have an obligation to ensure the full and effective implementation of indigenous peoples' rights to continuously pursue their traditional livelihoods, including hunting, fishing and herding in accordance with their own traditions and customs;

Recommend that States establish national judicial institutions tasked with identifying such lands, waters, coastal waters and other resources to which the indigenous peoples concerned have established ownership and usufruct rights, and to demarcate such lands and resources in order to fulfill their obligations concerning legal recognition and protection of the lands, territories, waters, coastal waters and other resources that indigenous peoples' have traditionally owned, occupied or otherwise used or acquired;

Recommend further that States, in cooperation with the indigenous peoples concerned, establish national committees, or other mechanisms, consisting of State and Indigenous Peoples' representatives with the aim of reaching agreements on the content and scope of such indigenous peoples' rights to territories, lands, waters, coastal waters and other resources that are not fully determined by indigenous peoples' property rights to land, such as the scope of benefit-sharing rights and the relationship between indigenous peoples' property rights to land and competing activities, including competing industrial activities;

Call on States not to develop or implement agreements on environmental protection in manners harmful to indigenous peoples' traditional livelihoods or in violation of their human rights, including rights to practice sustainably their traditional livelihoods;

3. **Extractive Industries**

Reaffirming that indigenous peoples' rights to land and natural resources require third parties to obtain the free, prior and informed consent before entering their territories;

Recognizing that the Arctic is subject to a constantly accelerating amount of industrial activities, and that Arctic indigenous communities and traditional livelihoods are under rapid and increasing pressure from, among others, oil and gas, mining, forestry and wind mill industries, and associated infrastructure developments;

Underscoring that existing corporate social responsibility regimes, such as the OECD Guidelines and the Global Impact, fail to ensure that private entities operating in the Arctic conduct themselves in a manner respectful to the rights of the indigenous peoples of the Arctic;

Recommend that the Arctic Council adopts, at its Ministerial Meeting in 2015, in close collaboration with the Permanent Participants of the Arctic Council, Sami parliaments and competent Arctic self-governments, a comprehensive long term strategy for sustainable and equitable resource extraction in the Arctic region, to end and prevent uncontrolled, unmanaged and unsustainable industrial practices;

Recommend further that the Arctic Council adopts, at its Ministerial Meeting in 2015, an ethical code of conduct, committing private entities operating in the Arctic region not to engage in practices harmful to the environment and to respect human rights, particularly those of the indigenous peoples of the Arctic;

Recognizing further that most Arctic indigenous communities are in a vulnerable position vis-à-vis private entities, lacking the resources and capacity to represent themselves adequately in relationship with the industry;

Call on States, and other competent governments and parliaments in the Arctic, to ensure that Arctic indigenous communities can adequately represent themselves vis-à-vis the industry, through rendering it mandatory for private entities engaging in industrial activities in the Arctic to fairly and equitably share profits with affected indigenous communities, as well as through other means to promote capacity building;

Call also on States to facilitate the implementation of the United Nations Guiding Principles on Business and Human Rights, through agreements with the indigenous peoples concerned;

4. Optional Protocol to the United Nations Declaration on the Rights of Indigenous Peoples

Consider the denial of indigenous peoples' right to self-determination and their rights to territories, lands and resources is the most fundamental violation of their collective human rights;

Recognize the urgent need for the establishment of effective international measures to guarantee and monitor the implementation of indigenous peoples' right to self-determination, and their rights to territories, lands and resources, without prejudice to the rights which peoples under colonial or other forms of alien domination or foreign occupation have under existing international procedures;

Recommend that the United Nations Permanent Forum on Indigenous Issues, at its 14th session, presents a draft Optional Protocol to the United Nations Declaration on the Rights of Indigenous Peoples, outlining a proposed structure and mandate for an international mechanism tasked with overseeing the implementation of indigenous peoples' rights to lands, waters, coastal seas and other

resources, and indigenous peoples' right to self-determination, based on communications submitted by States, or by indigenous peoples;

Recommend further that the United Nations General Assembly, following the presentation by the United Nations Permanent Forum on Indigenous Issues at its 14th session of a proposal for a draft Optional Protocol to the United Nations Declaration on the Rights of Indigenous Peoples, establishes an inclusive process that allows the United Nations General Assembly, at its earliest convenience, to adopt a resolution establishing an Optional Protocol to the United Nations Declaration on the Rights of Indigenous Peoples, based on the said proposal by the United Nations Permanent Forum on Indigenous Issues;

5. Further measures for the implementation of rights of indigenous peoples

Recognize that States are obliged to take concrete and action-oriented measures to recognize, realize, concretize and substantively implement the rights of indigenous peoples;

Recommend that States present annual reports on what measures they have taken to effectively implement the rights enshrined in the United Nations Declaration on the Rights of Indigenous Peoples, to be presented to the United Nations Special Rapporteur on the Rights of Indigenous Peoples and other relevant United Nations institutions and processes;

Recommend also that those States that have received an official visit by the United Nations Special Rapporteur on the Rights of Indigenous Peoples report annually about what measures they have taken to effectively implement the recommendations made by the Special Rapporteur;

Recommend as well that States, in their reports to the United Nations Human Rights Council's Universal Periodic Review, report on what measures they have taken to effectively implement the Expert Advices by the United Nations Expert Mechanism on the Rights of Indigenous Peoples;

Encourage those States that have not yet endorsed the United Nations Declaration on the Rights of Indigenous Peoples to join these ranks of States and Indigenous Peoples that have affirmed and are committed to the principles and rights enshrined in the Declaration;

Encourage further those States that have not yet ratified or acceded to the ILO Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries to do so;

Recommend that States, in consultation and cooperation with indigenous peoples, as a matter of urgency, initiate a comprehensive review of existing national legislation, including constitutional provisions, with the aim of ensuring that national legislation is fully consistent with or exceeding existing international standards concerning the rights of indigenous peoples;

6. Culture, Language, Education and Health

Recognize the need to adopt effective measures to guarantee indigenous peoples and individuals the right to the full enjoyment of all human rights and fundamental freedoms as recognized in international human rights law, including their right to culture, language and education;

Call on States to cater for an environment that allows indigenous children and youth with a background in indigenous peoples' traditional livelihoods to participate actively in such livelihoods, to ensure the transfer of customs, belief systems, values and traditional knowledge from generation to generation as a pre-requisite for maintenance and evolvement of indigenous cultures, identities and languages;

Call also on States to ensure that indigenous youth can participate in decision making processes specifically affecting them, including through providing sufficient resources for such participation;

Call further on States to ensure that indigenous children and youth to have access to education in and on their mother tongue, and that educational systems are also in other ways accustomed to their cultural identity, background and heritage;

Recommend that States facilitate the possibility to develop high quality and culturally appropriate educational and health policies, programs and services for indigenous peoples, which incorporates their needs, histories, identities, values, beliefs, cultures, languages and knowledge, and to secure adequate funding for such policies, programs and services;

Recommend further that States facilitate the possibility for indigenous peoples to develop their own academic institutions, research programs, and to develop, with the participation of indigenous peoples, binding standards requiring all research pertaining to indigenous peoples to be conducted in an ethical manner;

7. Indigenous Peoples' Cross-border Rights

Reaffirming that indigenous peoples divided by national borders have the right to maintain and develop contacts, relations and cooperation with their own members, as well as with other peoples, across national borders;

Recommend that States, in consultation and cooperation with the indigenous peoples concerned, as a matter of urgency, take effective measures to guarantee the exercise and ensure the implementation of indigenous peoples' cross-border rights, including their civil, political, economic, social and cultural rights, through legally binding conventions between the States concerned, and establish judicial mechanisms to monitor the implementation of such conventions;

8. The United Nations System and International Cooperation

Recommend that the United Nations General Assembly organizes a comprehensive high-level review of the progress achieved in the implementation of the recommendations adopted at the World Conference on Indigenous Peoples, with the aim to further strengthen the realization of the rights of indigenous peoples, to be held during its 74th session [September 2019 – September 2020];

Request the United Nations to establish, as a matter of priority an appropriate mechanism for considering the ways and means of promoting participation at the United Nations of indigenous peoples' representatives on issues affecting them;

Recommend further that the United Nations General Assembly appoints an Under-Secretary General for Indigenous Peoples, with the aim to strengthen United Nations capacity and efforts towards ensuring the full realization of the rights of indigenous peoples, and in order to ensure that that these rights are taken into account in all activities of the United Nations

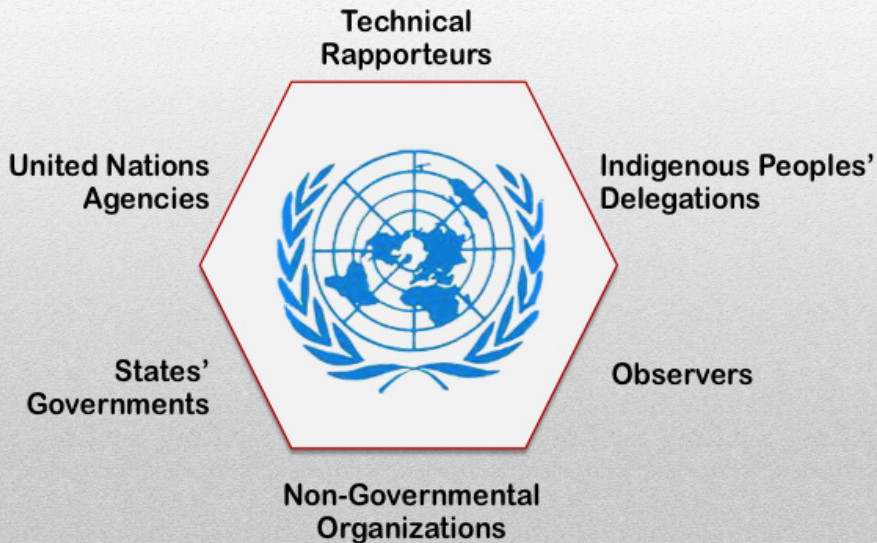
Recommend also that all United Nations agencies and programmes engaging in activities impacting on indigenous peoples appoints an officer, or establishes a team of officers, with particular responsibility to ensure that all such activities are responsive to and adapted for the particular situation of indigenous peoples;

Recommend States to review national and international cooperation policies and funding programs with the view to establish effective policies and programs to support and to strengthen capacities at national regional and global levels for the recognition and implementation of the UN Declaration on the Rights of Indigenous Peoples (2007) and ILO Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries (1989);

Call on the OECD³ to develop appropriate economic cooperation and development policies and guidelines in support for the rights of indigenous peoples, **and to strengthen the content and focus of the Guidelines for Multinational Enterprises in order to protect and uphold the rights of indigenous peoples;**

Call on States to facilitate the full and effective participation of indigenous peoples' representatives in all UN and other international processes and meetings of relevance to them;

UN Informal Interactive Roundtable June 2014



UN Informal Interactive Roundtable, June 2014

Plans were outlined by the UN General Assembly for an Informal Interactive Roundtable to convene in June 2014 where all of the parties concerned with the World Conference would have an opportunity to engage in dialogue.

African Declaration On the World Conference on Indigenous Peoples 2014

The African Regional Preparatory Meeting in Nairobi, Kenya, Nov. 20-21, 2012

Representatives from indigenous peoples from the five regions of Africa, recognizing the wide diversity of indigenous peoples in Africa,

Welcome the opportunity to raise the voices of African indigenous peoples as part of the preparatory process of the High-level Plenary Meeting of the UN General Assembly to be known as the World Conference on Indigenous Peoples as approved in GA Resolution A/65/198;

Welcome further GA Resolution A/66/296 specifying the modalities of participation by indigenous peoples in the World Conference;

Urge African indigenous peoples' representatives participating in the process towards the world conference to:

Present a unified African voice, while recognizing regional, linguistic, and livelihood diversity of African indigenous communities,

Model effective and equitable inclusion of women and youth in the African delegation,

Seek dialogue with state actors prior to and during the World Conference on issues of relevance to indigenous peoples, and to

Seek practical and concrete outcomes from the World Conference in relation to commitments and proposed actions from United Nations bodies, national governments, and regional human rights institutions such as the African Commission on

Human and Peoples' Rights;

Encourage African indigenous peoples' representatives participating in the process towards the world conference and in the world conference itself to advocate for substantive discussion of the following priority concerns of African indigenous peoples:

Rights to land and productive resources, specifically including territorial recognition, Free Prior and Informed Consent, benefits sharing, and evictions,

Conflict and its impact on indigenous peoples,

Rights to self-determination and self-governance,

Discrimination, both direct and indirect,

Environmental justice, including climate change and destruction of natural environments upon which IPs depend,

Conduct of multinational corporations and conservation organizations in relation to IP communities and lands, especially the link between the actions and omissions of governments and these actors;

Impunity for human rights violations, especially extrajudicial killings and enforcement of decisions and judgments that vindicate indigenous peoples' rights,

Denial of the right to political/legislative recognition, representation and participation, also including language recognition,

Marginalisation from social services, with a priority on education and health,

Rights of indigenous women, including concerns over harmful practices, rights of widows, and the impact of displacement and conflict on women and girls,

Right of indigenous peoples to receive information , and

Right of indigenous peoples to promote and practice their culture and religion.

Mandate African indigenous peoples' representatives participating in the process towards the world conference to seek inclusion in the outcome document of the following commitments to action:

Reaffirm that indigenous individuals and groups are entitled to full enjoyment and effective implementation of all human rights recognized in international law;

Reaffirm that the rights recognized in the United Nations Declaration on the Rights of Indigenous Peoples constitute the minimum standards for the survival, dignity and well-being of the indigenous peoples of the world;

Recall that the United Nations Declaration on the Rights of Indigenous Peoples obliges States, in consultation and cooperation with the indigenous peoples concerned, to take measures, including legislative measures, to achieve the ends of the Declaration;

Recognizing the substantive work of the African Commission and its Working Group

on Indigenous Peoples/Communities in clarifying the characteristics and concerns of indigenous peoples in Africa and in elaborating the obligations of African States in relation to indigenous peoples¹;

Noting that the ILO Convention no. 169 on Indigenous and Tribal Peoples in Independent Countries remains a relevant international standard in recognizing and protecting the rights of indigenous peoples;

Call on African States to

Adopt and domesticate specific legal frameworks that recognize, protect and promote indigenous peoples as rights-holders, including ratification of ILO Convention No.169 on indigenous peoples,

Reaffirm their commitment to respect, protect and fulfil the rights of African indigenous peoples enshrined in the African Charter on Human and Peoples' Rights and its associated protocols;

Encourage the establishment of a permanent monitoring mechanism within the United Nations system that is empowered to receive complaints on indigenous peoples' rights and to forge links with regional human rights mechanisms such as the African Commission on Human and Peoples' Rights.

Right to land and productive resources, specifically including territorial recognition, Free Prior and Informed Consent, benefits sharing, and evictions.

Recalling that as clarified by the African

¹ Communication 276 / 2003 – Centre for Minority Rights Development (Kenya) and Minority Rights Group International on Behalf of Endorois Welfare Council v. Kenya, Decision on the Merits, 2010 [hereinafter Endorois decision]; Communication 155/96 (2001), The Social and Economic Rights Action Center and the Center for Economic and Social Rights v. Nigeria; Report of the African Commission on Human and Peoples' Rights Working Group on Indigenous Populations/Communities, ACHPR/IWGIA, 2005, ACHPR DOC/OS(XXXIV)/345.

Commission on Human and Peoples Rights, a key characteristic of indigenous peoples in Africa is that they occupy and use a specific territory and in many cases have a sacred relationship with their ancestral lands²;

Recognizing that control over and access to traditional territories enables them to freely pursue their traditional livelihoods and economic, social and cultural development, including to maintain and strengthen their food security, in accordance with their own aspirations and needs;

Recognizing indigenous peoples' right to property as a collective, including their rights to freely dispose of their wealth and natural resources including traditional knowledge³;

Recognizing further the right of indigenous peoples to free, prior and informed consent in relation to development, use, or dispossession of their lands and the resources thereon (including water, forest, mineral, geothermal, and other resources);

Recommend that States urgently comply with judgments of their own national courts and with decisions of regional bodies such as the African Commission on Human and Peoples' Rights and African Court in relation to the property rights of indigenous peoples;

Recommend that States establish and provide adequate resources for national institutions to provide effective redress for historical

injustices in relation to indigenous peoples' territories and natural resources⁴;

Recommend further that States provide immediate redress, including compensation, and humanitarian assistance as necessary to indigenous peoples who have been forcibly evicted from their ancestral territories⁵;

Call on States to reaffirm the rights of indigenous peoples to their economic, social and cultural development with due regard to their freedom and identity and the recognition that the right to development is both procedural and substantive, obliging States to ensure that development is equitable, non-discriminatory, participatory, accountable, and transparent, with equity and choice as important overarching themes⁶;

Conflict and its impact on indigenous peoples.

Recognizing the right of indigenous peoples to peace and security⁷;

Noting the multiple causes, types, and impacts of conflict in the African context including violations of human rights and humanitarian law on a massive scale, attacks by governments and security forces upon their own citizens, attacks by paramilitary, militia groups and criminal gangs, localized conflict between communities, and election-related violence;

² *Endorois decision*, paras. 150, 154, 162.

³ African [Banjul] Charter on Human and Peoples' Rights, adopted June 27, 1981, OAU Doc. CAB/LEG/67/3 rev. 5, 21 I.L.M. 58 (1982), *entered into force* Oct. 21, 1986 [hereinafter African Charter], arts. 14, 21; United Nations Declaration on the Rights of Indigenous Peoples, Human Rights Council, Report to the General Assembly on the First Session of the Human Rights Council, at 58, U.N. Doc. A/HRC/1/L.10 (2006) [hereinafter UNDRIP], arts. 31, 26.

⁴ UNDRIP art. 27

⁵ *Endorois decision*, Recommendations; UNDRIP arts. 8(2), 10, 28.

⁶ *Endorois decision*, para. 278, African Charter, art. 22

⁷ African Charter art. 23; UNDRIP art. 7.

Recognizing that indigenous peoples often are vulnerable to the consequences of conflict because of their historical marginalization, and noting that indigenous women and girls are especially vulnerable to the consequences of insecurity which range from death and injury to sexual violence to loss of freedom of movement,

Call on States to

Provide security to indigenous populations while respecting the human rights of all indigenous peoples, and taking special measures to ensure protection for indigenous women and children;

Refrain from further militarizing indigenous peoples' territories

Ensure that indigenous peoples' legitimate representatives, including women and youth, are constructively engaged in peace building processes at the national and local level.

Indigenous Peoples' Right to Self-determination.

Reaffirm the commitment of all States to fulfil their obligations to promote universal respect for, and observance and protection of all human rights and fundamental freedoms for all in accordance with the Charter of the United Nations, other instruments relating to human rights, and international law;

Underscore that respect for the right to self-determination constitutes a pre-requisite for the realization of all other human rights and fundamental freedoms;

Recommend that States, in order to fulfil their obligations to guarantee the realization of indigenous peoples' right to self-determination, establish national committees, or other

constructive mechanisms, consisting of State and Indigenous Peoples' representatives, with the aim of reaching substantive agreements on the content and scope of indigenous peoples' right to self-determination, as well as on how this right can be effectively implemented; Environmental justice, including climate change and destruction of natural environments upon which indigenous peoples depend.

Taking into consideration the Malabo African Union General decision to ensure that Africa's interests on the Green Economy issues within the context of sustainable development and poverty eradication and institutional frameworks for sustainable development are defined and taken into account;

Taking into consideration Resolution No. ACHPR/Res153(XLVI)09 on "climate change and human rights and the need to study its impact in Africa", adopted by the African Commission on Human and Peoples Rights, calling for a human rights-based approach to climate change in Africa;

Acknowledging that the principles, agreements and commitments established in the Rio Declaration of 1992, Agenda 21 and the Johannesburg Plan of Implementation are still fully in effect, and the need to strengthen the commitments as defined in these agreements in the upcoming Rio+20 Conference;

Reaffirming the Pan African Climate Justice Alliance (PACJA) led African Civil Society Limbe Declaration on Rio+20;

Noting with concern the past and on going degradation of indigenous peoples territories as a result of climate change, erosion, industrial action, and toxic dumping;

Encourage States to establish sustainable development councils at the national level,

with meaningful participation of indigenous peoples.

Call on States to accelerate the implementation of Principle 10 of the Rio 1992 Declaration by first implementing the current UNEP guidelines on this principle with a view to initiate an African Convention on Principle 10.

Discrimination, both direct and indirect,

Reaffirming that indigenous peoples are free and equal to other peoples, and that indigenous peoples, in the exercise of their rights, including their human rights, shall be free from discrimination of any kind, in particular discrimination that is based on their indigenous origin or identity;

Expressing grave concern in relation to the discrimination against indigenous peoples in Africa, including state policies that fail to recognize or accommodate indigenous languages, discriminatory treatment by state and non-state actors in education, employment, and health care and access to other services, lack of access to identity documents, and other forms of discrimination;

Recommend that States establish specific national institutions mandated to document discriminatory practices and advocate within governments for legal and policy changes to eliminate discrimination;

Recommend that States, in consultation and cooperation with indigenous peoples, as a matter of urgency, initiate a comprehensive review of existing national legislation, including constitutional provisions, with the aim of ensuring that national legislation is fully consistent with or exceeding existing international standards concerning the rights of indigenous peoples;

Call on States to develop affirmative action policies to redress historical discrimination, in consultation with indigenous peoples.

Conduct of multinational corporations and conservation organizations in relation to indigenous peoples and lands.

Recognizing the close link between the actions and omissions of governments and the activities of multinational corporations and conservation organizations in Africa;

Recognizing further that indigenous peoples are in a vulnerable position vis-à-vis private entities, often lacking the resources and capacity to represent themselves adequately in relationships or negotiations with private industry, parastatals, and conservation conglomerates;

Call on States to develop clear, comprehensive, and mandatory policies on consultation with indigenous peoples for corporate, parastatal, academic/research, and conservation entities that undertake activities that impact indigenous peoples and their territories;

Call also on States to make it mandatory for private entities engaging in industrial, conservation, or tourism activities to fairly and equitably share profits with affected indigenous communities;

Recommend that States support, through financial support and a conducive policy environment, the development of bio-cultural protocols for indigenous communities;

Call also on States to facilitate the implementation of the United Nations Guiding Principles on Business and Human Rights, through agreements with the indigenous peoples concerned;

Impunity for human rights violations, especially extrajudicial killings and enforcement of decisions and judgments that vindicate indigenous peoples' rights.

Welcoming the establishment of the African Court on Human and Peoples' Rights⁸;

Noting with grave concern the absence of commitment to the rule of law in many African States as demonstrated through failure of state authorities to investigate crimes against indigenous peoples, failure to arrest and try perpetrators of crimes against indigenous peoples, and failure to implement judicial and human rights decisions which vindicate the rights of indigenous peoples;

Noting also with concern the on going violations of the rights of indigenous activists and human rights defenders, including extrajudicial executions, arbitrary detentions, cruel and inhuman treatment including sexual and gender-based violence, and harassment;

Encourage African States to sign and ratify the Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights including making a declaration under Article 34 accepting the competence of the of the Court to receive cases under article 5 (3) of the Protocol;

Encourage the United Nations and international community to apply pressure on African governments to reaffirm and actualize their commitment to the rule of law;

Call on African governments to consult with indigenous peoples on the development of national commissions of inquiry or other investigative mechanisms to document impuni-

ty concerns and to make recommendations to governments on ending impunity for violations of the human rights of indigenous peoples.

Denial of the right to political/legislative recognition, representation and participation.

Reaffirming the right of indigenous peoples to participate in the political and cultural life of his or her own community as well as the political life of the nation as whole;

Noting with concern the continuing lack of recognition for many indigenous peoples in Africa, specifically the failure to recognize the existence of indigenous peoples, failure to register indigenous organizations, failure to recognize traditional leaders as legitimate representatives of their people, failure to accommodate indigenous governance structures in the larger political system, and failure to collect and disaggregate data on indigenous peoples;

Recommend that States, in consultation with indigenous representatives, establish national focal points on indigenous peoples to facilitate their engagement with and recognition by the state;

Recommend further that States amend or remove constitutional, legislative or policy barriers to recognition of indigenous communities;

Call on States to consult with indigenous peoples on development of modalities to enhance their political representation at all levels of government;

Call also on the United Nations and the international community to apply diplomatic and other pressure on States to enhance recognition and political participation of indigenous

⁸ June 9, 1998, OAU Doc. OAU/LEG/EXP/AFCHPR/PROT (III).

peoples;

Marginalization from social services, with a priority on education and health.

Welcoming the protections for the right to health and education in international law, and especially in the African Charter on Human and Peoples' Rights⁹;

Noting with the concern the historical and continuing marginalization of indigenous peoples which takes the form of physically removing indigenous peoples from territories that are close to educational and health services, failing to equitably locate education and health services near indigenous communities, financial barriers to accessing education and health services, and failing to provide services that take account of indigenous peoples' language and culture;

Noting with grave concern the disproportionate impacts of this marginalization on indigenous women and girls;

Encourage States to develop laws and policies that require equitable distribution of health and educational services in African nations;

Further encourage States to provide training to education professionals and health care professionals on the rights and cultures of indigenous peoples in their countries;

Call on States to establish affirmative action programs that address historical marginalisation, such as provision of scholarship funds for indigenous peoples and free health care for indigenous peoples, especially maternal health services.

Rights of indigenous women and girls.

Welcoming the Protocol to the African Charter on the Rights of Women in Africa and the establishment of a Special Rapporteur on the Rights of Women in Africa;

Welcoming the UN Committee on the Elimination of Discrimination Against Women's statements, recommendations, and general comments relevant to the status of indigenous women;

Reaffirming the rights of all indigenous individuals to non-discrimination and equality before the law¹⁰;

Expressing grave concern about the status of indigenous women in African nations, in particular higher rates of poverty, food insecurity, sexual and gender-based violence, harmful practices justified by perpetuation of culture, mal-treatment of indigenous widows, and discrimination against indigenous girls;

Encourage States to ratify and effectively implement the Protocol to the African Charter on the Rights of Women in Africa known as the Maputo Protocol; Further encourage States to collect and make public disaggregated data on the status of indigenous women and girls;

Encourage United Nations bodies to continue to monitor the rights of indigenous women and to make clear recommendations to African States regarding their obligations with respect to indigenous women and girls;

Call on indigenous communities to end harmful practices that undermine the empowerment and equal participation of women and girls in the cultural life of the community and

⁹ African Charter arts. 16, 17; UNDRIP arts. 14,

¹⁰ African Charter, arts. 2, 3.

the nation as a whole;

Right of indigenous peoples to receive information.

Reaffirming the right of all indigenous peoples and individuals to receive information¹¹;

Recalling the importance of accurate and complete information to the process of free, prior and informed consent and to building the capacity of indigenous peoples to direct their own development;

Encourage States to develop programs, in consultation with indigenous peoples, that provide them with information about their rights and about the issues, process and decisions that affect them, especially proposed development projects, in a manner that reflects their unique language and culture;

Call on States to support indigenous peoples in establishing their own media in their own languages and to have access to all forms of non-indigenous media without discrimination¹²;

Right of indigenous peoples to promote and practice their culture and religion.

Reaffirming the rights of indigenous people to practice and promote their culture, including their religion¹³;

Call on States to cater for an environment that allows indigenous children and youth with a background in indigenous peoples' traditional livelihoods to participate actively in such livelihoods, to ensure the transfer of customs,

belief systems, values and traditional knowledge from generation to generation as a prerequisite for maintenance and evolution of indigenous cultures, identities and languages;

Call also on States to ensure that indigenous youth can participate in decision making processes specifically affecting them, including through providing sufficient resources for such participation;

Call further on States to ensure that indigenous children and youth have access to education in and on their mother tongue, and that educational systems are also in other ways accustomed to their cultural identity, background and heritage;

Adopted on the 21st November, 2012 in Nairobi, Kenya.

11 African Charter, art. 6.

12 UNDRIP art. 16.

13 African Charter, art. 8; UNDRIP art. 31.

A Call to Action from Indigenous Peoples in Asia to the World Conference on Indigenous Peoples

Indigenous Peoples' have diverse solutions to the 21st Century Global Crises

The inter-related social, economic, ecological and climate crises of the 21st century are reflective of deep structural imbalances in social and ecological relationships within society and with the natural world.

The historic colonization of indigenous peoples and the enclosure and exploitation of their lands, territories and resources within colonial and modern-day states, has brought forth and united a global movement of indigenous peoples, committed to upholding fundamental human rights and the continued survival and well-being of the world's indigenous peoples.

The intensification of economic globalisation and the financial reach of transnational corporations have penetrated into all areas of indigenous lives and ancestral lands, accompanied by gross violations of their human rights. The negative impact on peoples and Mother Earth, brought about by the dominant paradigm of modern economic growth and development, calls out for alternative and diverse visions of social and ecological futures drawing upon the perspectives and positive contributions of indigenous peoples towards addressing the contemporary global crises.

The Asia Preparatory Meeting for the World Conference on Indigenous Peoples (WCIP) held in Bangkok on November 8-9, 2012

Welcomes the United Nations General Assembly (UNGA) Resolution A/RES/65/198 dated 3 March 2011 to organize

a high-level plenary meeting of the General Assembly to be known as the World Conference on Indigenous Peoples (WCIP), to be held in 2014, to share perspectives and best practices on the realization of the rights of indigenous peoples, including those acknowledged in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP);

Further welcomes the UNGA Resolution A/66/L.61 dated 17 September 2012, stating that the WCIP shall result in a concise action-oriented outcome document taking into account the views emerging from preparatory processes through informal interactive hearings and inclusive and open informal consultations among and between member states and indigenous peoples;

Convinced that the WCIP offers the opportunity to build on the UNDRIP and the existing internationally-agreed development goals to further propel the realisation of indigenous peoples' human rights in the coming decades, and the inclusion of indigenous visions in the post-2015 development agenda of the UN, including the elaboration of Sustainable Development Goals (SDGs).

Underlines that the adoption of the UNDRIP, by the UNGA in 2007, with the overwhelming favorable votes of most UN members states from Asia and the rest of world, represents a global commitment towards addressing the historical injustice perpetrated against indigenous peoples and highlights the contemporary imperative to respect, protect and promote the collective and individual human rights and fundamental freedoms of indigenous peoples, throughout the world;

Reiterates that the standards and principles contained in the UNDRIP should be regarded as the principal guiding document to enhance harmonious and cooperative relations between states and indigenous peoples, based on principles of justice, democracy, respect for human rights, non-discrimination and good faith¹;

Welcomes, the work of the UN Permanent Forum on Indigenous Issues (UNPFII), the UN Expert Mechanism on the Rights of Indigenous Peoples (EMRIP) and the Special Rapporteur on the Rights of Indigenous Peoples, all of which provide avenues for a more focused engagement on indigenous peoples' issues within the UN system;

Implementation of International Commitments for Sustainable Development

Highlights the outcome document "The Future We Want" of the UN Conference on Sustainable Development (Rio +20), which stresses the importance of the participation of indigenous peoples in the achievement of sustainable development, and recognizes the importance of the UNDRIP in the context of global, regional, national, and sub-national implementation of sustainable development goals and related strategies²

Highlights also the recognition of indigenous peoples' rights and the importance of their traditional knowledge, innovations and practices by relevant Rio Conventions and processes – such as the Strategic Plan for Biodiversity (2011-2020) and Aichi Biodiversity Targets, the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from Their

Utilization, Non-legally Binding Instrument on All Types of Forests; as well as various programmes on Reducing Emissions from Deforestation and Forest Degradation (REDD+) under the UN Framework Convention on Climate Change (UNFCCC)

Welcomes the establishment of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) and the inclusion of diverse knowledge systems, including indigenous and local knowledge, in its work in order to enhance the best available policy-relevant information on biodiversity to assist decision-makers;

Notes the work of WIPO's Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC) with the objective of reaching agreement on a text(s) of an international legal instrument(s), which will ensure the effective protection of Genetic Resources, Traditional Knowledge and Traditional Cultural Expressions (TCEs);

Notes the adoption of policies and strategies on Indigenous Peoples by several UN agencies, international financial institutions and bilateral and multilateral development agencies;

Expresses concern that indigenous peoples continue to be among the most impoverished sections of society, and that the specific needs and circumstances of indigenous peoples have not been adequately addressed and targeted by the Millennium Development Goals (MDGs) and in Poverty Reduction Strategies;

1 "Preambular" Paragraph of "UNDRIP," http://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf

2 "Paragraph" 49 of "The Future We Want," <http://www.uncsd2012.org/content/documents/727The%20Future%20We%20Want%2019%20June%201230pm.pdf>

Also concerned that despite the existence of multiple treaties and other legal instruments on cultural diversity and traditional knowledge, the commercialization of indigenous cultures and the misappropriation of indigenous and traditional knowledge and heritage continues;

Recognizes the outstanding challenges in meeting the goals and objectives of the Second International Decade of the World's Indigenous Peoples (2004-2014) and in the operationalization of strategies, policies and programmes of UN agencies

Underlines the opportunities offered to States and indigenous peoples, in the national implementation of these internationally agreed goals, to enter into new, equal and respectful partnerships and strengthen existing ones, in the elaboration of plans, policies, laws and administrative measures, consistent with the UNDRIP, and indigenous peoples' priorities for self-determined sustainable development;

Emphasizes that the realization of the UNDRIP and other international human rights principles and standards, as well as internationally agreed development goals requires that they be incorporated into and elaborated in laws, policies, and administrative measures at national and local levels, with the full and effective participation of indigenous peoples;

Reiterates the principle and right of free, prior and informed consent (FPIC) of indigenous peoples in the implementation of the aforesaid international commitments, underlining the building of long-term partnerships for sustainability and development effectiveness;

Highlights the need for an in-depth understanding of the context of indigenous peoples and communities in Asia and appropriate operational guidelines to address the priority thematic issues of indigenous peoples in the region.

Context of Indigenous Peoples in Asia

Mindful of the rich history of diverse civilizations, cultures and political and legal systems in existence in Asia;

Celebrates Asia, as the global region, which is home to two-thirds of the world's indigenous population, with diverse peoples representing distinct identities, cultures and customary law regimes of indigenous peoples;

Recalls that indigenous peoples in Asia have suffered colonization, marginalization, exclusion, discrimination, forced assimilation, and exploitation of their lands, territories and resources;

Concerned that several treaties, agreements and other constructive arrangements between indigenous peoples and Asian states and their predecessor colonial or other states are not being recognized, observed and enforced in their true spirit;

Concerned at the weak levels of implementation by Asian states of the safeguards contained in the policies and strategies on Indigenous Peoples, recommendations of various inter-governmental human rights treaty bodies and UN mechanisms and procedures with a view to addressing the concerns of indigenous peoples;

Expresses concern that while some Asian states provide constitutional and other formal recognition to the identity and rights of

indigenous peoples, several other Asian states are still reluctant to recognize and respect the identity, dignity, rights and political and juridical systems of the indigenous peoples living within such countries;

Further expresses concern at the non-inclusion of the rights of indigenous peoples by the Association of Southeast Asian Nations (ASEAN), including the ASEAN Human Rights Declaration that was adopted in November 2012, and apprehending that the economic integration plan and the free trade agreements of the ASEAN would further marginalize indigenous peoples and promote trafficking of persons for labor;

Alarmed about the accelerating encroachment into indigenous peoples' territories and the exploitation of their natural resources by corporations as well as governmental, non-governmental and other entities, without the FPIC of the peoples and communities concerned;

Welcomes some progress towards the implementation of the UNDRIP in Asia, and the ratification by some Asian states of the ILO Convention No. 169 and urges other States to ratify the said convention;

Encouraged at the initiation and continuance of dialogues between some Asian states and indigenous peoples seeking to resolve violent conflicts and disputes by entering into treaties, agreements and other constructive arrangements;

Encouraged that indigenous peoples in Asia continue to assert their distinct identities, self-governance, juridical systems and socio-cultural institutions, traditional livelihoods and resource management systems in their interface with mainstream national, political, cultural and economic systems and legal frameworks.

Asian Indigenous Peoples' Quest for Self-determination and Self-governance

In Asia, there have been positive developments in the realization of the right of self-determination and governance including through indigenous peoples' movements and struggles. Some States already recognize indigenous peoples' collective rights and customary governance systems within international, regional and national legal frameworks.

Some states have established national institutions mandated to promote and implement indigenous peoples' rights, such as ministries, departments, councils, commissions and other statutory bodies, among others. These institutions administer specified regions, areas and other territories, provide mandatory representation and reserved seats in legislative bodies and public offices and educational institutions, enable customary and traditional governments and justice institutions to function autonomously, provide land titles, resolve land disputes and formulate and implement national plans for the development of indigenous peoples, among others.

Indigenous peoples are increasingly being represented and engaging in the promulgation, reform and implementation of laws, programs and policies at the national level, including the inclusive state-restructuring process that was institutionalized in the Interim Constitution of Nepal and the Supreme Court decisions in India recognizing the adivasis as indigenous peoples.

On the other hand, indigenous peoples continue to assert their self-determined development and ownership and control of their ancestral territories, domains and lands through collective action and by asserting their right to free, prior and informed consent

(FPIC) with regard to development and use of their lands, territories and resources.

Indigenous peoples have achieved the aforesaid gains through their self-organization, self-governance systems, indigenous peoples' movements and by maximizing available spaces for political participation and collaboration with governments, UN agencies, NGOs, academia, media and other sectors.

However, indigenous peoples in Asia face even greater and grave challenges, issues and gaps in the full realization of their right to self-determination including autonomy and self-governance.

National laws of most Asian countries are a colonial legacy, inconsistent with the customary laws of indigenous peoples, and violative of their human rights and fundamental freedoms.

The weak implementation of existing constitutional, other legal provisions and international commitments that acknowledge indigenous peoples' rights, including the right to FPIC, lead to serious conflicts and divisions within indigenous peoples and communities and to conflicts between indigenous peoples and other segments of the population of their countries. Political misrepresentation of indigenous peoples and patronage politics further marginalize indigenous peoples.

Most Governments in Asia lack political will to address self-determination and collective rights of indigenous peoples as demonstrated in their failure to address indigenous peoples' issues, and to respond in an appropriate and adequate manner to recommendations of UN human rights treaty bodies and other human rights oversight mechanisms of the UN.

States in Asia have persistently invoked the principle of "non-interference in national sovereignty and territorial integrity" to justify the violation of the right of self-determination and other rights of indigenous peoples. Some states in Asia continue to ignore, misinterpret and demonize the indigenous peoples' right of self-determination, autonomy and self-governance against the spirit of the UN Charter, UNDRIP and other international human rights instruments and create huge hindrances to promote and strengthen peaceful co-existence, social harmony, and sustainable and culturally appropriate development of the states and their citizens, including indigenous peoples.

Several states are reluctant to implement the right to self-determination of indigenous peoples leading to marginalization, discrimination and exploitation of indigenous peoples, which violates human rights and fundamental freedoms.

Borders established by States have divided indigenous peoples whose territories cut across State borders, affecting their identity and integrity, inter and intra-indigenous relations, contacts and their ways of life in general.

Indigenous peoples in Asia therefore recommend the following:

1. For States to conduct constitutional and other legal reforms to incorporate the right of self-determination of indigenous peoples - consistent with the UN Charter, UNDRIP, International Covenant on Civil and Political Rights (ICCPR), International Covenant on Economic, Social and Cultural Rights (ICESCR) and other international human rights standards. Further, states should establish competent imple-

- mentation mechanisms, and allocate adequate resources to promote the effective implementation of this right.
2. For States to meaningfully comply with treaties, agreements and other constructive arrangements between indigenous peoples and Asian States to respect the right to self-determination including autonomy and self-governance of indigenous peoples.
 3. For States to recognize and strengthen indigenous peoples' communities, organizations, movements, governance and management systems over their lands, territories and resources as the organizational expression of the exercise of their right to self-determination and build up and strengthen the capacity of indigenous women and youth, their organizations and movements for their full and effective participation in decision-making at all levels.
 4. For States to ensure the respect and recognition of the rights of Indigenous peoples, in particular those divided by international borders, to maintain and develop contacts, relations and cooperation, and other activities with their own members as well as other peoples across international borders.
 5. For States, UN Bodies and NGOs to facilitate systematic dialogues of indigenous peoples with ASEAN, South Asian Association for Regional Cooperation (SAARC) and national governments to allow constructive discussions on how the right of self-determination can be implemented in accordance with the UNDRIP and other international human rights standards.
 6. For States to initiate and continue dialogues with indigenous peoples to resolve violent conflicts and disputes and enter into treaties, agreements and other constructive arrangements where such conflicts and disputes are present or are imminent.
 7. For Asian governments to recognize, observe and enforce, in their true spirit, the treaties, agreements and other constructive arrangements entered into by them and their predecessor colonial or other states with indigenous peoples.
 8. For Asian governments to ensure the full and effective participation of indigenous peoples in all policy decision-making in matters that affect them.

Asian Indigenous Peoples Suffer Militarization and Conflicts

Indigenous peoples in Asia continue to face discrimination, land alienation, forced population transfer, displacement, human rights abuses, genocide, cultural assimilation and denial of access to justice.

Indigenous Peoples territories were divided during colonial period by applying a "divide and rule" policy for colonial interests and such a legacy continues to exist in some of the successor modern states.

The unauthorized and illegal influx and migration of non-indigenous populations in large numbers into indigenous territories is unabated leading to their minoritization, marginalization and conflicts with non-indigenous communities and between indigenous communities as well as the loss of our lands, territories and resources.

Globalization and liberalization policies accompanied by militarization and aggressive development policies have violated our basic human rights, forcing indigenous peoples to resort to resistance movements, initially through democratic processes, and later through armed struggle for self-defense. In response, States have treated this resistance with repression leading to heavy militarization, conflicts and gross human rights violations in indigenous peoples' territories in Asia.

Of deep concern are the increasing labeling of activists of legitimate indigenous peoples' movements as "terrorists", declaring indigenous peoples' territories as "disturbed areas" to legitimize full-scale military operations, permitting unlawful killings and other human rights violations through legal or quasi-legal arrangements, known variously as "Operation Greenhunt", "Operation Cleanheart", "Operation Conflagration", "Operation Upliftment", or "Oplan Bayanihan".

The continuing militarization of numerous territories of indigenous peoples in Asia has led to gross human rights violations, including genocide, unlawful killings, torture, unlawful detention, forced disappearances, rape and other sexual violence against women and children characterized by a culture of impunity whereby perpetrators of such violations escape detection and punishment.

Furthermore, youth and children are being recruited into paramilitary and militia forces while educational institutions are being used for military or "security" purposes.

Militarization is one of the most common serious issues facing indigenous peoples in Asia, where military power is used not only to violently suppress indigenous movements for self-determination and autonomy but

also to breakdown the territorial integrity of indigenous peoples, as well as to promote and protect the interest of State-sponsored bodies or other private companies or multinational corporations.

Indigenous Peoples in Asia therefore recommend the following:

1. For States to ensure that territories of indigenous peoples in Asia be free of state military interventions and that military bases or military training centres installed in indigenous territories be not established without their (FPIC).
2. For governments in Asia to evolve effective mechanisms to trace the genuine root causes of unrest and address the problems through appropriate political solutions given the increasing trend of unrest and conflicts in indigenous peoples' territories.
3. For states to recognize and respect the cross border rights of indigenous peoples.
4. For states to ensure access to justice for indigenous peoples through formal justice institutions, national human rights institutions and other forms of redress, including by taking into account indigenous peoples' customary laws, institutions and processes.
5. For States to establish national human rights institutions, where they have not already done so, and in those where such bodies are present, to strengthen them, in partnership with indigenous peoples.
6. For national and regional human rights bodies to identify an indigenous

- peoples' focal person to cater mainly to the human rights concerns of indigenous peoples.
7. For Asian governments to regulate the illegal and unauthorized influx of migrants or aliens in indigenous peoples' territories and to review and revoke policies that promote such influx and migration.
 8. For UN bodies, competent and independent experts, including Special Rapporteurs, to conduct impartial investigations on the human rights situation of indigenous peoples in Asia in relation to policies of governments, such as the Armed Forces (Special Powers) Act (AFSPA) and other anti-insurgency policies, which facilitate extra-judicial killings, massacre, rape, use of children as human shields and use of mercenaries and foreign security agencies to protect the interests of mining companies.
 9. For Asian governments to exercise political will to end impunity and undertake concrete measures to stop militarization of indigenous territories, prosecute human rights violators and ensure justice, reparation and rehabilitation to human rights victims.
 10. For the UN Human Rights bodies, including the Special Rapporteur on indigenous peoples, extra-judicial killings (EJK), internally displaced persons (IDP), violence against women, religious intolerance, enforced disappearances, food, etc and other relevant special procedures to conduct monitoring visits to the concerned countries and territories and to otherwise communicate with Asian states and corporations to facilitate compliance with international human rights standards and norms.
 11. For States in Asia to continue to engage in dialogues with indigenous peoples to review their repressive military and policing policies to address the issues arising out of militarisation in indigenous peoples' territories.
- Securing Lands, Territories, Resources and Local Economies**
- Asian indigenous peoples continue to value our ways of life, local economies, proven sustainable agricultural practices such as rotational agriculture or swidden farming, pastoralism, hunting and gathering, as well as our contributions to food sovereignty and fulfilling the right to food for all indigenous communities.
- States, the private sector and NGOs have some good practices in promoting livelihood projects, access to markets, and co-management in protected areas that strengthen the security of indigenous peoples' ownership and/or access to their traditional lands, territories, resources and socio-cultural relations and traditional occupations.
- However, the recent history of decolonization in various parts of Asia and the emergence of new states in the post-colonial period, seeking to achieve economic growth and modernization has led to enclosure policies and practices and the exploitation of the lands, territories and resources of indigenous peoples.
- Asian states and other states and non-state entities have forged agreements on unsustainable resource exploitation in indigenous peoples' territories.

Aggressive land and infrastructure development, extractive industries, climate change mitigation activities, establishment and management of protected areas, including areas inscribed on the World Heritage List, and other forms of encroachments upon indigenous peoples' lands, territories and resources have led to persistent violations and breaches of human rights and fundamental freedoms perpetrated by States.

The entry of projects such as mining, mega-hydro electric projects, oil exploration, national parks and conservation projects, plantations, geothermal plants and economic land concessions without the (FPIC) of indigenous peoples have dispossessed them and otherwise adversely impacted their territories and ways of life.

Indigenous Peoples in Asia therefore recommend the following:

1. For States to institute mechanisms and procedures to ensure that FPIC is practised in all stages of the project cycle in cases where indigenous peoples are affected by development operations, extractive industries, and conservation initiatives, among others. The process of providing or withholding consent by indigenous peoples should be made by freely chosen representative institutions and organizations of indigenous peoples, and such decision should be respected by all concerned actors.
2. For States and international development agencies to adopt their post-2015 development agenda and approaches in such a manner that they respect and support holistic and ecological practices of indigenous communities, adopt pluralistic legal frameworks that acknowledge customary

tenure, resource management and sustainable use practices, for the well-being of all.

3. For States to respect the particularities, rights and knowledge of indigenous women in relation to land rights and access to and control over resources, and to prohibit all forms of racial and gender-based discrimination, including those based upon the caste system.
4. For States to design land development projects in such a manner so that they avoid evictions, forceful dislocation and disruptive shifts in land rights and increased land concentration, destruction of livelihoods and environment, food insecurity and poverty, and violation of human rights.
5. For States to establish effective complaints mechanisms and redress mechanisms including through traditional conflict resolution mechanisms and indigenous legal systems.
6. For States to duly demarcate indigenous peoples' lands and territories in accordance with customary law and process, including through good practices on community mapping, in partnership with indigenous peoples.
7. For States to reform laws, policies and practices relating to lands, territories and natural resources affecting indigenous peoples, consistent with the provisions of ILO Convention No. 169, UNDRIP and other relevant international human rights instruments, which enshrine the permanent sovereignty of indigenous peoples over lands, territories and resources.
8. For States to comply fully and effectively with international human rights standards

in order to respect, promote and ensure the collective and individual rights of indigenous peoples over their lands, territories and resources, including the right of indigenous peoples to freely pursue their local economies and self-determined development in accordance with their culture, needs, worldviews and aspirations.

Culture and Spirituality are the Foundations of Indigenous Peoples' Self-determined Development

Some Asian governments have adopted constitutional recognition and have instituted legislative frameworks that respect and protect indigenous peoples' rights to their diverse cultural traditions and identities, as well as the cultures of indigenous peoples as part of national cultural heritage.

However, indigenous peoples in Asia are currently facing great loss of their cultures and identities as a result of exploitation and commercialization of cultures, materialistic influences on the youth, severance from their lands, territories and resources as well as entrenched structures and policies that have undermined the indigenous traditional cultures and customary law practices of indigenous peoples.

There is continuing theft of indigenous knowledge and cultural heritage, which are inadequately protected at national, regional and global levels. The current intellectual property regimes remain limited and ineffective with respect to the protection of indigenous knowledge, while facilitating misappropriation of knowledge and heritage in the name of intellectual property.

Despite this, indigenous peoples have persisted

in practising, innovating and maintaining their cultures and indigenous knowledge, including through customary sustainable use, management and conservation of lands and resources, and the maintenance of their health and juridical systems and institutions;

The indigenous peoples in Asia therefore recommend the following:

1. For States to discontinue discriminatory treatment towards indigenous peoples, and instead promulgate teaching of indigenous languages in mainstream and indigenous peoples' own institutions, and promote other inter-related cultural systems encompassing indigenous health, inter-generational transfer of knowledge, social norms and beliefs.
2. For States to take effective measures to ensure that State-owned media duly reflect indigenous cultural diversity in partnership with indigenous peoples.
3. For States, without prejudice to ensuring full freedom of expression, to encourage privately owned media to adequately reflect indigenous cultural diversity in a manner that is accurate and respectful.
4. For State-owned media and Privately-owned media to fully respect the right of FPIC of indigenous peoples to any documentation and broadcasting of their cultures and traditions.
5. For States to continue to find ways to help strengthen and revitalize indigenous cultures, languages and identities by safeguarding the important links to customary lands, territories and resources, and by supporting inter-generational platforms for the transmission of customs, belief

systems, values and traditions.

6. For States to ensure the participation of indigenous youth and women in decision-making processes affecting them, including through provision of adequate resources and space for such participation;
7. For States to ensure that indigenous children and youth have access to education in their mother tongue, and to develop culturally appropriate educational programs, which accurately incorporate their histories, identities, values, beliefs, cultures, languages and knowledge.
8. For States to provide greater access for indigenous media professionals to information and all forms of media without discrimination, and provide technical assistance and resources in setting up their own media in their own languages.

GENERAL RECOMMENDATIONS

In addition to the recommendations on thematic issues, indigenous peoples in Asia give the following general recommendations:

1. For the UN General Assembly to appoint an Under-Secretary General for Indigenous Peoples.
2. For the UN to establish mechanisms to strengthen indigenous peoples' participation in governance and advisory bodies of the UN. It should include Agencies, Programmes and Funds, and other international organizations providing funds or undertaking programmes and projects affecting indigenous peoples, including, among others, for the strengthening of internal institutional capacities for implementation and effective engagement with

indigenous peoples.

3. For the UN and its member states to advance the generation and compilation of disaggregated data and statistics on the state of indigenous peoples, including indices of indigenous peoples' well-being for inclusion in the post-2015 sustainable development framework.
4. For the UN and its member states to advance the use of indicators relevant for indigenous peoples in the monitoring of progress in indigenous peoples' self-determined development, national sustainable development plans and global sustainable development goals.
5. For relevant institutions at the global, regional and national levels to establish a stronger monitoring and reporting mechanism on the implementation of the UNDRIP.
6. For the ASEAN Intergovernmental Commission on Human Rights (AICHR) to establish a Working Group on Indigenous Peoples.
7. For the SAARC to establish a human rights commission and a Working Group on Indigenous Peoples.
8. For the Asian States to continue dialogues, consultations and partnerships with indigenous peoples on ways and means to foster better relationships with them, and to enable indigenous citizens of those states to fully exercise their civil, political, economic, social and cultural rights in a truly non-discriminatory manner, free from all forms of discrimination whether based on race, ethnicity, religion, spirituality, class, caste, gender, age, disability or otherwise.

A Circumpolar Inuit Declaration on Sovereignty in the Arctic

We, the Inuit of Inuit Nunaat, declare as follows:

1. Inuit and the Arctic

- 1.1 Inuit live in the Arctic.** Inuit live in the vast, circumpolar region of land, sea and ice known as the Arctic. We depend on the marine and terrestrial plants and animals supported by the coastal zones of the Arctic Ocean, the tundra and the sea ice. The Arctic is our home.
- 1.2 Inuit have been living in the Arctic from time immemorial.** From time immemorial, Inuit have been living in the Arctic. Our home in the circumpolar world, Inuit Nunaat, stretches from Greenland to Canada, Alaska and the coastal regions of Chukotka, Russia. Our use and occupation of Arctic lands and waters pre-dates recorded history. Our unique knowledge, experience of the Arctic, and language are the foundation of our way of life and culture.
- 1.3 Inuit are a people.** Though Inuit live across a far-reaching circumpolar region, we are united as a single people. Our sense of unity is fostered and celebrated by the Inuit Circumpolar Council (ICC), which represents the Inuit of Denmark/Greenland, Canada, USA and Russia. As a people, we enjoy the rights of all peoples. These include the rights recognized in and by various international instruments and institutions, such as the Charter of the United Nations; the International Covenant on Economic, Social and Cultural Rights; the International

Covenant on Civil and Political Rights; the Vienna Declaration and Programme of Action; the Human Rights Council; the Arctic Council; and the Organization of American States.

- 1.4 Inuit are an indigenous people.** Inuit are an indigenous people with the rights and responsibilities of all indigenous peoples. These include the rights recognized in and by international legal and political instruments and bodies, such as the recommendations of the UN Permanent Forum on Indigenous Issues, the UN Expert Mechanism on the Rights of Indigenous Peoples, the 2007 UN Declaration on the Rights of Indigenous Peoples (UNDRIP), and others.

Central to our rights as a people is the right to self-determination. It is our right to freely determine our political status, freely pursue our economic, social, cultural and linguistic development, and freely dispose of our natural wealth and resources. States are obligated to respect and promote the realization of our right to self-determination. (See, for example, the International Covenant on Civil and Political Rights [ICCPR], (Art. 1.)

Our rights as an indigenous people include the following rights recognized in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), all of which are relevant to sovereignty and sovereign rights in the Arctic: the right to self-determination, to freely determine our political status and to freely pursue our economic,

social and cultural, including linguistic, development (Art. 3); the right to internal autonomy or self-government (Art. 4); the right to recognition, observance and enforcement of treaties, agreements and other constructive arrangements concluded with states (Art. 37); the right to maintain and strengthen our distinct political, legal, economic, social and cultural institutions, while retaining the right to participate fully in the political, economic, social and cultural life of states (Art. 5); the right to participate in decision-making in matters which would affect our rights and to maintain and develop our own indigenous decision-making institutions (Art. 18); the right to own, use, develop and control our lands, territories and resources and the right to ensure that no project affecting our lands, territories or resources will proceed without our free and informed consent (Art. 25-32); the right to peace and security (Art. 7); and the right to conservation and protection of our environment (Art. 29).

1.5 Inuit are an indigenous people of the Arctic. Our status, rights and responsibilities as a people among the peoples of the world, and as an indigenous people, are exercised within the unique geographic, environmental, cultural and political context of the Arctic. It has been acknowledged in the eight-nation Arctic Council, which provides a direct, participatory role for Inuit through the permanent participant status accorded the Inuit Circumpolar Council (Art. 2).

1.6 Inuit are citizens of Arctic states. As citizens of Arctic states (Denmark, Canada, USA and Russia), we have the rights and responsibilities afforded all citizens

under the constitutions, laws, policies and public sector programs of these states. These rights and responsibilities do not diminish the rights and responsibilities of Inuit as a people under international law.

1.7 Inuit are indigenous citizens of Arctic states. As an indigenous people within Arctic states, we have the rights and responsibilities afforded all indigenous peoples under the constitutions, laws, policies and public sector programs of these states. These rights and responsibilities do not diminish the rights and responsibilities of Inuit as a people under international law.

1.8 Inuit are indigenous citizens of each of the major political subunits of Arctic states (states, provinces, territories and regions). As an indigenous people within Arctic states, provinces, territories, regions or other political subunits, we have the rights and responsibilities afforded all indigenous peoples under the constitutions, laws, policies and public sector programs of these subunits. These rights and responsibilities do not diminish the rights and responsibilities of Inuit as a people under international law.

2. The Evolving Nature of Sovereignty in the Arctic

2.1 “Sovereignty” is a term that has been used to refer to the absolute and independent authority of a community or nation both internally and externally. Sovereignty is a contested concept, however, and does not have a fixed meaning. Old ideas of sovereignty are breaking down as divergent governance models, such as the European Union, evolve. Sovereignities

overlap and are frequently divided within federations in creative ways to recognize the right of peoples. For Inuit living within the states of Russia, Canada, the USA and Denmark/Greenland, issues of sovereignty and sovereign rights must be examined and assessed in the context of our long history of struggle to gain recognition and respect as an Arctic indigenous people having the right to exercise self-determination over our lives, territories, cultures and languages.

- 2.2 Recognition and respect for our right to self-determination is developing at varying paces and in various forms in the Arctic states in which we live. Following a referendum in November 2008, the areas of self-government in Greenland will expand greatly and, among other things, Greenlandic (Kalaallisut) will become Greenland's sole official language. In Canada, four land claims agreements are some of the key building blocks of Inuit rights; while there are conflicts over the implementation of these agreements, they remain of vital relevance to matters of self-determination and of sovereignty and sovereign rights. In Alaska, much work is needed to clarify and implement the rights recognized in the Alaska Native Claims Settlement Act (ANCSA) and the Alaska National Interest Lands Conservation Act (ANILCA). In particular, subsistence hunting and self-government rights need to be fully respected and accommodated, and issues impeding their enjoyment and implementation need to be addressed and resolved. And in Chukotka, Russia, a very limited number of administrative processes have begun to secure recognition of Inuit rights. These developments will provide a

foundation on which to construct future, creative governance arrangements tailored to diverse circumstances in states, regions and communities.

- 2.3 In exercising our right to self-determination in the circumpolar Arctic, we continue to develop innovative and creative jurisdictional arrangements that will appropriately balance our rights and responsibilities as an indigenous people, the rights and responsibilities we share with other peoples who live among us, and the rights and responsibilities of states. In seeking to exercise our rights in the Arctic, we continue to promote compromise and harmony with and among our neighbours.
- 2.4 International and other instruments increasingly recognize the rights of indigenous peoples to self-determination and representation in intergovernmental matters, and are evolving beyond issues of internal governance to external relations. (See, for example: ICCPR, Art. 1; UNDRIP, Art. 3; Draft Nordic Saami Convention, Art. 17, 19; Nunavut Land Claims Agreement, Art. 5.9).
- 2.5 Inuit are permanent participants at the Arctic Council with a direct and meaningful seat at discussion and negotiating tables (See 1997 Ottawa Declaration on the Establishment of the Arctic Council).
- 2.6 In spite of a recognition by the four coastal Arctic states (Norway, Denmark, Canada, USA and Russia) of the need to use international mechanisms and international law to resolve sovereignty disputes (see 2008 Ilulissat Declaration), these states, in their discussions of Arctic

sovereignty, have not referenced existing international instruments that promote and protect the rights of indigenous peoples. They have also neglected to include Inuit in Arctic sovereignty discussions in a manner comparable to Arctic Council deliberations.

3. Inuit, the Arctic and Sovereignty: Looking Forward

The foundations of action

- 3.1 The actions of Arctic peoples and states, the interactions between them, and the conduct of international relations must be anchored in the rule of law.
- 3.2 The actions of Arctic peoples and states, the interactions between them, and the conduct of international relations must give primary respect to the need for global environmental security, the need for peaceful resolution of disputes, and the inextricable linkages between issues of sovereignty and sovereign rights in the Arctic and issues of self-determination.

Inuit as active partners

- 3.3 The inextricable linkages between issues of sovereignty and sovereign rights in the Arctic and Inuit self-determination and other rights require states to accept the presence and role of Inuit as partners in the conduct of international relations in the Arctic.
- 3.4 A variety of other factors, ranging from unique Inuit knowledge of Arctic ecosystems to the need for appropriate emphasis on sustainability in the weighing of resource development proposals, provide practical advantages to conduct-

ing international relations in the Arctic in partnership with Inuit.

- 3.5 Inuit consent, expertise and perspectives are critical to progress on international issues involving the Arctic, such as global environmental security, sustainable development, militarization, commercial fishing, shipping, human health, and economic and social development.
- 3.6 As states increasingly focus on the Arctic and its resources, and as climate change continues to create easier access to the Arctic, Inuit inclusion as active partners is central to all national and international deliberations on Arctic sovereignty and related questions, such as who owns the Arctic, who has the right to traverse the Arctic, who has the right to develop the Arctic, and who will be responsible for the social and environmental impacts increasingly facing the Arctic. We have unique knowledge and experience to bring to these deliberations. Inclusion of Inuit as active partners in all future deliberations on Arctic sovereignty will benefit both the Inuit community and the international community.
- 3.7 The extensive involvement of Inuit in global, trans-national and indigenous politics requires the building of new partnerships with states for the protection and promotion of indigenous economies, cultures and traditions. Partnerships must acknowledge that industrial development of the natural resource wealth of the Arctic can proceed only insofar as it enhances the economic and social well-being of Inuit and safeguards our environmental security.

The need for global cooperation

- 3.8 There is a pressing need for enhanced international exchange and cooperation in relation to the Arctic, particularly in relation to the dynamics and impacts of climate change and sustainable economic and social development. Regional institutions that draw together Arctic states, states from outside the Arctic, and representatives of Arctic indigenous peoples can provide useful mechanisms for international exchange and cooperation.
- 3.9 The pursuit of global environmental security requires a coordinated global approach to the challenges of climate change, a rigorous plan to arrest the growth in human-generated carbon emissions, and a far-reaching program of adaptation to climate change in Arctic regions and communities.
- 3.10 The magnitude of the climate change problem dictates that Arctic states and their peoples fully participate in international efforts aimed at arresting and reversing levels of greenhouse gas emissions and enter into international protocols and treaties. These international exports, protocols and treaties cannot be successful without the full participation and cooperation of indigenous peoples.

Healthy Arctic communities

- 3.11 In the pursuit of economic opportunities in a warming Arctic, states must act so as to: (1) put economic activity on a sustainable footing; (2) avoid harmful resource exploitation; (3) achieve standards of living for Inuit that meet national and international norms and minimums; and (4) deflect sudden and far-reaching demographic shifts that would overwhelm and

marginalize indigenous peoples where we are rooted and have endured.

- 3.12 The foundation, projection and enjoyment of Arctic sovereignty and sovereign rights all require healthy and sustainable communities in the Arctic. In this sense, “sovereignty begins at home.”

Building on today’s mechanisms for the future

- 3.13 We will exercise our rights of self-determination in the Arctic by building on institutions such as the Inuit Circumpolar Council and the Arctic Council, the Arctic-specific features of international instruments, such as the ice-covered-waters provision of the United Nations Convention on the Law of the Sea, and the Arctic-related work of international mechanisms, such as the United Nations Permanent Forum on Indigenous Issues, the office of the United Nations Special Rapporteur on the Rights and Fundamental Freedoms of Indigenous Peoples, and the *UN Declaration on the Rights of Indigenous Peoples*.

4. A Circumpolar Inuit Declaration on Sovereignty in the Arctic

- 4.1 At the 4th Inuit Leaders’ Summit, 6-7 November 2008, in Kuujuaq, Nunavik, Canada, Inuit leaders from Greenland, Canada and Alaska gathered to address Arctic sovereignty. On 7 November, International Inuit Day, we expressed unity in our concerns over Arctic sovereignty deliberations, examined the options for addressing these concerns, and strongly committed to developing a formal declaration on Arctic sovereignty. We also

noted that the 2008 Ilulissat Declaration on Arctic sovereignty by ministers representing the 4ve coastal Arctic states did not go far enough in a5rming the rights Inuit have gained through international law, land claims and self-government processes.

- 4.2 The conduct of international relations in the Arctic and the resolution of international disputes in the Arctic are not the sole preserve of Arctic states or other states; they are also within the purview of the Arctic's indigenous peoples. Development of international institutions in the Arctic, such as multi-level governance systems and indigenous peoples' organizations, must transcend Arctic states' agendas on sovereignty and sovereign rights and the traditional monopoly claimed by states in the area of foreign affairs.
- 4.3 Issues of sovereignty and sovereign rights in the Arctic have become inextricably linked to issues of self-determination in the Arctic. Inuit and Arctic states must, therefore, work together closely and constructively to chart the future of the Arctic.

We, the Inuit of Inuit Nunaat, are committed to this Declaration and to working with Arctic states and others to build partnerships in which the rights, roles and responsibilities of Inuit are fully recognized and accommodated.

On behalf of Inuit in Greenland, Canada, Alaska, and Chukotka

Adopted by the Inuit Circumpolar Council, April 2009

Signed by Patricia A.L. Cochran, ICC Chair; Edward S. Itta, ICC Vice-Chair, Alaska; Tattiana Achirgina, ICC Vice-Chair, Chukotka; Duane R. Smith, ICC Vice-Chair, Canada; Aqqaluk Lyngge, ICC Vice-Chair, Greenland

Decisions and Recommendations of the North American Indigenous Peoples' Caucus Regarding the UN High-Level Plenary Meeting to be called a World Conference on Indigenous Peoples

Organizational Details

1. The North American Indigenous Peoples Caucus (NAIPC) met on March 1, 2 and 3, 2013 at the Sycuan Resort, in the traditional territory of the Kumeyaay Nation. The meeting was sponsored by the Sycuan Band of the Kumeyaay Nation, the Haudenosaunee, the Viejas Band of the Kumeyaay Nation, and the Lummi Nation.
 2. The NAIPC meeting was attended, for varying amounts of time, by approximately ninety- seven (97) representatives from fifty-four (54) Indigenous Peoples' Nations and organizations, including AIM West, American Indian Law Alliance, American Indian Movement of Colorado, Americans for Indian Opportunity, Arizona State University, Assembly of First Nations, Barbareno Chumash Council, Boys & Girls Clubs in Indian Country, Center for World Indigenous Studies, Central Council of Tlingit & Haida Indian Tribes of Alaska¹, Chiefs of Ontario, Citizen Potawatomi Nation², Coastal Band of the Chumash Nation, Confederated Tribes of the Colville Reservation, Continental Network, Emilio Institute for Indigenous Human Rights, Emerging Indigenous Leaders Institute, Ewiiapaayp Band of Kumeyaay Indians, Franks Landing Indian Community, Haudenosaunee, Hoopa Valley Tribe, Iipay Nation of Santa Ysabel, Indigenous Environmental Network, Indigenous Peoples Council on Biocolonialism, Indigenous World Association, Indigenous World Forum on Water & Peace, International Indian Treaty Council, Last Real Indians, Lipan Apache Women Defense,
- Lipan Apache Band of Texas, Mille Lacs Band, Miwok Nation, NATEA, National Indian Youth Council, Inc., Native American Rights Fund, Native Grounds, National Congress of American Indians, Navajo Nation, Oneida Nation Council of Chiefs, Quinault Indian Nation, Sacred Places Institute for Indigenous Peoples, San Carlos Apache, Seventh Generation Fund, TMTANF, Tonatierra Nahuacalli, UBCO, UC-Denver AISS/FWC, United Coalition to Protect Panhe/Acjachemem, United South and Eastern Tribes, Inc. (USET), Ute Mountain Tribe, Winnemem Wintu Tribe, and the Yurok Tribe. The North American expert to the UN Permanent Forum on Indigenous Issues, Ed John, was also in attendance.
3. The participants selected Arthur Manuel (Secwepemc) and Debra Harry (Kooyoee Dukaddo), to co-chair the meeting.
 4. Volunteers and nominations were taken for individuals to serve as the meeting rapporteurs. Volunteers included Steve Newcomb and Donna Goodleaf. Angela Mooney D'Arcy was nominated by Alfred Cruz of the United Coalition to Protect Panhe / Acjachemem. Janice Mokokis was nominated by Sharon Venne, an ambassador of Treaty Six and other Indigenous Nations. Steve Newcomb, Janice Makokis, Donna Goodleaf, and Angela Mooney D'Arcy agreed to serve as the rapporteurs of the meeting.

North America Indigenous Peoples Preparatory Meeting regarding the UN High Level Plenary to be called a World Conference on Indigenous Peoples

5. The North American representatives to the Global Coordinating Group, Kenneth Deer and Debra Harry, provided an overview and background to the HLP-WCIP for meeting participants. After extensive discussion the NAIPC agreed upon a strategy for the Indigenous Peoples Global Preparatory Meeting in Alta, Norway in June 2013 and at HLP- WCIP in 2014, and these decisions and recommendations will also serve as the NAIPC recommendation to the UNPFII-12, Agenda Item 6.
6. **North American Indigenous Peoples' Caucus Strategy for the Indigenous Peoples' Preparatory Meeting in Alta, Norway and the HLP/WCIP in 2014- Preamble to NAIPC Framework Regarding the HLP/WCIP in 2014**
 - 1) Following up on last year's NAIPC meeting at Niagara Falls, the North American Indigenous Peoples' Caucus decided to take a careful and vigilant approach to the 2014 UN High Level Plenary Meeting, which is "to be known as a World Conference on Indigenous Peoples." That stance by the NAIPC resulted in the "Caucus Strategy" statement presented herein.
 - 2) It was observed that the word "participate" was dividing the room and a suggestion was made that "participate" and "participation" be replaced with the position that NAIPC is going to "explore" or is "exploring" what the UN HLP is all about. Suggested text was offered by the North American Representative to the UNPFII. After a brief discussion, the word "participate" was removed from two places in the suggested text, and replaced with the words "exploring" and "explore."
 - 3) What led to NAIPC's cautious and vigilant approach, is the expressed concern that full "participation" in the HLP process, at this stage, can be viewed as providing active or tacit consent for states to proceed with their HLP and outcome document, which will be controlled by state governments, and which might well retreat from the successes of our work as nations and peoples over the past forty years, and might lead to an erosion of the provisions of the UN Declaration on the Rights of Indigenous Peoples that advance the rights and protections of Indigenous Nations and Peoples. Another expressed concern was whether Indigenous peoples "participation" is even possible given the constraints of the HLP framework.
 - 4) The result, arrived at by consensus, is that after an outcome document has been produced at the Indigenous Peoples' gathering in Alta, Norway, that document will be reviewed by the NAIPC "to explore and assess" the possible positive and negative impacts of the HLP/WCIP. After having explored and assessed that outcome document, the NAIPC will decide ("determine") at its gathering next year, 2014, about its "future involvement" with regard to the HLP/WCIP.
 - 5) Having agreed by consensus on a Caucus Strategy with regard to the HLP/WCIP, a decision was made to attend Indigenous Peoples' gathering in the Alta, Norway, but to attend as "Peoples and Nations with rights equal to all

other Peoples,” with “the inalienable right of and to self-determination are expressed in various international instruments (the Universal Declaration of Human Rights, Article 1 of the Human Rights Covenants, and U.N. Resolution 1514).”

- 6) At the gathering in Alta, the NAIPC will hold to the position that the Indigenous Peoples' outcome document shall protect and advance the inalienable and fundamental rights we have as Indigenous Nations and Peoples, and will attend the Alta, Norway meeting “fully and equally as Peoples and Nations to support the implementation of the provisions of the UN Declaration on the Rights of Indigenous Peoples that advance the rights and protections of Indigenous Peoples and Nations.”
- 7) On the basis of the careful and vigilant NAIPC Caucus Strategy statement, a decision was made to support the appointment of Mr. John Henrikson by the President of the General Assembly as Indigenous Co-facilitator so long as his actions are consistent with the mandate of the NAIPC strategy statement. It was also pointed out that as Indigenous Peoples and Nations we have “a right to interpretation” (Article 13, ¶ 2: “...to ensure that indigenous peoples can understand and be understood in political, legal and administrative proceedings, where necessary through provision of interpretation or by other appropriate means”). Indigenous Nations and Peoples have a right to know how states are interpreting key language regarding the UN Declaration and the HLPM “to be known as a World Conference on Indigenous Peoples” so that as NAIPC continues to explore what the UN HLPM is all about,

NAIPC can make informed judgments with regard to every aspect of the UN High Level Plenary Meeting, with all necessary caution and vigilance.

- 8) We will advance the work of the NAIPC by exploring the possibilities of where this can go, including attending and participating in the Indigenous Peoples' preparatory gathering in Alta, Norway for the HLP/WCIP 2014, based on the following:
 - a) Advance the rights of Indigenous Peoples as Peoples and Nations with rights equal to all other Peoples³.
 - b) That we have and confirm the inalienable right to and of self-determination as recognized in various international instruments (the Universal Declaration of Human Rights, Article 1 of the Human Rights Covenants, and U.N. Resolution 1514), including Article 3 of the UN Declaration on the Rights of Indigenous Peoples, as well as our rights to our lands, territories, resources, treaties, languages and cultures.
 - c) At the global Indigenous Peoples' preparatory meeting we will advance the position that the Indigenous Peoples' “outcome document” shall protect and advance the inalienable and fundamental rights we have as Indigenous Peoples and Nations, including the right to participate fully and equally as Peoples and Nations to support the implementation of the provisions of the UN Declaration that advance the rights and protections of Indigenous Peoples and Nations.
 - d) The Caucus may propose and consider specific recommendations consistent with this decision.

e) That the Alta "outcome document" will be reviewed by NAIPC to explore and assess the possible benefits and negative impacts, and to determine future involvement including at the HLP/WCIP.

f) Key Themes:

- International oversight and monitoring mechanism to ensure implementation of the rights of indigenous Peoples
- Domination
- Decolonization
- Self-determination
- Culture, language and spirituality
- International personality of Indigenous peoples
- Free prior and informed consent
- Defense against ecocide, ethnocide and genocide
- Militarization
- International border issues
- Environmental including water rights
- Land rights
- Treaties and treaty rights
- Defense of Indigenous Peoples traditional knowledge and cultural expressions and genetic resources

g) Major Topics:

- Militarization borders/occupation,
- Violence against women, children, and elders
- True cost economy, poverty and economic development

- Forced assimilation,
- Recognizing Indigenous Peoples' contribution
- Land rights, and Territorial/jurisdiction
- Treaties, Agreements and other constructive Arrangements

The NAIPC Recommendations for Outcome Document

- 9) The NAIPC recommends that the entire UN system, especially the Permanent Forum, use the term Peoples at all times when referring to Indigenous Peoples.
- 10) The NAIPC recommends that a systemic analysis of the causation of colonization, domination and subordination be undertaken, that continued work be done on issues related to the use and impact of the racist Doctrine of Discovery that has allowed states to steal Indigenous lands and resources, and that a statement be drafted on the Doctrine of Discovery and that the Doctrine be repudiated in the HLP WCIP Outcomes Document.
- 11) The NAIPC recommends the organization of an official UN World Conference on Indigenous Peoples in accordance with the promises made by the UN during the Second Decade of Indigenous Peoples.
- 12) The NAIPC recommends that there be an international mechanism and oversight monitoring body for redress and restitution of treaty violations by states and/ or successor states.
- 13) The NAIPC recommends that the Outcome Document stress the importance of acknowledging the status of Indigenous

peoples in the North particularly regarding United Nations funding mechanisms.

- 14) The NAIPC recommends that the Outcome Document acknowledge water as a critical element for cultural, physical, and spiritual survival.
- 15) The NAIPC recommends that the Outcome Document take a position against Aquacide: the killing of the waters by dams, diversions, privatization, deprivations, extractive industrial and mega-agricultural developments, hydraulic -fracturing, toxins, and pollution, and other ways that inhibit or preclude Water's ability to nurture and support Life. This includes working to immediately halt Aquicide by all forms of exploitation, commodification, and other assaults that impede or destroy the life giving quality of Water.
- 16) The NAIPC recommends the creation of a body with a mandate to promote and monitor the implementation of the rights of Indigenous Peoples, including the UN Declaration on the Rights of Indigenous Peoples. The General Assembly should, in conjunction with Indigenous Peoples, establish a mechanism by a process which includes the full and equal participation of Indigenous peoples.
- 17) The NAIPC recommends further work be done related to combating violence against Indigenous women and girls, including explicitly linking the issue of environmental violence, including the connection between sexual violence against women and girls and extractive industries.
- 18) The NAIPC recommends that the situation of non-recognized Nations be included in the discussion of violence against women and girls, and that the State's refusal to acknowledge these Nations is a form of violence against Indigenous women and girls.
- 19) The NAIPC recommends that there be a move toward a world expert meeting to focus on the theme of domination, decolonization, and self-determination.
- 20) The NAIPC recommends that the Outcome Document address the issue of poverty as it relates to the Millennium Development Goals.
- 21) The NAIPC recommends that the Outcome Document reinforce the right of free prior and informed consent on all matters that effect Indigenous Nations and Peoples.
- 22) The NAIPC maintains a position that assigning a lesser or subsidiary role for Indigenous Peoples as compared to states in any phase of this High Level Plenary Meeting would constitute a violation of the very rights which it purports to affirm. Real participation is not the same as mere presence in the room.
7. The NAIPC selected Kenneth Deer and Debra Harry to serve as the primary representatives to the Global Coordinating Group, and Ron Lameman and Shannon Rivers to serve as alternates. It was agreed that the primary representatives will serve as alternates to each other as first priority, and the alternates will attend meetings if neither of the primary representatives can attend. Additionally, it was agreed that the GCG funding support be shared equally to both primary representatives to attend all GCG funded meetings and processes.
8. Nominations were made for the following individuals to serve on the GCG

consolidating group for the Alta outcome document on behalf of NAIPC: Roger Jones, Tim Coulter, Sharon Venne, Andrea Carmen, Steve Newcomb, Debra Harry, Marcus Lopez. Cecilia Belone requested a seat be held open for the National Indian Youth Council (NIYC). Elizabeth Kaplanek volunteered to serve on behalf of the youth. Howard Thompson recommended that the Caucus accept all the nominations. Cecilia Belone withdrew her reservation of a seat for the NIYC. Tim Coulter stated that he would serve in a supportive capacity to the drafting team. The NAIPC appointed Roger Jones, Sharon Venne, Elizabeth Kaplanek, Debra Harry, Marcus Lopez, Steve Newcomb, and Andrea Carmen to advance the NAIPC position in the GCG consolidating group process.

9. The NAIPC created subcommittees to develop the process for selecting NAIPC delegates to attend the Global Indigenous Preparatory Meeting in Alta, Norway in June 8-13, 2013. The subcommittee for the US-side developed a list of funded and unfunded/self-supporting Indigenous Peoples and organizations. The subcommittee for the Canada-side of the border developed an application and selection process. The final list of NAIPC delegates to attend the meeting in Alta is will be finalized depending upon availability of funding and other matters.

The Pacific Declaration of the Preparatory Meeting for Pacific Indigenous Peoples on the World Conference on Indigenous Peoples 2014

Redfern, Sydney, Australia, National Centre for Indigenous Excellence, 180 George Street, Redfern NSW 2016, 19-21 March 2013

We the Delegates gathered at the Preparatory Meeting for Pacific Indigenous Peoples on the World Conference on Indigenous Peoples 2014, on the lands of the Gadigal people of the Eora nation in Redfern, Australia 19-21 March 2013:

Welcome Resolution A/RES/65/198 of the United Nations General Assembly on 3 March 2011, to organize a high level plenary meeting of the General Assembly to be known as the World Conference on Indigenous Peoples (WCIP) to be held in 2014, to share perspectives and best practices on the realization of the rights of indigenous peoples, including those acknowledged in the United Nations Declaration on the Rights of Indigenous Peoples.¹

Welcome Resolution A/66/L.61 of the United Nations General Assembly on 17 September 2012, that the WCIP shall result in a concise action-oriented outcome document taking into account the views emerging from preparatory processes through informal interactive hearings and inclusive and open informal consultations among and between member states and indigenous peoples.²

We, the Delegates of the Indigenous peoples of the Pacific hereby declare that:

The assertion of sovereignty by colonial powers over Indigenous peoples, their ter-

ritories, lands, seas and resources were based on morally reprehensible theories that have no basis in fact or law. These theories were manifested in strategies designed to destroy Indigenous nations, including through:

- a) the dispossession of Indigenous peoples' lands and territories;
- b) the destruction of Indigenous peoples' political and legal institutions;
- c) the discriminatory practices of colonizing forces aiming to destroy Indigenous peoples' cultures;
- d) the failure to honour treaties with Indigenous nations;
- e) genocide, crimes against humanity, war crimes and the militarization of Indigenous peoples and their lands;
- f) the corporatization and commodification of Indigenous peoples and their worlds; and
- g) the imposition of development models that are making life on earth uninhabitable, of which the impacts of climate change could prove the most destructive.

The direct result of these actions is Indigenous peoples' current situation of marginalisation, inequality and overrepresentation in negative socio-economic indicators that work

¹ United Nations General Assembly, Resolution A/65/198 of 21 December 2010.

² United Nations General Assembly, Resolution A/66/L.61.

to render Indigenous peoples invisible.

Yet Indigenous peoples of the Pacific remain invincible. Indigenous resistance and resilience has seen Indigenous peoples in the Pacific:

- a) realise sovereignty over their nations in some specific cases through membership in the United Nations (UN) and in other cases over parts of their traditional lands;
- b) continue the evolution of standard setting established with the ILO Convention 169 and UN Declaration on the Rights of Indigenous Peoples;
- c) secure the recognition of their rights within the UN human rights treaty and charter bodies and mechanisms such as the Human Rights Council's Universal Periodic Review, the Permanent Forum on Indigenous Issues, the Special Rapporteur on the rights of indigenous peoples and the Expert Mechanism on the Rights of Indigenous Peoples as well as UN agencies and programs; and
- d) continue to show the worth and value of the wisdom of their cultures for the future of the earth, which cultures provide the solution to many of the world's current crises, including the economic and environmental crises.

a) World Conference on Indigenous Peoples 2014 and Global Preparatory Conference

We assert that the rights of Indigenous Peoples of the Pacific be respected, promoted and fulfilled; and that those recommendations outlined below be considered at the Global Indigenous Peoples Conference on the World Conference on Indigenous Peoples in Alta,

Norway in June 2013, and the World Conference on Indigenous Peoples in New York in September 2014.

b) Review of involvement by Indigenous Peoples in the UN System

The following recommendations relating to Indigenous Peoples involvement in the UN system were endorsed by the delegates:

1. That the UN Human Rights Council implements special measures to ensure that Indigenous people with expertise in Indigenous Peoples' rights are appointed to all treaty bodies such as the Human Rights Committee (HRC). It was emphasised that such appointments will provide UN treaty bodies with greater understanding of Indigenous Peoples' rights and how those rights impact upon the monitoring of conventions and treaties.
2. That an independent mechanism be established by the World Trade Organisation, in conjunction with the United Nations Permanent Forum on Indigenous Issues (UNPFII) and the Expert Mechanism on the Rights of Indigenous Peoples (EM-RIP), to ensure the recognition and protection of Indigenous Peoples economic and property rights. For example by using compliance with international standards to grant licences for development and mineral extraction programs. Further, this mechanism should have a reporting and complaints system to be adjudicated by the HRC.
3. The UN member State reports for the Universal Periodic Review (UPR) should include mandatory consideration of Indigenous rights as outlined in the Declaration on the Rights of Indigenous Peoples

(the Declaration), alongside the Universal Declaration of Human Rights (UNDHR), and the UN Charter.

4. That an audit of the implementation of the Declaration and key recommendations from the following reports be made publically available:
 - i. Member State reports by the Special Rapporteur on the Rights of Indigenous Peoples.
 - ii. Periodic Member State reports, non-governmental organisation (NGO) shadow reports, and UN Committee observation reports regarding non-compliance with the UN international conventions.
 - iii. Reports of the UNPFII and EMRIP.
5. That funds are allocated for the organisation of parallel events, including event that promote Indigenous cultures, to accompany the World Conference on Indigenous Peoples so as to allow for the greatest participation of Indigenous Peoples in the Conference.
6. That the state governments of the Pacific create, in consultation with Indigenous peoples, a Pacific regional human rights system that includes an enforceable instrument on Indigenous peoples' rights, a human rights commission and a human rights court.

c) The 1st and 2nd Decade of Indigenous Peoples: What has worked, what is not working, what have we learnt and the way forward

If a Third International Decade of the World's Indigenous Peoples is adopted this meeting endorses the following recommenda-

tions:

1. That a UN High Commissioner on the Rights of Indigenous Peoples is established to offer the best expertise and support to the different human rights monitoring mechanisms in the UN system in relation to Indigenous Peoples.

d) Organisation of the WCIP 14

It was agreed delegates to the Alta meeting would be selected in accordance with the following selection criteria:

- a. Essential criteria for the sub-region delegate nominations:
 - i. Must be Indigenous
 - ii. Available to travel to the meeting
 - iii. Can obtain visa
 - iv. Over 18 years of age
 - v. Supported by or represent an Indigenous organisation or Indigenous Peoples nation/ clan/ group
 - vi. Experience at the United Nations
 - vii. Ability to draft recommendations
 - viii. Some experience in lobbying
 - ix. The delegate must not be a government employee
- b. Desirable criteria for the sub-region delegate nominations:
 - i. Expertise in a particular area
 - ii. Proven track record of working under pressure
 - iii. Proven experience working in large teams
 - iv. Ability to use Microsoft word, including track and change

v. Established relationships with representatives of the seven socio-cultural regional groupings (Indigenous Peoples regions) of Africa, Asia, Central America, Eastern Europe, South America, the Arctic and the Pacific vi. Established relationships with the Global Coordinating Committee (GCG) members

vii. Established relationships with representatives from Global Indigenous Caucus and/or Global Indigenous Women's Caucus and/or Global Indigenous Youth Caucus

c. Criteria to be considered by each sub-region when nominating Delegates:

- i. Inclusion of Youth (Emerging Leaders)
- ii. Inclusion of Elders
- iii. Inclusion of Women
- iv. Geographic distribution
- v. Balance of organisational and/or nation/clan/group representation
- vi. Continuity across all meetings and positions
- vii. Back up representatives for all meetings and positions

e) Health

The following recommendations on health were endorsed by the meeting:

1. States must adopt a clear, concrete and long-term national plan of action to achieve Indigenous health equality that:
 - i. comprises a detailed plan for the full realisation of the right to health;
 - ii. is adequately funded on a long-term basis

to meet the complex and multiple determinants of health, including long term funding to ensure the meaningful and effective participation of Indigenous communities and their representative organisations; and

iii. includes Indigenous Peoples and representative organisations in all aspects and stages of the action plan.

2. States in adopting measures to promote Indigenous health equality must adopt a broad and holistic definition of health, which:

- i. encompasses the social, economic, political and cultural determinants of health;
- ii. has a collective dimension; and
- iii. recognises the ongoing impacts of colonisation; and past and present government policies and practices on the health of Indigenous Peoples, and;
- iv. are consistent with a rights-based approach to health as outlined in the Declaration, Article 12 of the International Covenant on Economic, Social and Cultural Rights (ICESCR) and General Comment 14 of the Committee on Economic, Social and Cultural Rights.

3. States must enshrine the right to health in domestic law and regulation to ensure its justiciability and that effective protection and redress are guaranteed for Indigenous Peoples (for example regulation of health professionals to demonstrate cultural competence in Aotearoa). Consistent with Article 2 of ICESCR, legal protection must also include the right of non-discrimination as an essential measure to address institutional and systemic racism and to ensure health equality for Indigenous Peoples.

4. Health services for Indigenous Peoples must be delivered by States in a comprehensive, integrated and culturally appropriate way, which recognises the diverse range of determinants of Indigenous health and includes linkages with all other government initiatives that impact on the social and cultural determinants of Indigenous health.
5. States must ensure that community education and awareness programs around health promotion and primary prevention are designed in consultation with Indigenous communities to ensure that they are relevant and appropriate and are central to promoting health equality and the delivery of these activities should be a part of the funded core business of health service providers.
6. Consistent with the principle of 'progressive realisation' contained in the ICESCR States must maintain:
 - i. effective accountability and monitoring processes and must be established and maintained with the involvement and the participation of Indigenous Peoples and their representative organisations; and
 - ii. success must not be equated by merely enhancing access, but rather real and measurable health improvements.
7. The disproportionate prevalence in Indigenous populations of preventable diseases such as suicide, HIV, Malaria, Trachoma (WHO priorities), Tuberculosis, chronic ear infections and Bronchiectasis, should be a focus of the WCIP 14 within its health agenda.
8. That the UN encourage and supports States to develop and implement a genuine progress index/indicator as a true means of measuring wellbeing of their citizens, including Indigenous Peoples, as aligned with the UN Charter and International Treaties.
9. That high rates of suicides (particularly youth) and incarceration in Indigenous communities is highlighted as an extraordinary crisis and is considered a high priority for health policies and interventions both in terms of prevention and post traumatic events across families and communities.
10. That the WHO conducts a global study into suicide amongst Indigenous populations including through aggregated and standardised methods of data collection.
11. That the WHO acknowledges that there is no perfect way to treat disease and that western medicine is suitable to resolve some health issues, whilst traditional medicine is more suited for others.
12. That in accordance with Article 3 of the Declaration the WHO promotes the efforts of collaborative approaches in the resolution of disease and the service delivery of medicine and practitioners by equally respecting the professions of traditional medicine, culture and practices across all policies and practices of UN agencies.
13. In partnership with Indigenous Peoples, that states improve the efficacy of data collections on Indigenous People to ensure transparency and accountability; and that further development work is explored to adopt methodologies that best inform life expectancy before life expectancy estimates are published.

f) Justice

The following recommendations on justice were endorsed by the meeting:

1. That States must develop processes to ensure that both provisional and national laws, policies and procedures comply with international standards including human rights treaties and the Declaration.
2. That States and the UN develop processes which include access to remedies to hold transnational corporations to account for breaches of Indigenous Peoples collective and individual rights.
3. That States develop processes to increase Indigenous engagement and participation in justice systems including as lawyers, judges and support staff.
4. That States ensure that people incarcerated are granted their right to vote.
5. That the UN conduct a global study into the incarceration and overrepresentation of Indigenous Peoples in justice systems, including through aggregated and standardized methodologies of data collection.
6. That States review and consider the benefits of Indigenous customary laws and/or justice systems being better incorporated into their justice systems.
7. That States acknowledge that international law upholds the rights of colonial nations' justice systems, to the detriment of Indigenous justice systems. States should consider integrating traditional systems of justice into national legislation in conformity with international human rights law and international standards of justice.
8. That the UN establishes an international monitoring body to monitor the progress of member nations regarding justice for Indigenous Peoples.
9. That States support Indigenous Peoples to develop programs for specific groups including Indigenous men, women, young people and Indigenous communities to collectively improve access to justice.
10. That States develop in conjunction with Indigenous Peoples just and fair procedures for the resolution of conflicts and disputes between Indigenous Peoples and the State.
11. That States take a strategic approach to crime and justice with Indigenous Peoples that is informed by standardised data collection and focused on prevention and diversion as well as protection and rehabilitation; and that States consider the adoption of Justice Reinvestment as a way of reducing incarceration of Indigenous Peoples.
12. That States provide financial and technical support for Indigenous organisations to:
 - i. provide legal services, including community legal education and policy and law reform advice;
 - ii. ensure that non-Indigenous bodies and service providers respond appropriately to Indigenous justice needs; and
 - iii. inform and assist Indigenous people regarding national and international legislation on human rights and fundamental freedoms, to carry out activities for protecting those rights and freedoms and to promote the capacity-building and

participation of Indigenous Peoples.

13. States should review national laws to eliminate discriminatory provisions with the full and effective participation of Indigenous experts to ensure equality and non-discrimination.
14. Where it is not already the case, national constitutions should be amended to appropriately recognise the unique status of Indigenous Peoples as First Peoples.
15. That an evaluation of national mechanisms on human rights and Indigenous Peoples' rights, such as ministries of tribal affairs, commissions on Indigenous Peoples and human rights commissions, should be undertaken to identify strengths and weaknesses in promoting and protecting Indigenous Peoples' rights that shall form the basis for reforming such bodies.
16. States are encouraged to further develop national laws for the protection and promotion of human rights, including means of monitoring and guaranteeing those rights. Consideration should be given by States that have not yet done so for the ratification of International Labour Organization Convention 169 (ILO 169) and strengthening mechanisms to monitor the implementation of the Convention.
17. The UPR review of States should include special provision to examine the situation of the Indigenous Peoples in any State or Territory particularly regarding the collective human rights as set out in the Declaration, and that States be reviewed in the UPR process to ensure that recommendations have been adequately addressed in reasonable time since the recommendations were first proposed.

g) Violence Against Women

The following recommendations on violence against women were endorsed by the meeting:

1. States acknowledge publicly, in discourse, across policy, programs and through education that, as a result of the violence inflicted upon Indigenous Peoples through the process of colonisation and acculturation that this violence itself has been internalised in Indigenous family systems and has become a disease to which we have been forcibly afflicted. It must now be viewed as a familial and community disease to be treated holistically in partnership with Indigenous Peoples themselves, and in accordance with the principles of the Declaration, in particular Article 3 self determination.
2. That UN agencies expand the discourse of violence against women and include one of violence against Indigenous Peoples.
3. Member States increase funding for community-led violence prevention initiatives in urban, rural and remote areas including the recruitment and training of Indigenous service providers and frontline workers; shelters; and culturally appropriate crisis and counselling services in indigenous languages.
4. States work with Indigenous communities to design education and public awareness campaigns specific to those communities and to allocate sufficient funds for this work in accordance with article 22 (2) of the Declaration.
5. All actors work to improve the coordination of services and resources and in-

crease cooperation and jointly coordinate services and programmes for victims of violence and abuse.

6. In order to empower victims of trafficking, States and the UN system need to factor into their assistance programmes the language and cultural backgrounds of Indigenous women and girls, make concerted efforts to prevent discrimination based on ethnicity and pay particular attention to restoring and building the victim's self-esteem.
7. The UN system, programmes and funds that focus on combating the trafficking of human beings pay particular attention to support the identities of the victim, including their identities as Indigenous Peoples.
8. That States consider the adoption of national targets (such as in the Close the Gap framework in Australia) aimed at reducing the hospitalisation of Indigenous Peoples as a result of assault.
9. That States increase the funding for Indigenous specific legal aid for both Indigenous men and women, especially in regards to criminal injuries compensation and access to victim support – and for that to cover urban, regional and remote areas.
10. That States develop and fund programs to prevent and eliminate violence against Indigenous Elders and develop programs to provide adequate protection, respect and support for Indigenous Elders.
11. That States ensure that educational programs be made available to all people, including Indigenous Peoples and that it is noted that Indigenous children

and youth who are not in school are more susceptible to violence. Particularly focusing on healing, awareness raising and prevention for Indigenous men.

12. That States provide programs for Indigenous men on healing, awareness raising and prevention.

h) Self-Determination, Decision Making and Free, Prior and Informed Consent

The following recommendations on Self-Determination were endorsed by the meeting:

1. That States must be accountable for implementation of the Declaration. The UNGA should recommend States to commit to engaging in formal dialogue with Indigenous Peoples, and their National Human Rights Institutions, to design and develop a National Strategy to give full effect to the Declaration.
2. That States must fully respect the self-determination of Indigenous Peoples of the Pacific, including through formal decolonization processes for those Pacific Indigenous Peoples that seek it.
3. That the UN remind States that when State decision-making powers or authority is delegated to sub-national political levels, including governmental bodies, such bodies must also comply with State obligations concerning the protection and promotion of Indigenous Peoples Rights.
4. That the UN support the development and implementation of a South Pacific Independent Peoples Economic Union (SPIPEU) to develop a strategy for economic survival of Indigenous Peoples, and request that Samoa host the first meeting of the SPIPEU in 2015.

i) Lands, territories and resources

The following recommendations on lands, territories and resources were endorsed by the meeting:

1. That States promote and enable self-determination for Indigenous Peoples through the development of constructive agreements with Indigenous Peoples to advance self-determination and land rights, including development of their own lands, territories and resources.
2. That States and Industry stakeholders work with Indigenous Peoples nationally to develop a set of agreed and achievable principles for implementing the Declaration that ensure that the human rights of Indigenous Peoples are understood, promoted and observed where extractive industries operate.
3. That States work with Indigenous Peoples and Industry stakeholders to develop policies and procedures for working with Indigenous Peoples that comply with the standards set out in the Declaration; and establish at the highest levels a statement on the rights of Indigenous Peoples that respects and promotes their rights.
4. That States work with Indigenous Peoples to develop redress mechanisms that enforce good faith negotiations, are informed by best practice standards and practices, and include legitimate processes to remediate damage to country, and restitution or compensation for lands taken and or damaged without free, prior and informed consent.
5. That States acknowledge and address (according to mutually agreed timeframes with Indigenous peoples) the Rio+20 Indigenous Peoples Declaration on Sustainable Development to access and share in the benefits from their lands, territories and resources.
6. That States ensure meaningful, sufficiently resourced engagement between appropriately mandated Indigenous claims and grievances concerning their traditional knowledge, flora and fauna.
7. That States protect Indigenous Peoples' natural resource related responsibilities and rights, including Indigenous Peoples' right to obtain free, prior and informed consent concerning the development and implementation of state policy that affects such natural resources (including the allocation and management of associated property rights).
8. That States recognise the unacceptably harmful effects of fossil fuel extraction and its use on the natural environment and address the following in relation to Indigenous Peoples lands, territories and resources:
 - i. Design and implement a practical, comprehensive and meaningful strategy to urgently transition away from fossil fuel dependence to clean, renewable and/or free energy based systems and infrastructure.
 - ii. Recognise the increasing and disturbing trend of technology replacing humans in the labour market, and in consultation with Indigenous Peoples develop and implement an effective, strategic response.

j) Education

The following recommendations on Education were endorsed by the meeting:

1. In line with the United Nations Declaration on Human Rights and Article 14 of the Declaration we strongly urge the UNGA to adopt the right to education as one of the priority themes for discussion at the WCIP 14.
2. In recognition that access to Education for Indigenous Peoples is a global concern we request the WCIP 14 to call on the UN Human Rights Council to establish a Special Rapporteur for Indigenous Education.
3. The UN urge States to commit to the principles of Indigenous sovereignty and social justice by ensuring Indigenous Peoples are able to exercise their right to education without conditions, encumbrances or suspension of other rights guaranteed by the Universal Declaration of Human Rights and the Declaration of the Rights of Indigenous Peoples.
4. That States explicitly enshrine the rights to education in domestic law, regulation and policy.
5. That the UN develop a set of international standards that protect Indigenous identity, language, knowledge systems, intellectual and cultural property rights; and that the UNGA urge nation states to adopt policies and legislation that protect, preserve and promote Indigenous knowledges' and intellectual and cultural property rights at the WCIP 14;
6. That the UN develops a process that formalizes the recognition of scholarship

that underpins Indigenous knowledge's and knowledge systems, research methodologies and theoretical frameworks that benefit Indigenous Peoples.

k) Climate Change

The following recommendations on climate change were endorsed by the meeting:

1. That States be urged to ensure the full participation of Indigenous Peoples in initiatives to combat climate change.
2. That Indigenous Peoples be supported to participate in international fora under the UN Framework Convention on Climate Change.
3. That States formally develop an implementation strategy on the Declaration as a priority to ensure strategies to address climate change uphold Indigenous Peoples rights to participation and free, prior and informed consent. 4. That States consider a mechanism through which they can monitor and report on the impacts of climate change on Indigenous Peoples, mindful of our socio-economic limitations, and spiritual attachment to lands and waters.
5. That the UNGA recognise Indigenous Peoples vision and practice of Sustainable Development to be a focus of discussion at the WCIP 14 and that the United Nations Conference on Sustainable Development (Rio+20) Indigenous Peoples Declaration on Sustainable Development should guide this discussion.
6. That the UNGA recommends the United Nations Framework Convention on Climate Change (UNFCCC) upholds the

right to participation in decision making and free, prior and informed consent on any decisions adopted at the Conference of the Parties, including the following:

- i. to develop mechanisms to promote input and participation of Indigenous Peoples in the design, development and implementation of the strategies and activities to be financed by the Green Climate Fund
 - ii. action on adaptation of the Convention should be undertaken in a participatory and fully transparent approach, guided as appropriate by traditional and Indigenous knowledge
 - iii. to include Indigenous and traditional knowledge for future technical workshops.
7. That the UN should consider climate change policy, such as carbon markets, guarantees and protects Indigenous Peoples' engagement and participation. This should include Indigenous involvement in all aspects of climate change law and policy such as development, implementation, monitoring, assessment and review.
 8. That the UN urges States to recognise that meaningful and effective protection and promotion of Indigenous Peoples' rights regarding their traditional territories and natural resources in a critical component of any such strategy to protect fisheries.
 9. That States view climate change from a broad human rights perspective. In particular, Pacific islands (Kiribati and Tuvalu) are vulnerable to the effects of climate change. Pacific Islanders have a right to remain in their motherland and maintain culture and traditions.
 10. That the UN and States establish global

mechanisms for the relocation of Indigenous Peoples due to climate change.

11. That the UN adopt a new protocol to succeed the Kyoto Protocol.
12. That the UN declares that Indigenous Peoples have the right to clean air and atmosphere free of excessive GHG pollutants.

l) Militarisation

The following recommendations on militarisation were endorsed by the meeting:

1. The UN and its relevant institutions and agencies should investigate gross violations of human rights perpetrated in the Pacific region in recent decades by military forces with a view of providing redress for the victims of those violations and bringing the perpetrators to justice.
2. That the UN emphasise the need for demilitarization of the lands and territories of Indigenous Peoples.
3. That military activities cannot take place on Indigenous lands without the free prior and informed consent of their traditional owners and after agreement on fair and just compensation and, where possible, with the option to return to their traditional lands.
4. That relevant lands and territories of Indigenous Peoples be demilitarized.

m) Decolonisation

The following recommendations on decolonisation were endorsed by the meeting:

1. That States recognise the forceful removal

of Indigenous Peoples from their Islands in the Pacific to work the sugar cane and other industries such as pastoral and maritime industries.

2. That the UN urge the Australian Government to apologise and make repatriations and compensation to the descendants of those affected and to support them to locate their families, places of origin and restore their identity.
3. That the Human Rights Council require that the Universal Period Review process be extended to oblige all States to report annually on their implementation of the Declaration with particular attention on Articles 28 and 37.
4. That States act in good faith at all times in relation to Indigenous Peoples, particularly in the context of international diplomacy, and recognise the Indigenous traditional land owners, in accordance with articles 24, 25, 26, 27, 28, 29 and 30 of the Declaration.
5. This meeting supports the ongoing call by Indigenous People of the Pacific for States to be placed back on the list for decolonisation.

n) Equality and Non-Discrimination

The following recommendations on equality and non-discrimination were endorsed by the meeting:

1. That all States in the Pacific fully comply with their responsibilities under the Convention on the Elimination of Racial Discrimination.
2. That the WCIP and UN address the increasing marginalisation of Indigenous peoples with disabilities.

o) Oceans

The following recommendations on Oceans were endorsed by the meeting:

1. The definition of sustainable development should be amended to “development which respects the ability of the ecologico-spatial interrelationships between various components of the environment/fonua to meet the needs of present and future generations of human beings without compromising the ecological sustainability and permanence of the environment/fonua”.
2. That the UN reiterate its recognition of the inherent and spiritual and cultural relationships of Indigenous Peoples with their oceans and the flora, fauna and natural resources therein.
3. That the UN acknowledge that, in terms of lands, territories and natural resources, Indigenous people’s consider “dry” and “wet” lands as being of equal significance.
4. That States recognize the dual and devastating threat of climate change and unsustainable harvesting practices on the oceans’ fisheries, and the subsequent urgent imperative to take active measures to protect that natural resource.
5. That Indigenous Peoples free, prior and informed consent is obtained in the Pacific before any commercial exploitative activities, particularly any harvesting of threatened or at risk flora and fauna (such as whales), are carried out in the Pacific.
6. That the UN urges compliance by States and corporate entities with environmentally responsible harvesting methods and standards.

7. That all States empower indigenous youth to take the lead role in protecting and managing their environment.
 8. That all States empower Indigenous youth to enable their equal participation in the design and implementation of international, national and domestic policies/mechanisms related to protection and management of their environment.
 9. That the UN strictly monitors corporations who are engaged in exploration and extraction of natural resources from the sea bed.
 10. That the UN develops guidelines for States and corporations related to sea bed mining activities.
 11. That extractive industries and commercial industries including tourism and recreational industries must obtain free, prior and informed consent when extracting natural resources.
 12. That the UN urges States and companies to fully respect the principles and the spirit of international agreements in relation to Indigenous Peoples rights, resources and territories and that all activities that exploit resources from the Pacific Ocean requires environmental, social and cultural impact assessments to ensure that there is free, prior and informed consent of the Indigenous Peoples owners of the lands, territories and resources.
 13. States and businesses are urged to ensure that all entities engaging in activities using the Pacific Ocean, such as trade, sea bed mining and exploitation of tuna and other fish resources, take responsibility for any pollution that is generated from it that will ultimately destroy the marine resources that the people of the Pacific depend on.
 14. Urge the UN to ensure that “distant fishing nations” using the Pacific Ocean do not discard their old ships onto the reefs of the Pacific Ocean.
 15. Urge the UN to ensure States respect the rights of small island states in the Pacific in respect of the utilization of resources in international waters and areas beyond national jurisdiction. That the UN review the UN Convention on the Laws of the Sea to ensure that it takes in the concerns and rights of Indigenous Peoples enshrined in the Declaration.
- p) The Declaration and an optional protocol**
- The following recommendations on the Declaration were endorsed by the meeting:
1. That States commit to engaging in formal dialogue with Indigenous peoples, and their National Human Rights Institutions, to design and develop a National Strategy to give full effect to the Declaration which includes monitoring and evaluation and annual reporting as to the progress of such implementation.
 2. That all States provide financial assistance to Indigenous peoples and organisations to assist them to fully realise their human rights in accordance with article 39 of the Declaration. In particular to:
 - i. Support Indigenous peoples’ effective engagement in the development of a National Strategy;
 - ii. Build capacity at the community level

to raise awareness and understanding about the rights contained with the Declaration;

- iii. Empower Indigenous peoples and their organizations to work with States to implement the National Strategy within their communities.
3. That the UN table an optional protocol or treaty on the Declaration at the WCIP 14.
4. That the UNGA ensures that all states fully comply with their obligations under international Indigenous peoples' rights law, including honouring the commitments made in Declaration on the Rights of Indigenous Peoples.

q) Respecting and Protecting Cultural Heritage

The following recommendations on cultural heritage were endorsed by the meeting:

1. That States who have adopted the Declaration should enact legislation to bring it into domestic force by 2016.
2. That the UN set up a body to monitor the compliance of the Declaration performance by member States.
3. That UNGA recommend that culture is integrated into the millennium development goals as a pillar of any sustainable development strategy.
4. That the UN reinforce the recommendations from the EMRIP study on the role of languages and culture in the promotion and protection of the rights and identity of Indigenous Peoples.
5. That States are reminded that they have a duty to ensure the maintenance and, where

necessary, revival of Indigenous languages.

r) Treaties, agreement and other constructive arrangements

The following recommendations on treaties were endorsed by the meeting:

1. States that have not affected a treaty with their Indigenous Peoples do so as a matter of highest priority.
2. That the UN develop a regional Tribunal of Justice, including in the Pacific region to hear the territorial disputes between each respective government and the Indigenous peoples that inhabit their land. Such matters could either be settled through adjudication or other methods of dispute resolution through impartial parties.

A Parenthesis for the UN General Assembly *Indigenous World Conference 2014* *in Violation of the Right of Self-Determination*

By: Huilcaman Aucan Paillama, Council of All the Lands, Mapuche Nation

With much frivolity and apparent absence of critical consciousness there has circulated the resolution 66/296 of the UN General Assembly on the implementation of the “high-level plenary meeting” to be called World Conference on Indigenous Peoples 2014, and whose superficialities and rashness extends and is reflected in all the activities of the indigenous organizations and individuals whose orbit is United Nations.

There is no doubt whatsoever that all UN activity relative to Indigenous Peoples is a significant step. However, this Conference on Indigenous Peoples presents a complete and absolute difference with all other events that have World Conference status within the UN intergovernmental system. This event, which is to be ***called*** a Conference is characterized not only by having been brought to effect in complete contradiction of the principle and right of self-determination of Indigenous Peoples, but also is completely and utterly removed from all procedural norms of all proper other UN Conferences, as well as the void of processes of development of the thematic issues, and the articulation of the purposes of a true and authentic United Nations Conference. The realization of this high-level plenary of the General Assembly by its very nature and the eventual consequences could set a ***precedent*** in the future and consequently affect other activities in the international system in divergence away from the true purpose of the UN Charter, international law and the general principles of internationally accepted human

rights, given that the event ***does not conform*** to the true terms of a World Conference, factors which inherently affect our right of self-determination and similarly degrades the principle of free and informed consent. Yet, consent is being granted by the some ?Indigenous? despite all these specific violations.

As an example I will cite some facts constituting a true UN World Conference.

1. A UN World Conference requires as a pre-condition the formation of a preparatory committee establishing the thematic issues of general interest to the entire international community. However the high-level plenary in question almost exclusive grants the mandate for the event to the president of the General Assembly. By way of a simple example, the World Conference against Racism, Xenophobia and Related Intolerance (2001) - met each and every one of the UN Conference procedures concluding with a ***Declaration*** and ***Plan of Action***, both instruments which enjoyed the full knowledge and recognized legitimacy of stakeholders. The same applies to with the World Conference on Human Rights (June 1993), where all participants were informed previously with the text and elements that were configured into a final product, both in the Declaration and the Plan of Action.

2. In the process of every World Conference, intergovernmental panels are of vital importance, because these provide the institutional space where becomes known the various

positions of the government-states and of the organic regional interests that emerge in the process of taking action and common positions (Grulac, for example).

3. World Conferences, according to the protocols and procedures of the United Nations intergovernmental system, are intended to generate processes of consultation and full and active participation of all stakeholders, in particular for civil society. In this case, a *World Conference on Indigenous Peoples* would require the full and active participation of organizations of Indigenous Peoples from all regions of the world. These particular protocols of participation and consultation process are now commonly based on the new standards of international law and mechanisms for the protection of human rights that have only recently been achieved, among others.

4. A true World Conference is universal in nature and due to the complexities of the issues, it is common to produce working groups of experts to elaborate reports and develop arguments that can be derived from various sources and specific situations. In this event, the *to be named* World Conference of Indigenous Peoples, in the light of the facts and the very nature of the General Assembly resolution which established the Conference these processes are completely and utterly absent by the very resolution of the General Assembly which prescribes these limitations.

5. Regional meetings are a vital characteristic in the overall processes of realizing a World Conference. At these regional encounters, it is common for States to engage with certain specific issues and thus allow for Indigenous Peoples to establish some alliances in the global processes in order to focus their collective efforts towards achievement of results reflecting common interests.

6. This high-level plenary will be held in open contravention of the principle and right to self-determination of Indigenous Peoples. In this case, the mere fact of having violated the norms of procedure and nature, including the regulated and established protocols to all other World Conferences makes evident that the event itself is in open violation of the Right to Self-Determination of Indigenous Peoples. The issue relative to the infringement of the right of self-determination has two related parts.

a. Many Indigenous Peoples still cling to the consideration that the right of self-determination is still a matter of intergovernmental forums while neglecting our status as Right Holders and exercisers of this right. While on one side with this behavior demonstrates the absence of capable international indigenous legations in various forms, there is also a lack of a clear conviction to practice and implement the Right to Self-determination in these arenas. Therefore, until the conduct of Indigenous Peoples differentiates these criteria the government states will continue to operate under their own logic systems, thereby establishing anew, international relationships of colonial domestication.

b. The principle of Free, Prior and Informed consent in this high-level plenary is completely nullified. This time not by the Government States but by those Indigenous the people themselves, who accept knowingly the naming of UN Conference to an event that is not encompassed nor holds any of the characteristics of what a true World Conference of the UN intergovernmental system must reflect. This event could be more appropriately termed as “*A Parenthesis in the General Assembly of the United Nations*.” Consent in the Right and all Acts of Contract are only valid when

the other party (Indigenous) accepts the given conditions. Ultimately, if this consent is manufactured, those responsible for not enforcing the principle of Free, Prior, and Informed Consent would be the Indigenous themselves.

*The contraventions of the right of Free, Prior and Informed Consent and violation of the Right of Self-Determination have precedents.

* Although the full force of the right to self-determination of Indigenous Peoples is stipulated in Article 3 of the United Nations Declaration on the Rights of Indigenous Peoples and other international instruments, the adoption of the ***Nagoya Conference of the Parties*** (2010) established the first precedent of agencies and Indigenous Peoples to forfeit the Right to Self-Determination and likewise cancel the right of Free, Prior and Informed Consent. With this behavior is affected not only these rights in particular, but, also the general principles of law itself that states that any new norms should be aligned with the highest standard, however, with the Nagoya exactly the opposite occurred, in consequence to the manufactured consent granted by the Indigenous themselves.

Despite the complex and serious violations of the Right to Indigenous Self Determination, for many it seems that nothing has happened, when in practice the effects are unpredictable in the immediate future of indigenous peoples, especially for those who truly deployed in efforts oriented towards the realization of the right to self-determination and the best way to implementation of the right of Free, Prior, and Informed Consent ***vis-?-vis*** the internal and multilateral relations with states.

*The meeting April 9 to 11, 2013 in Guate-

mala and other regions of the world.

* The announced meeting in Guatemala is a clear reflection of the absence of input, lack of documentation, lack of an indigenous agenda, the emphasis is placed with preference on administrative matters, however, although these concerns have been duly transmitted to the organizers and conveners and have been no corresponding changes made whatsoever. The agenda for the meeting of Guatemala entails the United Nations Declaration on the Rights of Indigenous Peoples, Lands and Territories; Agenda Post 15 the MDGs; and a Strategic Plan for the General Assembly High Level Plenary/World Conference 2014.

In this regard, the Declaration contains 46 articles, which is results in a completely and utterly ambiguous and imprecise instrument for treatment. It also leaves open the possibility that Government States may take what they consider of their own particular interest regarding this instrument. In this context, it is urgent to define the on the part of indigenous peoples which articles will be addressed. The same applies to the second point about land and territory and the pertinent question arises: What other subjects will be dictated that have not been reported in other international forums and events? The Indigenous organizations from other regions of the world that have already met and in adopted documents, highlight a set of desires and good intentions, sustaining that “we welcome”, “welcome”, “encourage” (...) * without* bringing emphasis on elaborating an eventual agenda or thematic issues, not even mentioning the inclusion of indigenous input into the proposed work plan leading to the 2014 High Level Plenary/World Conference that would conclude with a resounding ***Declaration*** and ***Plan of Action***.

Rectify the situation and ensure acceptable results.

It is urgent to establish an indigenous agenda, including the production of critical analysis, integrating documentation that support indigenous positions, with legal and historical arguments constructed on the foundations of Indigenous law, including the development of new guidelines aimed at an acceptable statement upon conclusion and an Plan of Action to eradicate the root cause of injustice internationally, with an orientation aimed at establishing institutions and relationships that ensure a firm and lasting peace. These elements can come from various sources, including:

1. The UN Permanent Forum on Indigenous Issues has produced substantial recommendations should be identified, a listing that is interesting and potentially useful.

2. Expert Mechanism on the Rights of Indigenous Peoples, in their work has enough information, some of which could contribute towards developing a basic agenda.

3. Article 28 of the UN Declaration on the Rights of Indigenous Peoples, by its large and compelling content requires clarification, specification and legal standardizations for implementation.

4. The *Doctrines of Discovery* <http://unpfi.blogspot.com/p/framework-of-dominance-preliminary_03.html>, its consequences and the appropriate and acceptable collective corrective measures, including fair and equitable compensation to Indigenous Peoples.

5. The dispossession, denial and violation of rights, occupation, taking and confiscation of cultural heritage materials, by their illegal nature have affected the lives of

Indigenous Peoples, and are acts constituting a crime against humanity, which requires proper classification.

Among other matters.

DISMANTLING the Doctrine of Discovery Conference in Arizona. The conference in Arizona to be held from 19-20 April 2013, is another opportunity to contribute substantive elements to identify and develop further content for argumentation and development of an ***Plan of Action*** and an acceptable ***Final Declaration*** for the ***UN High Level Plenary/Conference 2014.**

Foro Indígena de Abya Yala: Declaration of the Indigenous Forum of Abya Yala

Iximulew, Guatemala,
April 11-13, 2013

In the framework of the Preparatory Meeting of Latin America and the Caribbean for the World Conference on Indigenous Peoples 2014, which took place in Iximulew, Guatemala on April 11-13, 2013, women, youth and representatives of Indigenous Peoples' organizations in 17 countries of Latin America and the Caribbean, have met to discuss the themes and content of the World Conference. Concerns, recommendations and proposals were made demanding the respect, recognition and the fulfillment of the individual and collective rights of Indigenous Peoples, of States, financial institutions, inter-governmental agencies, among others.

For indigenous Peoples, our lands, territories and resources, are key elements that allow historical continuity and fullness of life, spirituality, social, cultural, economic, political and human development, linked to our worldview that consists of a deep relationship with Mother Earth. The institutionalization of indigenous Peoples, as expressed through institutions, ancestral authorities, their own political participation and legal systems, allow peaceful coexistence, territorial management and governance.

The current economic development model promotes megaprojects, infrastructure, communication monopolies, extractive industries, forestry, clean development mechanisms, hydroelectric industries, biofuels, "clean" energy (wind, geothermal), metal mining, and dubious solutions based on market mechanisms, REDD +, carbon credits and all its variants, biotechnology and marine fertilization, which do not respect the individual and collective

human rights of indigenous peoples, primarily the right to self-determination and free, prior and informed Consent.

Mindful that dominant society in Latin America and the Caribbean persists through patterns and mechanisms of exclusion, discrimination and racism that do not allow to eradicate inequality gaps, indigenous peoples, especially those in voluntary isolation, indigenous children, youth and women, are more vulnerable to the negative impacts of the policies being developed.

We demand the real and effective decolonization of power, that does not depend on a party or government in power, but on the true construction of plurinational states respecting the demands of indigenous peoples and their life plans. This recognition is an effective mechanism to improve the relationship between States and indigenous peoples, which would allow to build and harmonize mutual coexistence for peace and an inclusive and participatory democracy, eliminating the criminalization actions that have been committed against the indigenous leaders and peoples defending their territorial rights and cultural and spiritual integrity.

Given this situation, the indigenous peoples of Abya Yala:

- We urge the effective application and implementation of the UN Declaration on the Rights of Indigenous Peoples, in particular Articles 3 and 4 on the full exercise of the right to self-determination and to autonomy or self-government;

- We demand that the development actions and policies proposed and promoted by States and others, meet international standards of human rights of indigenous peoples;
- We demand that States ensure the full and effective participation of children, youth and indigenous women in the formulation, implementation and evaluation of public policies, especially for the revival and strengthening of cultural and linguistic identity, access to good quality indigenous intercultural education at different levels;
- We urge States the adequacy of their internal legal systems in line with international standards of human rights, based on the UN Declaration on the Rights of Indigenous Peoples, which allow democratization and the rule of law;
- We call upon the organisms and specialized agencies of the United Nations system, financial institutions and other intergovernmental organizations, to effectively implement the provisions of the UN Declaration in the execution of initiatives in the countries, in coordination with governments and indigenous peoples, including women and youth;
- We urge States to ensure the full and effective participation of indigenous peoples in the evaluation of the post-2015 agenda, based on self-determination, autonomy and territoriality, free, prior and informed consent, spirituality, interculturality, women and youth, reciprocity and solidarity. Eliminating practices that threaten Mother Earth and society for the common good and full life;
- We urge States that the construction of Sustainable Development Objectives is done with the full and effective participation of indigenous peoples;
- We urge States to ensure indigenous peoples' right to communication and information through legislation and specific funds, as enshrined in Article 16 of the UN Declaration;
- We call upon States to support the political, technical and financial preparation process, ensuring participation of indigenous peoples at the World Conference and in the preparation of the outcome documents of the Conference;
- We urge States to establish mechanisms or laws that ensure the right to water;
- We call upon States, as part of an interactive dialogue with indigenous peoples, to develop processes to assess the implementation and effective enforcement of the rights of indigenous peoples, as enshrined in ILO Convention No. 169, the UN Declaration on the Rights of Indigenous Peoples, and others.

Latin America and the Caribbean Indigenous Peoples Prepare for World Conference

Saturday, 13 April 2013

From: http://www.uctp.org/index.php?option=com_content&task=view&id=819&Itemid=2&mosmsg=Item+successfully+saved

Guatemala City, Guatemala (UCTP Taino News)–

Indigenous Peoples from throughout Latin America and the Caribbean are meeting in Guatemala to discuss and organize regional perspectives on the upcoming United Nations World Conference on Indigenous Peoples in 2014. Supported by the Government of Guatemala, This preparatory meeting began on April 11 with a Mayan blessing ceremony lead by Felix Sarazua, a Maya Spiritual Guide. The meeting will end on Saturday, April 13, 2013.

The Latin American and Caribbean Regional Preparatory Meeting for the World Conference on Indigenous Peoples is a part of a global preparatory process toward the United Nations General Assembly high-level plenary entitled the “World Conference on Indigenous Peoples,” scheduled to take September 2014. Some of the themes being discussed in Guatemala include the implementation of the United Nations Declaration on the Rights of Indigenous Peoples; Indigenous perceptions of land and territories; the post-2015 UN Agenda; and the a strategic plan for the World Conference.

Among the invited delegates attending the meeting in Guatemala is Roberto Mukaro Borrero, President of the United Confederation of Taino People (UCTP). Borrero is representing the Confederation and the Caribbean Amerindian Development Organization (CADO).

“From the start of this process the UCTP and CADO have been concerned with the lack of effective participation of indigenous Carib-

bean Islanders during these important preparatory stages” stated Borrero. The UCTP and CADO jointly submitted their concerns to the Latin American and Caribbean Coordinating Committee as well as the Global Indigenous Women’s Caucus.

In its resolution (A/RES/66/296), the UN General Assembly decided that the High-level Plenary Meeting of the General Assembly, to be known as the World Conference on Indigenous Peoples would be held on 22-23 September 2014 in New York at UN Headquarters. A goal of the World Conference is to share perspectives and best practices on the realization of the rights of Indigenous peoples, including to pursue the objectives of the UN Declaration on the Rights of Indigenous Peoples.

Global Preparatory Meeting for Indigenous Women

Organized by the Global Indigenous Women's Caucus
Hosted by the American Indian Community House
Haudenosaunee Traditional Territory New York City

March 27-29, 2013

Opening & Approval of Meeting Agenda

The Global Indigenous Women's Caucus (GIWC) hosted a Global Preparatory Meeting for Indigenous Women on March 27-29, 2013. Our meeting took place in traditional Haudenosaunee territory at the American Indian Community House.²

The Agenda was presented by the GIWC co-chairs and it was approved by the Caucus. Please see Appendix 1.

List of Participants

GIWC Global Coordinating Group
Representatives: Alyssa Macy - Confederated Tribes of Warm Springs, Oregon; International Indian Treaty Council

Youth Caucus: Erin Konsmo - Métis, Native Youth Sexual Health Network; Tania Pariona - Quechua, Comisión de Niñez y Juventud Indígena

African Region: Maria Uazukwani - Nama (Khoisan), !Garib Nama Heritage Foundation

Arctic Region: Hanne Grethe Pedersen - Inuit, Greenland; Vibeke Larsen - Sami, Sami Parliament of Norway

North American Region: Tia Oros - Zuni, Seventh Generation Fund

GIWC Advisers: Myriam Sánchez - CE-

DHIFA, Comunidad Integradora del Saber Andino (CISA), Consejo Nacional de Mujeres Indígenas del Ecuador (CONMIE), Comisión Internacional de Arte de los Pueblos Indígenas (CIAPI); Dea Thiele - Aboriginal Medical Service Western Sydney; June L Lorenzo - Pueblo of Laguna/Dine, American Indian Law Alliance, Laguna Acoma Coalition for a Safe Environment; Tonya Gonnella-Frichner - Haudenosaunee, American Indian Law Alliance

GIWC officers: Sandra Creamer - co-chair - Aboriginal; Lobna Rouhani - co-chair; Eve Reyes-Aguirre co-rapporteur - Izkaloteca, Tonatierra; Sylvia Escárcega - co-rapporteur - Abya Yala Nexus

Other participants: Murielle Borst Tarrant - Kuna/Rappahannock, American Indian Law Alliance; Yolanda Terán - Kichwa, Organización Indígena Andes Chinchasuyo, Red de Mujeres Indígenas sobre Biodiversidad para América Latina y El Caribe; Danika Littlechild - Ermineskin Cree Nation (Neyaskweyak), Treaty 6 (Canada), International Indian Treaty Council; Sandra Nelson Zongo - Cherokee Bright Star Band, Amhara Ethiopian, Longhouse Treaty Nations • Lobi Redhawk - Creek, Cherokee, Longhouse Treaty Nations

Other invited delegates unable to participate: Eleanore Dictaa-Bang-oa (Asia Region); Eryty Teave (Pacific Region); Victoria Kalenbach (Russia & Eastern Europe Region);

This report was prepared by Sylvia Escárcega and Eve Reyes-Aguirre, GIWC Rapporteurs, using their own notes collected at the meeting, and also those taken by Erin Konsmo and Danika Littlechild.

² Co-sponsors: Indigenous Global Coordinating Group for the UN World Conference on Indigenous Peoples 2014, Ford Foundation, Seventh Generation Fund, American Indian Law Alliance, Southern Diaspora Centre, Flying Eagle Woman Fund for Peace, Justice and Sovereignty, and the Rigoberta Menchú Tum Foundation, American Indian Community House, Madeline Newman Ríos, Dea Delaney Thiele.

Myrna Taylor (Latin America & Caribbean Region); Florina López (Latin America & Caribbean Region); Kamira Nait Sid (GIWC Representative to the GCG); Vicky Tauli-Corpuz (GIWC Representative to the GCG); Tarcila Rivera Zea (GIWC Representative to the GCG)

Decision regarding a Guiding Principle for the work of the GIWC

Approved via consensus by the GIWC on March 29, 2013.

The GIWC has decided to have a guiding principle in its work and to be part of the mandate of all of its representatives in the HLP/WCIP process, as follows:

The Global Indigenous Women's Caucus (GIWC) agrees to work together under the definition of self-determination contained in article 3 of the United Nations Declaration on the Rights of Indigenous Peoples in the proceedings of all matters regarding the UN general Assembly High Level Plenary to be called the World Conference on Indigenous Peoples (HLP/WCIP). This definition of self-determination maintains the right to be referred to as Indigenous Peoples, not communities or populations. As Indigenous Women we reaffirm that our inherent rights and customary laws are non-negotiable, as well as our right to language, culture and identity and to free, prior and informed consent. Our GIWC representatives expect to work in a safe environment. As such, we also understand that self-determination is indispensable for the autonomy of our bodies and 5 environmental and reproductive justice, which are important conditions for our physical, spiritual and cultural wellbeing.

Decisions regarding the HLP/WCIP

Outcome of the HLP/WCIP

- It was decided to analyze carefully what is a high-level plenary meeting and its implications for UNDRIP and for the outcome document. Danika Littlechild offered to work on a short paragraph explaining the specific meaning and scope attributed to a high-level plenary meeting vs. a world conference.
- It was decided to look at the outcomes of the Commission of the Status of Women and see how they may affect HLP/WCIP.

Indigenous participation at the HLP/WCIP

- It could be that the informal roundtables will not be a part of the official record of the United Nations. It was decided that the GIWC's goal is to be a part of the formal record. The GIWC would like to find out if the outcome documents coming out of preparatory meetings will be part of the official record.
- It was decided to find out other examples of HLP meetings and the participation of civil society in them. What procedures have been used in the past? What does the GA see as the role of the high-level meeting?
- Side/Parallel Events: There could be side events in the week leading up to GA and parallel activities during the HLP/WCIP. It was decided that it could be strategically significant for the GIWC to start thinking now of organizing a side event and to invite State delegations. Additionally,

the GIWC decided to evaluate how any of these events could affect the high level meetings and the conventions or documents that come out from them.

Decisions regarding the Indigenous Global Coordinating Group (GCG)

GCG roadmap

- Concerns were expressed that women and youth are not fully included on the GCG roadmap.
- It was decided that they need to be in the language, roadmap, and official documents. It was decided to develop strategies for collaboration between the GIYC and GIWC in their work at the GCG in order to advance the full and effective participation of Indigenous women and youth.
- A suggestion was made seek a proactive route to guarantee wide participation through the regional delegations, to seek equal participation in terms of gender and generations, as a way to struggle together to find common positions.

Lobbying

- It was decided to have a GIWC collective position statement that can be used when lobbying.

Decisions regarding the GIWC Representatives to the Global Coordinating Group

Terms of Reference

- It was reminded that the collective is the one that provides the framework for work and the mandate to all of its representatives.
- Taking into consideration all its needs and guiding principles, the Caucus discussed, decided, and approved the Terms of Reference for the GIWC Representatives (see Appendix 2).

Nomination and Selection Process³

- The Caucus decided by consensus to recognize with gratitude the service of our sisters who have served as GIWC GCG main and alternate representatives. The 4 GIWC representatives to the GCG from May 17, 2012 to March 27, 2013 were: Tarcila Rivera Zea (main representative); Alyssa Macy (main representative), who attended 2 GCG formal meetings (New York- August 2012, Chiang Mai- October 2012) and will attend the one in Alta (April 2013); Vicky Tauli-Corpuz (alternate representative), who attended the GCG informal meeting in New York (January 2013); and Kamira Nait Sid (alternate representative).
- In view of the need to move forward in our work, the Caucus renewed a call for GCG representatives to take up the work of engaging with the GCG according to the terms of reference of the GIWC and of the GCG. Nominations were made and discussed in terms of the TORs and the following persons were selected as main and alternate representatives: Alyssa Macy and Myriam Sánchez – main representatives; Sandra Creamer, Maria Uazukuani,

³ Tania Pariona has asked to put in the record that she was not present at the session when the decisions in relation to the GIWC representatives to the GCG and the TORs were made (March 27, 2013) and that she has a different and impartial opinion regarding the procedures for decision-making and on the criteria used.

and Tia Oros – alternate representatives.

Lobbying and Position Statements

- It was decided that the GIWC Representatives at the GCG can and must carry out lobbying efforts based on the Guiding Principle, the Outcome Document from the GIWC preparatory meeting, and GWIC position statements, which will be developed by the collective on a consensus basis. The Caucus members should share through the online listserv research documents and other relevant statements regarding the situation of Indigenous Women and Girls.

Decisions regarding the GIWC representatives to the GCG

Drafting Committee Draft Terms of Reference for GIWC Representatives to the GCG Drafting Committee⁴

- It was stated that the Caucus would finalize full responsibilities and the mandate of the GIWC Representatives to the Drafting Committee at the Global Preparatory Meeting for Indigenous Women. However, due to time issues, this was not possible.
- It was decided that until then, the Draft Terms of Reference are a good guiding framework for the work of the GIWC representatives to the GCG Drafting Committee and they should be used until fully approved TORs replace them. It was

decided that for the GIWC it is absolutely crucial that all of its main representatives and the alternates work as a team, and it is expected that they will be sharing the workload among themselves, that they will be reporting back to the whole Caucus, and that they will be making consultations with the Caucus and its officers in a timely manner.

- It was decided that the selected representatives and alternates would automatically be part of the GIWC drafting team to work on the outcome document. This GIWC drafting team will also include others who have stated their willingness to help in the process.
- It was decided that this team would be collecting information at the GIWC Global Preparatory Meeting for Indigenous Women (March 27-29, 2013), through online consultations afterwards, and at the UN Permanent Forum (May 20-31, 2013).

Designation of GIWC representatives to the Global Preparatory Indigenous Peoples' Conference in Alta

- The Caucus was informed that the GCG has not allocated seats/funding for the representatives of the GIWC and of the GIYC, despite the request made via a joint letter in December 2012. It was decided that the GIWC should communicate to all parties involved that it expects to have full and active participation, and that it should be treated without discrimination.

⁴ The nomination/selection process for the GIWC Representatives to the GCG Drafting Committee, including criteria and draft terms of reference, took place prior to the preparatory meeting on March 7-13, 2013, via the online listserv. The following persons were selected for the GCG Drafting Committee: Sandra Creamer & June Lorenzo, main representatives; Eve Reyes-Aguirre, Dea Thiele, Eleanore Dictaa-Bang-oa & Yolanda Terán, alternate representatives.

- It was decided that the GIWC Rapporteurs would write a letter to the Sami Parliament requesting funding for GIWC representatives. It was also decided that a follow up letter would also be sent to the GCG to be added to their agenda at their upcoming meeting in Alta. 5
- It was decided to give the mandate to our GIWC GCG Representatives to lobby on its behalf for funding purposes.

Criteria for the GIWC delegation to the Alta Conference

The following criteria were decided and approved:

1. Must be an Indigenous woman
2. Has participated actively in the GIWC meetings
3. Knows, honors, is accountable to and upholds the GIWC 9
4. Will work closely in a respectful manner with the GIWC leadership and the collective
5. Has experience as Rapporteur or drafting UN documents in relation to the rights of Indigenous Women
6. Is familiarized with the HLP/WCIP process
7. Has the ability to travel and to obtain a visa
8. Can take some responsibility for fundraising

In addition, the GIWC is committed to strive at having a regional and intergenerational bal-

ance in its delegation.

Nomination process⁶

- The Caucus nominated and decided to give priority to the GIWC Representatives as follows: GIWC Co-chairs and Rapporteurs (the ones that are chosen at the next GIWC preparatory meeting at the UNPFII - May 17, 2013), GIWC GCG Representatives, GIWC Representatives to the GCG Drafting Committee.
- It was decided that the rest of nomination and the selection process would be done via the online listserv and should be continued immediately after the GIWC preparatory meeting.
- It was decided that only those representatives who have the GIWC mandate could speak on behalf of the GIWC.

Designation of GIWC representatives to the GCG Negotiating Team

- The Caucus was informed that the GCG has suggested the need to have a negotiating team in New York during and after the interactive hearing (June – September 2014), made up of people from the different regions and global caucuses. The GCG has not yet created a TOR for the negotiating team.
- For the nomination/selection process, the GIWC considered a few initial criteria, such as having experience lobbying and having some influence on the UN floor.
- For her great experience at the UN, her

5 These letters were sent via email on March 31, 2013 and they were distributed through the listserv.

6 Tania Pariona has asked to put on the record that she has a different and impartial opinion regarding the procedures for decision-making and on the criteria used.

access to the UN, and her residency in NY, Tonya Gonnella-Frichner was nominated to be part of the GCG negotiating team in NYC on behalf of the GIWC. She accepted the nomination. A second nomination was made for Murielle Borst to work alongside Tonya as part of the negotiating team. It was recommended to include other women from different regions as well and for the GIWC to provide a clear mandate.

- However, the discussion was tabled for a later time since there was little information on the roles and responsibilities of the negotiating team. It was decided it might be too early to make any final decisions. Nominations were noted on record.

Decisions regarding Communications

- In order to facilitate the information flow between the Caucus and the GIWC Representatives (including co-chairs, rapporteurs, GCG representatives, and Drafting team members, and future representatives), and among Caucus members, a Communications Protocol was discussed, approved and adopted (see Appendix 3).
- Regarding the GIWC online listserv, it was discussed that while its membership is open to any Indigenous Woman, the discussions are private. Therefore, it was decided that the exchanges should not be forwarded to other lists, fora, or spaces without knowledge and approval of the Caucus members. Likewise, a link cannot be posted in other websites to the open archives.

- In addition, it was recognized that the approved communications protocol carried budgetary implications especially regarding the provision of translations. It was noted that it might be possible to seek assistance at Humboldt University for translations into most languages, except Arabic.
- The GIWC has its own website but it has not been developed. Decisions regarding this remain to be made.
- The GIWC also has a Facebook page where members can post information about what is going on around the world regarding issues of interest for Indigenous Women and Girls. Members can also post photos and videos.

Decisions regarding the GIWC Outcome Document

- The GIWC Drafting team has been entrusted with writing the GIWC Outcome Document from its Global Indigenous Women's Preparatory Meeting. 11
- In addition, a call will be made via the online listserv for Caucus members to send language on the approved themes and issues.
- Mindful that the HLP/WCIP is intended to share perspectives and best practices on the realization of the rights of Indigenous Peoples, including pursuing the objectives of the United Nations Declaration on the Rights of Indigenous Peoples; firmly believing that this process cannot be allowed to undermine the minimum standards that

are already set in the UNDRIP; and concerned that Indigenous Peoples will not be able to participate fully and effectively at the HLP/WCIP, the GIWC has decided that the following will not be suggested as possible themes for consideration: the right to Self-Determination, Articles 3 and 46 of the UNDRIP, the right to Free, Prior and Informed Consent, and the right to self-identification.

- Once the drafting committee has finalized a draft outcome document, it was decided that it must be sent out via the online listserv for its review and final approval. Final approval rests on the Caucus. Only after the Caucus has approved the draft, the GIWC Outcome Document can be delivered to the GCG and presented at the Madrid meeting of the GCG Drafting Committee (May 6-7, 2013).

Themes and issues to be proposed

It was decided to organize all the issues recommended in thematic areas from Indigenous Women's perspectives. A second recommendation was made to tie the themes and issues below to specific articles of UNDRIP (except Art 3 or Art 46) since one of Indigenous Women's concerns is the lack or weak implementation of the Declaration. A third recommendation was to send suggested language on the themes below to the GIWC Drafting Committee.

1. Right to Identity, Right to Culture

- a. Right to culture - SUGGESTED TO BE PRIORITIZED
- b. Right to language
- c. Traditional, ancestral and sacred knowledge. Traditional knowledge across borders.

- d. Preservation of sacred sites
- e. Schooling with identity
- f. Interculturalism

2. Rights of Mother Earth and Our Relationship to Mother Earth

- a. Environmental racism and environmental justice
- b. Violence against Mother Earth
 - i. Protection of and access to water. (Proposed language: The GIWC recommends that the Outcome Document take a position against Aquacide: the killing of the waters by dams, diversions, privatization, deprivations, extractive industrial and mega-agricultural developments, hydraulic fracturing, toxins, and pollution, and other ways that inhibit or preclude Water's ability to nurture and support Life. This includes working to immediately halt Aquacide by all forms of exploitation, commodification, and other assaults that impede or destroy the life giving quality of Water.)
 - ii. Extractive Industries' impact on our access to genetic resources and benefit sharing
- c. Food security and sovereignty
- d. Sumak Kawsay (Ecuador's Constitution) and Suma Qamaña (Bolivia's Constitution)--which could be translated from Quichua and Aymara as Buen Vivir, Living Well--as a right and as an ethical and political principle guiding us to life plenitude
- e. Implementation of the Convention on Biological Diversity. Nagoya Protocol should make reference to Indigenous

Peoples not simply Indigenous communities

*Report to Reference: International Indigenous Women's Environmental and Reproductive Health Symposium - Declaration for Health, Life and Defense of our Lands, Rights and Future Generations.

3. Millennium Development Goals

Proposed language: "Enabling Environments that are: Global in Nature, Sustainable in Value"

- a. Indigenous Women have the Right to Self-Development
- b. Linkage to Sustainable Development Goals (Rio +20) and how to define the paradigm shift as Indigenous Women
- c. Poverty eradication
- d. Sumak Kawsay and Suma Qamaña (Buen Vivir, Living Well) as a model for development with culture and identity

4. Autonomy and Integrity of Indigenous Women and their Bodies

- a. Violence against women and girls. Need to define violence from the perspective of Indigenous Women. We also need to bring back the attention of UN agencies to the violence against Indigenous Women.
- i. Issue of missing and murdered Indigenous Women and Girls
- ii. Women and children in conflict zones
- iii. Human trafficking
- iv. Police violence and brutality against Indigenous Women and Girls, including sexual assaults, beatings, etc.

- b. Apprehension of children in state custody
- c. Forced Displacement
- d. Culturally safe health care that takes that addresses our unique histories and cultures
- e. Reproductive justice
- f. Violence against Human Rights defenders

*Report to reference: Breaking the Silence on Violence against Indigenous Girls, Adolescents and Young Women: an overview of existing knowledge and a call to action. (<http://www.scribd.com/doc/129338019/Final-Executive-Summary-With-Logos>)

5. Indigenous Women's Leadership and Political Participation

- a. Indigenous Women have the Right to Self Representation
- b. Full and effective participation of women on local, regional, national and international levels
- c. Training women. Capacity building for Indigenous Peoples. Adequate methodology to incorporate this
- d. Capacity building and skills development. Programs to empower women and develop own school programs. Lack of recognition
- e. Interculturalism - infusing our doing politics with our own perspectives as Indigenous Women and demanding this is respected

6. Indigenous Economy

- a. Trading
- b. Commerce

- c. Training Indigenous Women to manage finances

Decisions regarding Fundraising

- The GIWC recognized the need to have a fundraising committee in order to be able to better participate in the HLP/WCIP process and in light of the lack of available funds. For example, it was suggested that as possible, it would be better if two delegates at present at all GCG meetings because they would be able to offer different but complementary views on issues.
- It was decided to begin drafting language regarding the establishment of a fundraising committee or group for the GIWC, and to share via our listserv for feedback.
- It was recognized that the GIWC as a whole should take responsibility for finding funding for its main and alternate delegates, translation, other activities and meetings, and its website. It was decided that no criteria are needed to be part of a fundraising committee, however criteria should be discussed and decided for fundraising.
- An issue was raised that since we are not a legal entity who can accept the funding, we need to decide from whom we will take funding. It was decided that the GIWC should not accept funding from States, extractive industries, or private sector that infringe on the rights of IPs, including but not limited to the World Bank.
- The commitment made in the Communications Protocol that the GIWC shall make all possible efforts to provide timely translations of documents and email exchanges has budgetary and fundraising

implications and this has to be discussed.

Other matters: Meeting with the World Bank

- Sandra Creamer and Lobna Rouhani, GIWC Co-Chairs, were invited to and attended a dinner with World Bank representatives on March 26th. They reported that the World Bank is thinking about making policies around Indigenous Peoples.
- Concerns were expressed about the lack of Free, Prior and Informed Consent of the World Bank in Indigenous communities. The GIWC should be very concerned about the actions, activities, and policies of the World Bank.
- Why is the World Bank seeking the spaces where Indigenous Peoples are meeting (e.g. the GIWC and the Latin America and the Caribbean preparatory meetings)? The approach made by the World Bank has caused division in some of the regions because of differences in perspectives regarding the World Bank.
- It was advised that the World Bank should make it clear why they are interested in participating at events by and for Indigenous Women. It was also decided that 15 any meeting with the World Bank should be open and transparent and should not occur during the meeting times dedicated for Indigenous Women.

Letter from Caribbean Indigenous Women to the GIWC

- Indigenous Women from the United Confederation of Taíno People (UCTP), the Bohio de Atabei Caribbean Indigenous Women's Circle, and the Caribbean

Amerindian Development Organization (CADO) sent a letter to the GIWC during its preparatory meeting (Appendix 4 as separate pdf).

- It calls our attention to the need of Caribbean Indigenous Women to be adequately represented not only at the GIWC, but also within their region (Latin America & the Caribbean) and throughout the HLP/WCIP process. It calls the GIWC to consider having Caribbean Indigenous Women in its delegations. Furthermore, it points to the fact that in the GCG process towards the HLP/WCIP, the Caribbean Peoples have been de facto erased or excluded by not including explicit references to them. For this reason, it was decided that any reference made to Latin America must include a reference to the Caribbean since their subregion is included officially in that larger region.

GIWC Roadmap - Plan of Action

Based on the discussions at the GIWC Global Preparatory Meeting for Indigenous Women, the following is a live road map towards the HLP/WCIP. This needs to be updated periodically.

GIWC Delegation for Alta Deadlines: April 15th to send names of delegates; May 1st to register
Actions: Letter to Sami Parliament (Rapporteurs) – Sent on March 29, 2013
Letter to the GCG (Rapporteurs) – Sent on March 29, 2013
Initiate Nomination/Selection process through the listserv
Strategy for participation in Alta, considering possible lack of funds

Drafting of the GIWC Outcome Document
Deadlines: the final GIWC Outcome Document has to be ready well in advance

the Madrid Meeting on May 6th. The GIWC Drafting Committee is in charge of writing the document.

TORs for GIWC Drafting Committee Deadline: As soon as possible
The final TORs have to be finalized, reviewed, and adopted by the Caucus.

Collection of Relevant Information – Position Statements
Deadline: ongoing
The listserv could be used to send relevant information to be considered by the GIWC. Suggested language can also be sent via that way.

Fundraising
Deadline: As soon as possible
It was agreed to draft criteria for fundraising.

GIWC Representatives at the GCG Negotiating Team
Deadline: Ongoing
Need to develop criteria and follow on the nomination/selection process

Side / Parallel Events to the HLP/WCIP
Deadline: Ongoing
Need to discuss whether this is something that the GIWC would like to do.

Appendix 1. Agenda

GLOBAL INDIGENOUS WOMEN'S PREPARATORY MEETING Regarding the UN High Level Plenary to be called the WORLD CONFERENCE ON INDIGENOUS PEOPLES

March 27-29, 2013

VENUE: American Indian Community House New York City, Haudenosaunee Traditional Territory

1. Opening Protocols and Welcome
 2. Opening Remarks, brief history of GIWC
 3. Overview of Meeting Agenda by GIWC Co-Chairs/Coordinators
 4. Overview and Background of the WCIP
 5. Status of the work of the Global Coordinating Group (GCG) and of the Co-Facilitators of the WCIP
 6. GIWC representatives to the Global Coordinating Group
 7. Overview, Discussions, Criteria, Terms of Reference regarding:
 - A. GIWC representatives to the GCG Drafting Committee (TOR)
 - B. The designation of GIWC representatives to the Alta Global Indigenous Peoples' Preparatory Conference; Seats allocated to the GIWC from other regions
 - C. Criteria for the selection of GIWC representatives to the GCG Negotiating Team
 - D. Criteria for the selection of GIWC representatives to WCIP
 8. Discussion of the themes and issues to be proposed by the GIWC for the WCIP
 9. Input from the regional and youth caucus representatives regarding issues related to Indigenous Women and the WCIP
 10. Fundraising update and future planning
 11. Update on GIWC meeting for UNPFII (May 2013)– announcement, provisional agenda
 12. Other matters to be determined
 13. Draft and Review of GIWC Preparatory Meeting Report/Statement regarding the WCIP
- 1Closing of Meeting

Appendix 2. Terms of Reference for the GIWC GCG Representatives

Approved via consensus by the GIWC on March 29, 2013 at its Global Preparatory Meeting for Indigenous Women

Guiding Principle: The Global Indigenous Women's Caucus (GIWC) agrees to work together under the definition of self-determination contained in article 3 of the United Nations Declaration on the Rights of Indigenous Peoples in the proceedings of all matters regarding the UN general Assembly High Level Plenary to be called the World Conference on Indigenous Peoples (HLP/WCIP). This definition of self-determination maintains the right to be referred to as Indigenous Peoples, not communities or populations. As Indigenous Women we reaffirm that our inherent rights and customary laws are non-negotiable, as well as our right to language, culture and identity and to free, prior and informed consent. Our GIWC representatives expect to work in a safe environment. As such, we also understand that self-determination is indispensable for the autonomy of our bodies and environmental and reproductive justice, which are important conditions for our physical, spiritual and cultural wellbeing.

The GIWC GCG representatives shall do the following:

1. The GIWC GCG representatives first mandate is to the Global Indigenous Women's Caucus, and they shall represent the GIWC at all times.
2. Be active participants in the Global Indigenous Women's Caucus in order to be informed

of the positions and directions given by the Caucus.

3. Have the ability to travel, obtain visas and fulfill the mandate as put forth by the GIWC.
4. The main representatives shall share the responsibilities of the work mandated by the GIWC at the GCG, as well as the available funding and resources in order to be able to participate in that work. The alternates shall be kept fully informed of the work of the GCG and its committees, and of all the communication between the main delegates, and shall fully engage in the discussions and decisions.
5. Establishing and maintaining working relationships with governments and permanent missions at the UN in order to promote Indigenous Women, Young Women and Girls' rights.
6. Lobby governments, intergovernmental agencies, UN agencies, and civil society groups, as long as they stay within the mandate of the GIWC, to achieve the goals and objectives of Indigenous Women for the HLP/WCIP 2014.
7. Communicating and collaborating with the Global Indigenous Youth Caucus GCG representatives before/after GCG meetings in order to identify common issues and possible common positions to bring forth. Possible joint actions will be decided collaboratively between the GIWC and the GIYC.
8. Sharing and coordinating information with

other regional representatives.

9. Distributing information about the HLP/WCIP 2014 to the GIWC in a timely manner according to the communications protocol.

10. Informing and reporting back to the GIWC the discussions and decisions made at the GCG meetings and its committees, and at any other meeting in which they participate as GIWC representatives, following the communications protocol.

11. Providing feedback to the co-facilitators of the HLP/WCIP 2014, on the basis of timely consultations with the GIWC according to the communications protocol.

12. Making recommendations for consideration to the GIWC in a timely manner following the communications protocol.

13. Communicating and coordinating with the Permanent Forum on Indigenous Issues (PFII), the Expert Mechanism on the Rights of Indigenous Peoples (EMRIP), the Special Rapporteur on the Rights of Indigenous Peoples, and the Office of the High Commissioner for Human Rights on issues related to Indigenous Women and Girls regarding the HLP/WCIP 2014.

14. Securing adequate funding from the GCG, and work in coordination with the GIWC fundraising committee, for the participation of representatives of the Global Indigenous Women's Caucus in the HLP/WCIP 2014 process at all levels, including meetings of the GCG, global preparatory meetings, the Indigenous Peoples Global Preparatory Conference in Alta, Norway 2013 and the HLP/WCIP 2014 itself. This includes lobbying efforts

within the GCG, other funding sources.

15. Communicating input from the GIWC to the GCG in order to ensure full, equal and meaningful Indigenous Women's participation through every aspect of the HLP/WCIP 2014 process.

16. Advancing the decision of the GIWC to have funded delegations of Indigenous Women and Indigenous Youth selected by the GIWC and the GIYC at the Indigenous Peoples' Global Preparatory Conference in Alta, Norway 2013. These delegations shall be over and beyond any Indigenous Women and Youth selected by the regions to participate at the conference in Alta.

17. Cooperating and planning with the organizers in order to secure the full and effective participation of our representatives without sexual harassment and discrimination.

Appendix 3. Communications Protocol

Approved via consensus by the GIWC on March 29, 2013 at its Global Preparatory Meeting for Indigenous Women

All GIWC representatives:

1. Shall have active communication with GIWC at all times in regards to any matters involved with the High-Level Plenary Meeting to be known as the World Conference on Indigenous Peoples.
2. After each meeting attended, (formal or informal), shall write a report no later than 2 weeks after the meeting, with the goal of submitting the report as soon as possible, detailing the discussions and decisions reached, and outlining course of action.
3. Any discussions, communications, negotiations had in regards to fundraising developments shall be communicated to the GIWC co-chairs immediately. It will be the co-chairs responsibility to send out information to GIWC or its advisers if it needs to go out and have input.
4. Shall provide updates on communications with the GCG representatives of the Global Indigenous Youth Caucus. Other matters: Any requests from media--including radio, television, newspaper, blogs and all other forms of media--must be approved by the GIWC. If this approval cannot be obtained, GIWC representatives can only speak to the mandate of the GIWC. The GIWC shall make all possible efforts to provide timely translations of documents and email exchanges.

Global Indigenous Youth Caucus Preparatory Meeting for the WCIP 2014

April 9-11, 2013, Inari, Finland

Primary GCG member: Tania Pariona

AGENDA

8.4.2013 Monday

- Meeting of the Coordinating Group of the Global Indigenous Youth Caucus (IYC-CG)
- Arrival of the participants
- Arriving fun activities and getting to know each other.

9.4.2013 Tuesday

- Morning session: Opening & UNWCIP
- Opening spiritual ceremony
- Opening remarks, GCG youth representatives
- Welcome, Youth caucus co-chairs & the Sámi parliament)
- Icebreakers- (15mins) – get to know each other.
- Selection of the rapporteur to UNWCIP issues, 2 persons
- Selection of the rapporteur to Global Indigenous Youth Caucus issues, 2 persons
- Selection of the rapporteur of the whole meeting, 2 persons
- Introduction to the UNWCIP and the latest news, John B. Henriksen Co-Facilitator of the UNWCIP
- Report-back on partnership with GIWC – preparatory meeting (Tania & Erin)
- Work of the UNPFII and EMRIP on the WCIP, GCG youth representatives

- Introduction of the Youth preparatory meeting and to the program of the week, GCG youth representatives Discussion/ Questions regarding the UNWCIP process, Participants
- Afternoon session: UNWCIP
- Review on the regional declarations and recommendations regarding the WCIP made by the GIYC in UNPFII and EMRIP, GCG youth representatives
- Proposed framework on IYC declaration, GCG youth representatives
- Group Workshops on the respect and implementation of IP Rights (Good Practices, Gaps and Challenges in Implementation) and recommendations for the WCIP Plan of Action (reports to be submitted before 8pm), Regions focal points (Participants can change groups half way through, or do a rotating portion of this agenda, since most people will have things to say for all of these issues.)

Thematic Areas:

1. Self-determination and Governance
2. Lands, Territories and Resources
3. Implementation of IP Rights under international law including UNDRIP and other international legal instruments
4. Militarization and conflicts
5. Other relevant issues and action plans (cross-cutting concerns, proposed policy actions and mechanisms)
6. Contemporary Indigenous Issues (lan-

guage, culture, health, justice, urban Indigenous youth, climate-change, etc).

10.4.2013 Wednesday

- Morning session: UNWCIP
- Presentation of Workshop Results and consolidation of common issues, gaps, challenges, and recommendations for Plan of Action, Regional focal points
- Presentation of draft IYC declaration on the WCIP (consolidated from the workshop result)
- Afternoon session: Global Indigenous Youth Caucus
- Introduction of the topic & idea
- Terms of reference
- UNPFII Youth caucus preparatory meeting Trainings, statement development and other activities – input on how they want the preparatory meeting shaped.
- Development of the youth caucus & Funding & Membership & Future work •
Group workshops on UNPFII statements
Presentation and discussion on the workshop result

11.4.2013 Thursday

- Whole day session: UNWCIP & GIYC
- Review on the work done
- Wrap up the remained work
- Adaptation of the declaration
- Selection of the members (2 persons) in the international editorial drafting committee of the Alta declaration
- Discussion of the Alta meeting and its participation of the GIYC
- Discussion of the lobbying process for the GA
- Discussion of the GA 2014 in NY and its participation of the GIYC Afternoon session: Surprise from the Finnish Sámi Youth organization if time for that

Alta Declaration

Global Indigenous Preparatory Conference for the High Level Plenary Meeting of the General Assembly to be known as the World Conference on Indigenous Peoples

June 10–12, 2013, Alta

Introduction

Indigenous Peoples and Nations representing the 7 global geo-political regions including representatives of the women's caucus and the youth caucus have gathered in the traditional territories and lands of the Sami peoples at Alta, Norway. Their purpose was to exchange views and proposals and develop collective recommendations on the High Level Plenary Meeting of the General Assembly to be known as the World Conference on Indigenous Peoples, which will convene in New York, 22 – 23 September 2014. This document sets forth their recommendations.

Preamble

For centuries, we Indigenous Peoples and Nations have faced and continue to face the effects of the colonization of our lands, territories, and resources. This has resulted in patterns of domination, exploitation and subjugation of our Peoples and Nations. Such patterns can be traced to claims of discovery and conquest, papal bulls, royal charters and other erroneous doctrines.

These claims have manifested in colonial strategies, policies, and actions designed to destroy Indigenous Peoples and Nations thereby resulting in the ongoing usurpation of Indigenous Peoples' lands, territories and resources; extensive destruction of Indigenous Peoples' political and legal institutions; discriminatory practices of colonizing forces aimed at de-

stroying Indigenous Peoples' cultures; failure to honour Treaties, agreements and other constructive arrangements with Indigenous Nations; genocide, crimes against humanity, war crimes and the militarization of Indigenous Peoples and their lands; corporatization and commodification of Indigenous Peoples; and the imposition of "development" models that are destroying the life-giving capacities of Mother Earth and producing a range of detrimental impacts of which climate change could prove to be the most destructive.

The United Nations Declaration on the Rights of Indigenous Peoples denounces all doctrines, policies and practices based on or advocating superiority of peoples or individuals on the basis of national origin or racial, religious, ethnic or cultural differences and further states that these doctrines, policies and practices are racist, scientifically false, legally invalid, morally condemnable and socially unjust.

We reaffirm that Indigenous Peoples are equal to all other peoples, while recognizing the right of all peoples to be different, to consider themselves different, and to be respected as such. In the exercise of our rights Indigenous Peoples shall be free from discrimination of any kind, in particular discrimination that is based on our indigenous origin or identity; and for Indigenous women, the right to be free from discrimination that is based on gender.

The members of the United Nations must uphold their solemn obligations under the

United Nations Charter to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, to achieve international cooperation in solving international problems of an economic, social, cultural, or humanitarian character, and to promote and encourage respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion; and in particular in the specific cultural context of Indigenous Peoples and the standards recognized by the United Nations Declaration on the Rights of Indigenous Peoples.

Furthermore, nation-states individually and collectively, must uphold their obligations in relation to peremptory norms of international law, including equality, non discrimination, the absolute prohibition of racial discrimination and genocide as well as existing state obligations under customary international law principles concerning the right of self-determination of all peoples, including Indigenous Peoples, and our rights to lands, territories and resources; redress and reparations; free, prior, and informed consent; and our distinct economic, social, cultural and political rights.

We affirm that the inherent and inalienable right of self-determination is preeminent and is a prerequisite for the realization of all rights.

We have identified four overarching themes that encapsulate those issues that are of greatest importance to us as Indigenous Peoples and Nations. We recommend that each overarching theme be the respective theme for each of the three round tables and the one interactive dialogue that make up the High Level Plenary Meeting of the General Assembly to be known as the World Conference on Indig-

enous Peoples. Each of the four themes are accompanied by specific and concrete recommendations for inclusion in the final outcome document of the High Level Plenary Meeting of the General Assembly to be known as the World Conference on Indigenous Peoples.

Theme 1: Indigenous Peoples' lands, territories and resources

1. All peoples, including Indigenous Peoples and Nations, have the right of self determination over their lands, territories and resources, including water¹. We recommend that States implement this right, including through the allocation of sufficient financial resources, consistent with their obligations under international law, the United Nations Charter, and Nation-to-Nation Treaties concluded with Indigenous Peoples and Nations;
2. Recommend that States affirm and recognize the rights of Indigenous Peoples and Nations to their lands, territories and natural resources and take action to legally recognize and otherwise fully implement these rights, including the right to restitution as well as the protection and preservation of sacred places and cultural landscapes. Further that States establish mechanisms that can effectively promote the implementation of these rights including through the allocation of sufficient financial resources;
3. Recommend the establishment of mechanisms to ensure that States obtain the free, prior, and informed consent of Indigenous Peoples and Nations before entering their lands and territories or relocating them.

¹ A/RES/64/292.

Past relocations require just and fair compensation and, where possible, the option of return. In such instances where Indigenous Peoples have been forcibly evicted from their ancestral lands and territories, that States provide immediate redress including compensation and humanitarian assistance as required;

4. Recommend that States uphold and respect the self determination of Indigenous Peoples and Nations who do not want resource extraction in their lands and territories and that where resource extraction is already occurring that States with the full, equal and effective participation of Indigenous Peoples develop a comprehensive long term strategy, for sustainable and equitable resource extraction, to end and prevent uncontrolled and unsustainable industrial contamination and extraction and that such a strategy address the need to urgently transition away from fossil fuel dependence to clean, renewable and/or free energy based systems and infrastructure. Further, that such a strategy incorporates strengthening the capacity of Indigenous youth in relation to sustainable development practices based on traditional knowledge and the relationship with the land as well as the protection and promotion of the important role of Indigenous women as traditional knowledge holders.

Theme 2: United Nations system action for the implementation of the rights of Indigenous Peoples

1. Recommend the creation of a United Nations body with a mandate to promote, monitor and review the implementation of the rights of Indigenous Peoples, includ-

ing but not limited to those affirmed in the United Nations Declaration on the Rights of Indigenous Peoples, and that such a body be established with the full, equal and effective participation of Indigenous Peoples;

2. Recommend that the General Assembly call for the establishment of an international mechanism to provide oversight, redress, restitution and the implementation of Treaties, agreements and other constructive arrangements between Indigenous Nations and States and successor States;
3. Recommend that the General Assembly appoint an Under-Secretary General for Indigenous Peoples, in order to strengthen the United Nations capacity and efforts towards ensuring the full realization of the rights of Indigenous Peoples as well as the inclusion and reflection of these rights in all activities of the United Nations;
4. Recommend that all United Nations agencies, programs and funds engaging in activities impacting on Indigenous Peoples appoint an officer, or establish a team of officers, with particular responsibility to ensure that all such activities are responsive to and adapted for the particular situation of Indigenous Peoples. That efforts be made to ensure that recruitment of Indigenous personnel within these agencies and programs is increased;
5. Recommend that a review be undertaken of the nomination processes for United Nations mandated positions relating to Indigenous Peoples' rights to ensure that the processes are consistent with the United Nations Declaration on the Rights of Indigenous Peoples, and that Indigenous

Peoples with expertise on Indigenous Peoples' rights be appointed to treaty monitoring bodies to enable more effective monitoring of Indigenous Peoples' rights and states parties compliance with their treaty obligations.

6. Recommends the organization of an official UN World Conference on Indigenous Peoples.

Theme 3: Implementation of the Rights of Indigenous Peoples

1. Self-determination includes, inter alia, the right and power of Indigenous Peoples to negotiate on an equal basis with States the standards and mechanisms that will govern relationships between them. We therefore recommend that States recognize that the implementation of the existing right of self-determination in international law in this regard will make a significant contribution to avoiding and/or resolving conflicts and alleviating adverse social and economic conditions;
2. Recommend that States, with the full, equal and effective participation of Indigenous Peoples, including Indigenous women, youth, and persons with disabilities develop processes to ensure that local, provincial and national laws, policies and procedures comply with international standards including human rights treaties and the United Nations Declaration on the Rights of Indigenous Peoples and further recommend that national human rights institutions develop specific programmes and monitoring mechanisms that focus upon and address the effective implementation of the United Nations Declaration on the Rights of Indigenous Peoples;
3. Recommend that States enter into new treaties, agreements and other constructive arrangements with Indigenous Peoples as a way to effectively implement their rights and to resolve violent conflicts and disputes and that the implementation of all treaties, agreements and other constructive arrangements be ongoing and effective;
4. Recommend that States uphold and implement the rights of indigenous women as well as strengthen the protection of indigenous women through the formulation and implementation of effective laws, policies and strategies; and that States with the full, equal and effective participation of Indigenous women take immediate action to review and monitor the situation of indigenous women and provide comprehensive reports on violence against indigenous women and girls, particularly sexual violence and violence in the context of armed conflict;
5. Recommend that States refrain from further militarizing the lands and territories of Indigenous Peoples and Nations and that the security of all Indigenous Peoples be upheld with special measures being taken to ensure the protection of Indigenous women and children;
6. Recommend that States consult with Indigenous Peoples and Nations on the establishment and development of national commissions of inquiry or other independent, impartial and otherwise effective investigative mechanisms to document matters of impunity and other human rights concerns of Indigenous Peoples and to ensure that recommendations to governments to end impunity for violations of

Indigenous Peoples' rights are effectively implemented;

7. Recommend that States work collaboratively with and actively assist Indigenous Peoples to repatriate sacred and culturally significant items and ancestral remains.

Theme 4: Indigenous Peoples' priorities for development (Free, prior and informed consent)

1. Indigenous Peoples' priorities for development are predicated on the full and effective recognition of their rights to lands, territories and natural resources and the connection between customs, belief systems, values and traditional knowledge. We therefore recommend that culture be integrated as a pillar into strategies that relate to development including the Millennium Development Goals and the post 2015 UN Development Agenda;
2. Recommend that States uphold and respect Indigenous Peoples' and Nations right of free, prior and informed consent before any activities are carried out in the lands and territories of Indigenous Peoples;
3. Recommend that States take a strategic approach to crime and justice with Indigenous Peoples which is informed by standardised and disaggregated data collection and which is focused on prevention and diversion as well as protection and rehabilitation;
4. Recommend that States facilitate high quality and culturally appropriate education and health policies, programs and services by Indigenous Peoples for Indigenous Peoples, which incorporate Indigenous Peoples' needs,

histories, identities, values, beliefs, cultures, languages and knowledge. Such policies, programs and services must include the distinct perspectives of Indigenous women, youth and persons with disabilities and they must be allocated sufficient financial resources;

5. Recommend that States collect, analyze and disaggregate data on the status of Indigenous women and girls in order to draft and implement public policy and legislation that better addresses the situation of Indigenous women and girls;
6. Call on States to reaffirm the rights of Indigenous Peoples to their economic, social and cultural development with due regard to their freedom and identity and the recognition that the right to development is both procedural and substantive, obliging States to ensure that development is equitable, non-discriminatory, participatory, accountable, and transparent, with equality and choice as important overarching themes.