

**STATEMENT ON THE UN DECLARATION ON THE RIGHTS OF INDIGENOUS
PEOPLES AS AMENDED BY CO-SPONSORS AND THE AFRICA GROUP,
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**BY Ms. VICTORIA TAULI-CORPUZ, CHAIR OF THE UN PERMANENT FORUM
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PEOPLES' CAUCUS ON THE DECLARATION**

My name is Victoria Tauli-Corpuz and I am here to speak as the Chair of the UN Permanent Forum on Indigenous Issues and as the co-coordinator of the Asia Indigenous Peoples' Caucus on the Declaration. I am the Asian indigenous expert for the UN Permanent Forum on Indigenous Issues and I was elected by the other 15 Forum members as the Chair of the Forum for 2005, 2006 and 2007 sessions. I belong to the Kankanaey-Igorot people of the Cordillera Region in the Philippines.

Let me first pay my respects to the First Peoples of this territory on which we are standing now and also to the indigenous peoples of the world.

As a representative of various indigenous peoples' organizations (first as the Chair of the Cordillera Peoples' Alliance and later on as the Executive Director of Tebtebba and convenor of the Asia Indigenous Women's Network) I participated in the drafting of and the negotiation processes on the Declaration at the UN Working Group on Indigenous Populations and the Commission on Human Rights open-ended Working Group on the Draft Declaration which ended its work in February 2006. The Working Group on Indigenous Populations started drafting in 1984 so it has taken almost 22 years before this was finally adopted by the Human Rights Council in 29 June 2006.

Permanent Forum Resolutions on the Declaration

The UN Permanent Forum on Indigenous Issues, is a 16-member subsidiary body of the Economic and Social Council, which is mandated to provide expert advice on indigenous issues to the Council and the wider United Nations system; raise awareness and promote the integration and coordination of activities relating to indigenous issues with the United Nations system; and prepare and disseminate information on indigenous issues.

At its 5th (2006) and 6th (2007) sessions it came up with recommendations calling on the General Assembly to adopt the UN Declaration on the Rights of Indigenous Peoples.

68. The Permanent Forum is convinced that a declaration on the rights of indigenous peoples will be an instrument of great value through which to advance the rights and aspirations of the world's indigenous peoples. The Permanent 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 working group of the Commission on Human Rights on the draft United Nations declaration on the rights of indigenous peoples (see E/CN.4/2006/79, annex I) by the 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 People.

Because of the deferral of the adoption in November 2006 the Permanent Forum reiterated the same recommendation on this at its 6th Session from May 14-25, 2007. (Paragraph 73, E/2007/43). At this time the document referred to was already the UN Declaration on the Rights of Indigenous Peoples as adopted by the Human Rights Council in June 2006.

Position on Amended Text by the Co-Sponsors and the Africa Group

Last week the co-sponsors of the draft resolution for the adoption of the Declaration, represented by Mexico, Peru and Guatemala, presented to the Indigenous Caucus Steering Committee a copy of the agreed text between them and the Africa Group. I sent this to all the members of the Permanent Forum to ask them whether they endorse this text for adoption by the General Assembly or not.

I received responses from the majority who all said that they support the amended version and endorse this for adoption by the General Assembly. My colleague, Willy Littlechild, the indigenous expert for North America, is here with us today and can attest to this. We believe that this text and the process to arrive at this text met the test which the facilitator, H.E. Permanent Representative Davide of the Philippines, presented in his final report on the facilitation process. Some questions he raised as a basis to judge amendments to the Human Rights Council version are as follows;

- Does it represent a genuine effort to address the various concerns?
- Does it build on, and not undermine, the efforts and achievements of the process at the Commission on Human Rights and Human Rights Council?
- Does it preserve the purpose for the Declaration for indigenous peoples?
- Will it ensure that the Declaration does not fall below existing human rights standards?

We believe that the coming together of the Co-sponsors with the Africa group showed a genuine effort to arrive at a text that does not fall below the existing international human rights standards. For this we express our warm thanks to these two groups of States who spent hours and hours to talk until they got to this stage. I also would like to thank Ambassador Hilarion Davide who listened to the concerns of the various States and indigenous peoples. This has, definitely, contributed to this positive end result.

We believe that the most important provisions of the Declaration were kept intact and we, therefore, endorse that this text be presented at the General Assembly for adoption. We are aware that this is the position also presented by the Steering Committee of the Global Indigenous Peoples' Caucus to the co-sponsors. Thus, the Indigenous Peoples' Caucus Steering Committee and the Permanent Forum are of one mind.

As the Regional co-coordinator for Asia I also sent this text to indigenous organizations my region. Around 400 hundred Asian indigenous organizations and networks from 14 countries responded and expressed their full support for the amended or modified text. Not a single organization opposed the modified text and this was relayed to the Steering Committee of the Global Indigenous Caucus.

Indigenous Peoples' Contributions

It is but fair and just to pay tribute to the efforts of indigenous representatives who spent time, efforts and resources to help craft this Declaration. Since the 1970s up to the present there is a consistent group of indigenous activists and leaders who took active part in all the processes leading to the stage we are in right now. When the adoption was deferred last year, indigenous representatives relentlessly lobbied governments and mobilized members of their communities and organizations to sustain the pressure on the States to deliver the long-awaited Declaration.

This Declaration has the distinction of being the only Declaration in the UN which was drafted and negotiated with the rights-holders, themselves, the Indigenous Peoples. There are times that we have been excluded, like the negotiating process between the Co-Sponsors and Africa. However, because the Amended text contains almost 90 percent of what was contained in the Human Rights Council Text we believe we have not been totally out of this process. The presence of Les Malezer, the Chair of the Global Indigenous Peoples' Caucus here in New York for the past few months and the visits of various indigenous representatives, including myself, here in New York to monitor and influence the developments, ensured that indigenous peoples' concerns were brought to the attention of the negotiating parties.

Historical milestone for the United Nations and Indigenous Peoples.

We urge all the States to adopt this Declaration by consensus. This is not just a historical responsibility. It is a also a moral obligation.

We are aware that there are States who are still actively opposing this Declaration and that they might use the APEC (Asia-Pacific Economic Cooperation) meeting, taking place 4-7 September in Australia, to put more pressure on other APEC member-states to vote with them against the Declaration. We urge supporting States to remain steadfast and not be bullied. .

We call on more states to join the co-sponsors as this is a further demonstration of good faith and commitment to indigenous peoples' rights.

The adoption of the this Declaration next week will be one of the most important milestones in the history of the United Nations, a body which was borne out of the crying need for peace, security and human rights for all peoples of the world. For the Permanent Forum which is a body of the United Nations, the Declaration will become a major foundation and reference in implementing its mandate to advise members of the Economic and Social Council and the UN agencies, programmes and funds on indigenous peoples' rights and development. It is a key instrument and tool for raising awareness on indigenous peoples' situations and indigenous peoples' rights. It will be the main framework to guide States, UN Bodies, indigenous peoples and civil society in

making the theme of the Second Decade of the World's Indigenous Peoples "Partnership for Action and Dignity" a reality.

It will be a historical milestone for indigenous peoples all over the world. Egregious violations of the rights of indigenous peoples, unfortunately, continue up to the present. The implementation of the Declaration will be a giant step in addressing this sad situation. In spite of being subjected to marginalization, discrimination and impoverishment, indigenous peoples still remain as the most crucial bearers and protectors of the world's cultural, linguistic and biological diversity. The adoption and the implementation of the Declaration will, no doubt, contribute significantly in protecting and enhancing the remaining bio-cultural diversity of this world.

Conclusion

The Permanent Forum is referred to in Article 42 of the modified Declaration. This states;

Article 42. The United Nations, its bodies, including the Permanent Forum on Indigenous Issues, and specialized agencies, including at the country level, and States shall promote respect for and full application of the provisions of the Declaration and follow-up the effectiveness of this Declaration.

As the Chair of the Forum and as a member for the next three years until 2011, I will commit to ensure that the Permanent Forum performs well its responsibility to promote respect for and full application of this Declaration. Adopting the Declaration is a major step. But effectively implementing it after it gets adopted will be the ultimate test of the commitment and good faith of States and the international community to protect, respect and fulfill indigenous peoples collective and individual rights.

In closing, on behalf of the Permanent Forum and the Asian Indigenous Peoples, I reiterate my heartfelt gratitude to the Co-sponsors and the Africa Group of States, all other States who will adopt the Declaration, the UN Human Rights Council for adopting the text which is now slightly modified, the NGOs like the International Workgroup on Indigenous Affairs (IWGIA), among others, Ambassador Hilarion Davide and most importantly to my indigenous colleagues, sisters and brothers. *Matago-tago tako am-in!*

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