

UNITED NATIONS

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Co-Organizers

Secretariat of the Permanent Forum on Indigenous Issues
and
Tebtebba Foundation (Indigenous Peoples' International Centre for Policy
Research and Education)

**International expert group meeting on Extractive Industries,
Indigenous Peoples' Rights and Corporate Social Responsibility**

27-29 March 2009, Philippines

Draft Programme of Work

Prepared by the Secretariat of the
United Nations Permanent Forum on Indigenous Issues and Tebtebba Foundation

Draft Programme of Work

Friday, March 27

10:00 am – 10.30am

Item 1 Opening of Meeting

Opening Presentation

Secretariat of the UN Permanent Forum on Indigenous Issues

Item 2 Election of Chairperson and Rapporteur

Presentation by the Chairperson

10.30 am – 1:00 pm

Item 3: The role of corporations

- How can the UN Declaration be used to promote and protect the rights of indigenous peoples with regard to extractive industries corporations? In particular, how can extractive industries corporations ensure their compliance with relevant provisions of the UN Declaration, including Article 3 (self-determination), Articles 19 and 32 (free, prior and informed consent), Article 20 (right to be secure in subsistence and development), Article 26 (right to traditional lands, territories and resources), and Article 29 (right to conservation and protection of the environment and productive capacity of lands)?
- How can extractive industries corporations ensure that biodiversity and the cultural diversity of indigenous peoples are not impacted by mining, oil and gas extraction?
- How can extractive industries corporations mitigate the impacts of mining activities (including mining of coal and conversion into so-called clean coal, mining of uranium to feed nuclear power plants now being considered as clean energy by the UN Framework Convention on Climate Change, and the building of energy sources for mining operations, such as hydroelectric power plants, coal-fired power plants) on climate change?
- How can extractive industries corporations operating in States that are experiencing armed conflict ensure that their activities do not contribute to the conflict or result in abuses of the human rights of indigenous peoples?
- What good practices can be cited by extractive industries corporations in terms of respecting rights of indigenous peoples , mitigating negative environmental impacts and ensuring that indigenous peoples enjoy equitable benefits from extractive industries?

Presentations

Discussion on Item 3

3:00 p.m – 4:00 p.m.

Continuation of Discussion on Item 3: Role of Corporations

4:00 p.m – 6:00 p.m.

Item 4:

The role of indigenous nations, governments and organizations and civil society organizations.

- How can indigenous peoples ensure more organized and systematic responses to extractive industries-related issues to ensure better protection and respect of indigenous peoples' rights, promotion of indigenous peoples' self-determined development and better protection of biological and cultural diversity? What were the past experiences and actions taken by indigenous peoples related to extractive industries which brought about positive results and how can such actions be replicated and upscaled?
- What are the experiences of indigenous peoples in terms of making extractive industries corporations more socially and environmentally accountable and responsible? What obstacles and constraints did they face and how were these addressed by them, civil society organizations and States? What were the lessons learned from these experiences? What are indigenous peoples' experiences in the use of Special Procedures and Mechanisms, including the Treaty Bodies, at the global and regional levels in relation to extractive industries? What lessons can be shared in relation to the use of these?
- How can indigenous peoples work most constructively with extractive industries corporations and States to promote the protection of their human rights in relation to extractive industries?
- How can indigenous peoples ensure the equal inclusion of indigenous women in all organizing and decision-making processes related to extractive industries?
- How can indigenous peoples fulfil the responsibilities bestowed upon them by the UN Declaration including, for example, to exercise responsibilities for the preservation, exercise and development of their cultural heritage and expression and inter-generational responsibilities, including environmental stewardship, with regard to their traditional lands, territories and resources?
- What are the good practices in terms of partnerships between indigenous peoples and non-government organizations and also with academe in jointly addressing issues related to extractive industries? How can these be further enhanced. What are the weak areas in these relationships and how can these be addressed?

Presentations:

Discussion on Item 4

Saturday, 28 March 2009

10:00 a.m. - 12:00 a.m.

ITEM 5: The role of States

- How can States ensure that the UN Declaration on the Rights of Indigenous Peoples and other International Human Rights Instruments and Multilateral Environmental Agreements are effectively complied with i to promote and protect the rights of indigenous peoples with regard to extractive industry corporations? In particular, how can States ensure their compliance with relevant provisions of the UN Declaration, including Articles 19 and 32 (free, prior and informed consent), Article 3 (self-determination), Article 20 (right to be secure in subsistence and development), Article 26 (right to traditional lands, territories and resources), and Article 29 (right to conservation and protection of the environment and productive capacity of lands)?
- What are the existing proposals and recommendations from States in terms of reducing the climate change impacts of extractive industries and how can these be implemented and integrated into the climate change negotiations?

Presentations

Discussion on the item 5

12:00 p.m. - 1:00 p.m.

ITEM 6: The role of the UN and the International Financial Institutions

- What role can be played by the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people, the Expert Mechanism on the rights of indigenous peoples and the Secretary General's Special Representative on Business and Human Rights in relation to the protection of the human rights of indigenous peoples in relation to extractive industries? What can be the continuing role of the Permanent Forum in this sense?
- How can the UNGD Guidelines on Indigenous Peoples' Issues be effectively used to protect indigenous peoples rights and promote indigenous peoples views and proposals in relation to the roles of the extractive industries in their self-determined development?
- How can the International Financial Institutions, which provide loans to Extractive Industries and States, effectively use their existing policies on indigenous peoples to States and Extractive Industries?
- What role can be played by UN Country teams in relation to the protection of the human rights of indigenous peoples in relation to extractive industries?

- What technical and financial assistance can be provided by UN bodies, agencies, funds and programmes to strengthen capacities of indigenous peoples to assert their rights and their perspectives on development in relation to mineral, gas and oil resources?
- What are the existing programmes and future proposals in the Climate Change Convention and ongoing negotiations in terms of mitigating climate change impacts of extractive industries and how can these be implemented and supported?
- How effective is the Extractive Industries Transparency Initiative (EITI) in terms of monitoring and putting in place correctives to identified problems.
- How can the new Optional Protocol of the Covenant of Economic , Social and Cultural Rights be used by indigenous peoples and other civil society organizations in relation to extractive industries?

Presentations

3:00 p.m.- 4:00 p.m.

Discussion on Item 6

4:00 p.m. - 6:00 p.m.

Item 7: Ongoing work

- How can participants in the international conference of indigenous peoples and the international expert group workshop work together to ensure the implementation of the recommendations that will emerge from both meetings and plan and pursue common campaigns and development of strategies to protect bio-cultural diversity from being destroyed by extractive industries and to promote self-determined development
- What methodologies can be established by participants in the International Expert Group Meeting to ensure continuing mechanisms for dialogues between governments, extractive industries, multilateral bodies and indigenous peoples at the national, regional and global levels? What can be the role of the Permanent Forum in this respect?
- How can relationships between indigenous peoples and the UN Secretary General Special Representative on Business and Human Rights and other UN Special procedures be improved?

Presentations:

Sunday , 29 March 2009

10 am – 12 pm

(continued)

Item 7: Ongoing Work

12:00 pm – 1:00 pm

Item 8: Adoption of Conclusions and Recommendations

3:00 pm – 5:00 pm

continuation of Item 8:

Adoption of conclusions and recommendations

5:00 p.m. - 6:00 p.m.

Item 9: Closing Ceremony