

STATEMENT OF MS. VICTORIA TAULI-CORPUZ, CHAIRPERSON OF THE UN PERMANENT FORUM ON INDIGENOUS ISSUES, TO THE HUMAN RIGHTS COUNCIL AT ITS FIRST SESSION

21 June 2006

Mr. Chairman,
High Commissioner for Human Rights,
Distinguished members of the Human Rights Council,
Ladies and gentlemen,

It gives me great pleasure to address this historic first session of the Human Rights Council on behalf of the UN Permanent Forum on Indigenous Issues. Indigenous peoples have always looked to the United Nations for the respect and promotion of their human rights and fundamental freedoms and it is the precursor of this Council, the Commission on Human Rights and the Working Group on Indigenous Populations of its Sub-Commission that have responded to the voices of indigenous peoples asking for respect and justice. Thousands of indigenous leaders have come and spoken in these halls of the United Nations Office in Geneva, pleading their case and asking the world for recognition of their human rights and the adoption of a declaration.

Human rights are and will continue to be a major priority for indigenous peoples around the world, addressing the core of indigenous peoples' dignity, their physical and cultural survival. It is therefore no surprise that human rights is one of the mandated areas of the UN Permanent Forum on Indigenous Issues that I have the honour to chair. We highly appreciate our close cooperation with human rights mechanisms and bodies, including the Special Rapporteur on the human rights and fundamental freedoms of indigenous people, as well as with the Office of the High Commissioner for Human Rights and are looking forward to building solid cooperation with the Human Rights Council.

Mr. Chairman,

When the Heads of State and Government gathered at the United Nations for the World Summit in September 2005, to follow-up on the outcome of the Millennium Summit and to adopt an agenda for United Nations reform, we were extremely pleased to see that attention was also paid to the situation of the indigenous peoples.

At the World Summit Outcome, in pursuance of their commitment to achieve sustainable development, our world leaders recognized that the sustainable development of indigenous peoples and their communities is crucial in the fight against hunger and poverty.

Our world leaders also reaffirmed, subject to national legislation, to respect, preserve and maintain the knowledge, innovations and practices of indigenous and local communities embodying traditional lifestyles relevant to the conservation and sustainable use of biological diversity, promote their wider application with the approval and involvement of the holders of such knowledge, innovations and practices and encourage the equitable sharing of the benefits arising from their utilization.

Lastly, our world leaders also reaffirmed their commitment to continue making progress in the advancement of the human rights of the world's indigenous peoples at the local, national, regional and international levels, including through consultation and collaboration with them, and to present for adoption a final draft United Nations declaration on the rights of indigenous peoples as soon as possible. We heard with gratification that this important commitment has been heeded since by the Secretary-General of the United Nations, the President of the General Assembly, the Under-Secretary for Economic and Social Affairs and other dignitaries, and of course by the Permanent Forum on Indigenous Issues. It is with great pleasure to hear the Secretary-General in his speech in Monday, 19 June, reiterate that the Draft Declaration on the Rights of Indigenous Peoples should be given priority by the Human Rights Council.

Mr. Chairman,

Against this background, it is my pleasure to bring to your attention and the attention of and this august body the seven important recommendations of the Permanent Forum at its fifth session last month which are of direct relevance to the work of this Council. Due to time considerations, I will not read all of this. I would just like to stress the two most important ones for this First Session of the Human Rights Council.

1) The Forum expressed its conviction that a **Declaration on the Rights of Indigenous Peoples** will be an instrument of great value to advance the rights and aspirations of the world's indigenous peoples. The Forum therefore recommends the adoption without amendments of the draft Declaration on the Rights of Indigenous Peoples as contained in the proposals of the Chairperson of the Commission on Human Rights Working Group on the Draft Declaration on the Rights of Indigenous Peoples (see E/CN.4/2006/79, annex I) by Human Rights Council and General Assembly during its sixty-first session, in 2006. This would represent a major achievement for the Second International Decade of the World's Indigenous Peoples.

I would like to appeal to all the members of the Council to please support the resolution referred to by Peru this afternoon and co-sponsored, as of now by 17 governments, calling for the adoption of this Declaration. This will be a historic action which will clearly send out the message that the Human Rights Council is serious in its commitment to bring justice to indigenous peoples who have been most marginalized and whose basic human rights have been violated since colonization up to the present. I am appealing specifically to the member-states from Asia and Africa, where the biggest number of indigenous peoples are found, to give their full support for the adoption of this Declaration.

I would also like to appeal to the member-state calling for a postponement of the consideration of this resolution for September not to pursue this proposal. Such a proposal, can only open up more discussions on the content of the draft as proposed by the Chairperson-Rapporteur of the Working Group, which will water-down what is already there. This will amount to reinforcing further the injustice against indigenous peoples.

2) In anticipation of the first session of the Human Rights Council, the Forum recommended that indigenous issues be a **standing agenda item** of the Council and that due attention be paid to the human rights and fundamental freedoms of indigenous peoples. The **role of the Special Rapporteur** on the human rights and fundamental freedoms of indigenous peoples should be maintained and further strengthened within the Council.

3) The Permanent Forum encourages the Human Rights Council to pay special attention, through monitoring mechanisms of the Council, to the **implementation of recommendations of the Special Rapporteurs pertaining to indigenous peoples.**

4) The **active participation of indigenous peoples and indigenous organizations should be ensured** when matters affecting their rights are discussed by the Human Rights Council and any subsidiary bodies or processes it decides to establish.

5) The Forum would welcome an invitation from the Human Rights Council to the Forum Chairperson to participate in the programmed activities of the Council related to indigenous peoples' issues. And we

are indeed honoured by the invitation of the Council to its first session, viewing it as the beginning of a close cooperation between our two bodies.

6) Recalling that the United Nations Human Rights Council will assume, review and, where necessary, improve and rationalize all mandates, mechanisms, functions and responsibilities of the Commission on Human Rights in order to maintain a system of special procedures, expert advice and complaint procedures; and recalling that the Council shall complete the review within one year after the holding of its first session, the Permanent Forum strongly urges the Human Rights Council to **ensure the full participation of representatives of indigenous peoples in that review process**. The Forum further urges the Human Rights Council to maintain and improve mechanisms, mandates, special procedures, expert advice mechanisms and complaint procedures relevant and pertaining to the promotion and protection of the human rights and fundamental freedoms of indigenous peoples.

7) The Permanent Forum recommends to the Human Rights Council that in the course of a **universal periodic review of the situation of indigenous peoples of a country under consideration be examined**.

Mr. Chairman,

Distinguished delegates,

At the dawn of this new century, indigenous peoples must be viewed as full partners towards a common future of humanity, where cultural diversity and human rights for all will be respected. At the Fifth Session of the Permanent Forum on Indigenous Issues, more than 150 indigenous peoples' organizations and networks, all over the world, submitted a statement asking for the General Assembly to adopt the Declaration. Several observer governments also spoke calling for the same. It is in partnership with these indigenous peoples' organizations and member-states of the UN, that the Permanent Forum came up with this recommendation. I therefore reiterate and appeal to this Council to demonstrate its moral leadership and make its mark on history by adopting, at this first session, the Declaration of the Human Rights of Indigenous Peoples.

Thank you for your attention.