

THE message stick

Quarterly Newsletter of the United Nations Permanent Forum on Indigenous Issues

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III Continental Summit of Indigenous Peoples, Iximche', Guatemala, March 2007

Photo by: Emmanuel Audelo Enríquez

INTRODUCTION

Welcome to **MESSAGE STICK**¹, the newsletter that highlights the activities undertaken by the United Nations Permanent Forum on Indigenous Issues (UNPFII) as well as its Secretariat for the period from January to March 2007.

Around the world, indigenous peoples are fighting for recognition of their right to own, manage and develop their traditional lands, territories and resources. As a result, the indigenous movement influencing the development agenda, building on its victories and also on the UN's overall human rights agenda, which has become our policy framework.

The establishment of the Permanent Forum is testimony to the increasing profile of indigenous issues within the United Nations system. As a result, Members of the Permanent Forum on Indigenous Issues (UNPFII) have been invited to attend various international meetings by different UN Agencies, Inter-Governmental organizations and indigenous organizations.

This newsletter we covers important information on decisions taken during the pre-sessional meeting of the UNPFII in Beijing, China. We are pleased to announce that our awareness raising film received an award at the New York Festival.

We hope that you will find this Message Stick edition informative and useful. We look forward to receiving your feedback comments, questions, and suggestions at the following address:
IndigenousPermanentForum@un.org

Secretariat of the UNPFII

¹ A Message Stick is a traditional Australian Aboriginal method of correspondence whereby runners would deliver messages carved in symbols on a piece of wood to inform other indigenous peoples of upcoming events.



IMPORTANT MEETINGS

Representation of the UNPFII at important meetings of relevance to its mandate

Participation of Ms. Lux de Coti at the *Third Regional Consultation on transnational corporations and other business enterprises* convened by the Special Representative of the Secretary-General on human rights and transnational corporations and other business enterprises and Extractive Industries Seminar, 18 to 19 January 2007, Bogota, Colombia.

The mandate of the Special Representative is to promote and protect human rights in relation to transnational corporations and other business enterprises. In carrying out his mandate, the SRSG, Mr. John Ruggie, has been particularly concerned that the voices of the global South be heard in the deliberations and as a result, he held a series of 3 regional meetings.

In January 18 and 19, 2007, the SRSG convened the third and final of these regional consultations in Bogotá, Colombia, for the Latin America region. It brought together more than 90 participants from 12 Latin American countries, representing 21 different companies, 41 civil society organizations, trade unions and representatives of indigenous peoples, and 9 public institutions. Ms. Lux de Coti participated in a panel discussion on behalf of the UNPFII.

Each regional consultation focused on a specific topic. In the context of Latin America, it seemed particularly relevant to focus on how companies can establish and maintain a social license to operate with regard to local communities, in particular indigenous peoples. The normative framework supporting this concept is considered to be more developed than most other areas of the business and human rights nexus, with principles and standards emanating from company policies (individual firms as well as industry-wide), national laws, international standards (IFC, OECD) and from human rights norms and instruments. Many tools and policies have been developed, but yet disputes still arise over the impact of business operations on human rights issues.

The consultation addressed various meanings of the concept of a "social license to operate;" it discussed the principles supporting its development; the role of states as primary duty-bearer as well as grantors of the legal licence to operate; successful policies, practices and tools permitting the establishment, development and sustainability of a social license to operate; and finally the remedies available both in soft/alternative and hard/ traditional settlement mechanisms when the policies and practices fail to deliver a sustainable license to operate.

To read the report, please visit the OHCHR's website at http://www.ohchr.org/english/issues/trans_corporations/consultation.htm

Participation of Ms. Nicolaisen and Mr. Littlechild at the *Conference on Indigenous Children's Rights*, 22 to 24 February 2007, Victoria, British Columbia.

Ms. Nicolaisen and Mr. Littlechild, members of the UNPFII participated at the meeting of the Sub Group on Indigenous Children and Youth and the United Nations Committee on the Rights of the Child (UNCRC) to discuss the second draft of the General Comment -Indigenous Children and their Rights.

The meeting was hosted by the National Collaborating

Centre for Aboriginal Health. It was attended by some forty participants, including indigenous chiefs, elders and youth delegates, indigenous and non-indigenous experts and three members of the Committee on the Rights of the Child.

In consultation with the UNCRC a final draft should be ready for presentation to the CRC in January 2008 following a wide consultation process. In order to facilitate the latter a website will be structured to allow people worldwide to access information on the General Comment and provide input.

MEETINGS UNDER THE AUSPICES OF THE UNPFII AND ITS SECRETARIAT

The International Expert Group Meeting on the Convention on Biological Diversity's international regime on access and benefit-sharing and indigenous peoples' rights, 17 to 19 January 2007, UNHQ, New York.

The expert group meeting was attended by 61 people including representatives from the United Nations system, five members of the Permanent Forum, other interested intergovernmental organizations, experts from indigenous organizations and interested Member States. The results of the meeting will be reported to the Permanent Forum at its sixth session in May 2007. The workshop was organized by the Secretariat of the Forum, in cooperation with the Secretariat of the Convention on Biological Diversity, following a recommendation at the Permanent Forum's 5th session, endorsed by the Economic and Social Affairs.

Presentations and discussions centered on human rights treaties and how they affirm indigenous peoples' rights to lands, waters, territories and natural resources, including rights to genetic resources and traditional knowledge; human rights treaties and other existing or emerging instruments that are applicable to Access and Benefit-Sharing (ABS) processes; customary laws that are vested in traditional knowledge protection and transmission; indigenous participation in the Access and Benefit-Sharing processes; the Convention on Biological Diversity's proposed certificate of origin and the source or legal provenance for genetic resources; and the role of customary law in the protection of traditional knowledge; and development of regimes on access to genetic resources and benefit-sharing.

There were 37 recommendations that focused on urging Parties (to the CBD) to: recognize, respect and protect the rights of indigenous peoples in the development of an ABS Regime; to develop regional approaches with the full and effective participation of indigenous peoples to address trans-boundary issues, associated to access and benefit sharing of genetic resources, the protection of traditional knowledge and the development of an international regime; encouraging indigenous peoples' organizations to establish an informal, open-ended indigenous expert group on ABS and CBD's Article 8(j) to analyze, review and provide input directly into the CBD's Working Group on 8(j) and Working Group on ABS processes as well as analyze the developments in the negotiation of an International Regime on Access and Benefit-Sharing. The UNPFII will transmit the report of this expert meeting to the Executive Secretary of the Convention on Biological Diversity (CBD) as an information document for related meetings of the CBD.

To read the report of the Expert Group Meeting, please visit the following link
<http://www.un.org/esa/socdev/unpfii/en/workshopCBDABS.html>

Participation of Mr. Littlechild at the Indigenous Peoples' Consultation at the Arizona State Capitol, 12 March 2007, Phoenix, Arizona.

The Indigenous Peoples' Consultation at the Arizona State Capitol was one of a series of activities organized by the Nahuacalli in conjunction with the annual Nican Tlacah Ilhuil - Indigenous Peoples Day which was proclaimed by the City of Phoenix on March 12th, 2007.

The Indigenous Peoples' Consultation provided a forum for Mr. Littlechild, as the North American member of the UN Permanent Forum on Indigenous Issues to dialogue with the Arizona-Sonora tribal nations leadership regarding the global agenda of the indigenous peoples within the context of international law. Subjects of priority that were discussed were the UN Declaration on the Rights of Indigenous Peoples, self-determination and decolonization, sacred sites, global warming, border crossing issues, rights of the indigenous peoples as migratory workers, among others.

Attendees at the Indigenous Peoples' Consultation at the Arizona State Capitol included President Diane Enos of the Salt River Pima Maricopa Indian Community, President Raphael Bear of the Fort McDowell Yavapai Nation, and Gila River Indian Community Lieutenant Governor Jennifer Allison-Ray. Representatives of the Alianza Indígena Sin Fronteras, which integrates Nations of Indigenous Peoples all along the US-Mexico border, were also in attendance, represented by Mr. Jose Matus of the Yaqui Tribe.

SECOND INTERNATIONAL DECADE OF THE WORLD'S INDIGENOUS PEOPLE

Trust Fund regarding the Second International Decade of the World's Indigenous People

The General Assembly adopted resolution A/RES/59/174 for a Second International Decade of the World's Indigenous People on 22 December 2004. As a part of the Second Decade a Trust Fund was established to promote and support the objectives of the Decade. Indigenous organizations or organizations working for and with indigenous peoples can apply for small grants from the Trust Fund. The Fund will give priority to projects focusing on the main areas of the Second Decade: culture, education, health, human rights, the environment and social and economic development.

The second call for projects closed on 15 November 2006. Over 200 organizations from all over the world submitted project proposals. The Bureau of the Permanent Forum, in its capacity as the Advisory Group for the Fund will meet at the second week of May to review the proposals for which grants are approved will receive a notice in June 2007.

The Secretariat will announce another round for submitting project proposals for the Fund in the second part of 2007. Please keep checking our website at
<http://www.un.org/esa/socdev/unpfii/>

A call to all actors involved to prepare their own Plan of Actions for the Second Decade.

Mr. Jose Antonio Ocampo, the Coordinator of the Second International Decade of the World's Indigenous People and Under-Secretary-General for the Department of Economic and Social Affairs, issued a letter on 28 March 2006, inviting

to the United Nations system and other intergovernmental organizations, indigenous peoples' organizations and non-governmental organizations to provide their own organization's plans for the Second Decade as well as their views as to a midterm and end-of-term review of the Second Decade based on the goal, objectives and Programme of Action of the Second Decade.

Response should be sent by 20 June 2007 to: c/o the Secretariat of the UN Permanent Forum on Indigenous Issues/DSPD/DESA, 2 United Nations Plaza, Room DC2-1772; Tel: (917) 367-5100, Fax: (917) 367-5102; email: IndigenousPermanentForum@un.org

INTER-AGENCY COOPERATION

UNDG Task Team on Indigenous Issues / IASG

Third meeting of the UNDG Task Team on Indigenous Issues, 14 February 2007, Two United Nations Plaza, New York.

A recent positive development is the revised Guidelines of the Common Country Assessment and United Nations Development Assistance Framework (CCA/UNDAF) finalized by the UNDG in February 2007, contains seventeen references to indigenous peoples. Since the UNDAF is a mandatory programming process of all United Nations Country Teams (UNCTs), the continuous inclusion and references to indigenous peoples is crucial for UNCTs in their operational work. With a view to assisting UNCTs to implement the Guidelines, the IASG, functioning as Task Team of the UNDG, has been working since November 2006, with the mandate to develop, by the end of 2007, guidelines for UNCTs to integrate indigenous issues in UN operational activities.

At the third meeting, members of the Task Team agreed on the outline of the Guidelines for use by UN Country Teams.

Intra- Departmental Cooperation within DESA

DESA Intra-Departmental Task Force on Indigenous Issues, 23 February, Two United Nations Plaza, New York.

DESA's Intra-Departmental Task Force on Indigenous Issues has continued to bring together relevant DESA Divisions around certain common actions, including a DESA plan of action for the Second International Decade of the World's Indigenous People.

SPFII and the Division of Public Administration and Development Management (DPADM) are promoting an interdivisional project, on issues related to institutional capacity of local governments led by indigenous authorities. The project proposal has been distributed to explore interest of potential donors.

INDIGENOUS WOMEN'S ISSUES

Sixth session of the Interagency Network on Women and Gender Equality (IANWGE), 20 - 22 February 2007, UNHQ, New York.

The IANWGE meets annually in New York prior to the annual meetings of the Commission on the Status of Women. These once-a-year meetings have permitted a review of the activities of the different parts of the system during the previous year, providing feedback to agencies, fine-tuning activities and ensuring relevant follow-up action by all members. The meetings have also

created a structured policy discussion of emerging challenges, and identified issues of common concern for future attention. The results of the discussions at the meetings of the Network are often fed into the CSW session through the opening statement of the Chair of IANWGE. The final report will be available at IANGWE's website at <http://www.un.org/womenwatch/ianwge/>

The Task Force on Indigenous Women of the Inter-Agency Network on Women and Gender Equality (IANGWE) established in 2004, adopted a three-year programme of work. During the second year, 2005-2006, the Task Force with the support of SPFII, collected 18 case studies of the work of the UN system with indigenous women. The publication entitled "Indigenous Women and the United Nations System" will be launched during the Sixth Session of the Forum. Following the Forum's call for wide dissemination of good practices, the collection will be disseminated widely so that it may serve as a practical tool for future work of the UN system and other organizations engaging with indigenous peoples.

Based on the work programme adopted in 2004, the Task Force objective is to produce in 2007, a number of practical tools: a checklist of items to be considered in UN programming; a review of existing gender-training tools in the UN system and an awareness-raising/training video.

To read the report of the Task Force on Indigenous Women of the Inter-Agency Network on Women and Gender Equality, please visit at <http://www.un.org/esa/socdev/unpfii/en/women.html#iangwe>

Participation of Ms. Kokajev at the general discussion of the Fifty-first session of the Commission on the Status of Women (CSW), 28 February 2007, UNHQ, New York

During the 51st Session of the CSW in February 2007, Ms. Kokajev on behalf of the Chairperson of UNPFII, Ms. Tauli-Corpus, addressed the theme "The elimination of all forms of discrimination and violence against the girl child". Ms. Kokajev articulated the concerns and aspirations of Indigenous women and girls and appealed to the Commission to monitor the status of the implementation of CSW resolution 49/7 entitled "Indigenous women beyond the ten-year review of the Beijing Declaration and Platform for Action".

To find the outcomes of the CSW, please visit the following link: <http://www.un.org/womenwatch/daw/csw/51sess.htm#outcomes>

Panel discussion on "The Secretary General's Report on Violence Against Women: How can it be used to promote change?" on the occasion of the 51th Session of the CSW, 7 March 2007, UNHQ, New York.

The panel discussion provided the opportunity to learn more about the Secretary-General's study on all forms of violence against women, how the report can be used to respond to international, national and local demands and how States should address violence against women. For instance, the International Indigenous Women's Forum (FIMI) developed a companion report to the Secretary General's study, exploring the various manifestations of violence against Indigenous women and provided important strategies to address them.

Speakers included: Ms. Charlotte Bunch, Founder and Executive Director of the Center for Women's Global

Leadership at Rutgers University; Ms. Monica Aleman, Coordinator of the International Indigenous Forum on Indigenous Issues; and Ms. Everjoice Win, International Head of Women's Rights with Action-Aid International.

SPFII co-sponsored the event with MADRE, the International Indigenous Women's Forum (FIMI) and the Center for Women's Global Leadership and Amnesty International-Stop the Violence Against Women Campaign.

PREPARATIONS FOR THE SIXTH SESSION:

Pre-registration for Indigenous Peoples Organizations, NGOs and Academic Institutions and Information Note for participants

The sixth session of the Permanent Forum will take place from 14 to 25 May 2007 at United Nations Headquarters, in New York. The special theme of the sixth session will be "Territories, lands and national resources". The agenda also places special emphasis on implementation and includes a half-day discussion on Asia, a half-day discussion on urban indigenous peoples and migration and a discussion on data collection and disaggregation.

By resolution 2000/22, ECOSOC decided, inter alia, that States, United Nations bodies and organs, intergovernmental organizations and non-governmental organizations in consultative status with the Council may participate in the work of the Forum as observers.

SPFII opened a special webpage that provides information on participation of Indigenous Peoples Organizations NGOs, and other interested entities at the sixth session of the Permanent Forum. To read complete information on the sixth session, pre-registration forms, special events, etc., please visit http://www.un.org/esa/socdev/unpfii/en/session_sixth.html

Pre-session meeting of UN Permanent Forum on Indigenous Issues, 19 - 20 March 2007, Beijing, China.

The pre-session meeting of the United Nations Permanent Forum on Indigenous Issues (UNPFII) took place in Beijing on 19 and 20 March 2007 at the invitation of the Chinese Government.

The following members of the UNPFII participated at the meeting: Mr. Eduardo Aguiar de Almeida, Mr. Hassan Id Balkassm, Mr. Michael Dodson, Ms. Merike Kokayev, Mr. Wilton Littlechild, Mr. Aqqaluk Lynge, Ms. Liliane Muzangi Mbela, Ms. Ida Nicolaisen, Ms. Qin Xiaomei, Mr. Pavel Sulyandziga, Mr. Parshuram Tamang and Ms. Victoria Tauli-Corpus.

At the opening meeting, Mrs. Qin Xiaomei welcomed the UNPFII to China. Opening statements were made by H.E. Mr. Cui Tiankai, Assistant Minister of Foreign Affairs of China, Ms. Victoria Tauli-Corpus, Chairperson of the UNPFII, and Ms. Elsa Stamatopoulou, Chief of the Secretariat of the UNPFII.

The UNPFII expressed its deep appreciation to the Government of China for its invitation to hold the pre-session meeting in Beijing and underscored the importance of the meeting for the preparation of the Sixth Session and the future work of the Forum.

The International Expert Group Meeting on Urban

Indigenous issues, 27-29 March 2007, Santiago, Chile.

Most indigenous people who migrate to urban areas live under difficult conditions characterised by lack or inadequate employment and access to services, and, very importantly, poor housing. Disrespect for a wide range of their human rights and fundamental freedoms, as well as discrimination, are often the underlying causes for persisting poverty among these communities.

Building on the findings and recommendations of an exploratory research initiative by the United Nations Housing Rights Programme (UNHRP) and the sessions of the UN Permanent Forum on Indigenous Issues (UNPFII), including a recent IOM/UNPFII-organised Expert Seminar on indigenous peoples and migration, the goal of the Expert Group Meeting was to contribute to improving the living conditions of urban indigenous peoples through: (i) consolidation of existing findings; (ii) generation of more comprehensive knowledge based on the latest research; and (iii) elaboration of relevant policy recommendations.

The Expert Group Meeting (EGM) was convened by UN-HABITAT and OHCHR within the framework of the UNHRP, jointly with the Secretariat of the UNPFII and the Latin America and the Caribbean Demographic Centre (CELADE) - ECLAC, and in cooperation with IOM. The EGM was financially supported by the Government of Canada.

At the EGM the experts concluded that greater attention by the relevant authorities is required to address the issues and rights of indigenous peoples living in urban areas. In so doing, public authorities need to understand the multiple identities of indigenous peoples within urban areas and their continuing relationship to their traditional lands, natural resources and environments in rural areas. In this sense, indigenous peoples should not be seen as divided between urban and rural, but rather as peoples with rights and a common cultural identity adapting to changing circumstances and environments. The complexity and diversity of situations of indigenous peoples whose members live in urban areas requires States to adopt culturally sensitive policies and models to respond to these needs.

It was recognized that the impacts of urban areas on indigenous peoples could vary greatly. Some are able to adapt and improve their situations considerably without loss of cultural identity; in other cases, indigenous peoples are subject to discrimination, exclusion, violence, etc. Urbanization is a phenomenon that requires immediate attention and States have obligations to ensure that indigenous peoples are not forcibly removed or driven from their homelands, nor subject to discrimination once in urban areas.

The final report is available at the SPFII's website.

NEWS

Nominations for membership of the UN Permanent Forum on Indigenous Issues period 2008-2010.

Pursuant to its resolution 2000/22 of 28 July 2000 and its decision 2001/316 of 26 July 2001, the Economic and Social Council established the Permanent Forum on Indigenous Issues as a subsidiary organ of the Council.

The Forum consists of 16 members, with all members serving in their personal capacity as independent experts on indigenous issues for a period of three years, with the possibility of re-election or reappointment for one further period. Eight members are nominated by Governments and

elected by ECOSOC. According to a specified pattern set out in decision 2001/316 eight indigenous members appointed by the President of the Council following formal consultation with the Bureau and regional groups through their coordinators, on a basis of broad consultations with indigenous organizations.

This year, the Economic and Social Council will elect members of the Forum in April 2007.

The terms of office of the new members of the Permanent Forum would begin on 1 January 2008 and expire on 31 December 2010. The current membership of the Permanent Forum is provided at the following website

<http://www.un.org/esa/socdev/unpfii/en/members.html> .

To learn more about the candidates for the membership of the UNPFII 2008-2010, please visit

http://www.un.org/esa/socdev/unpfii/en/members_nominations07.html

The film "Indigenous Peoples and the United Nations, Vol. I" received an award from the New York Festivals, 2 February 2007, New York.

The 30-minute film on "Indigenous Peoples and the United Nations, Vol. I", in French, English and Spanish produced by SPFII, received the 2007 Finalist Award from the New York Festivals in the International Film & Video category. This award recognizes "The World's Best Work" in informational, educational and industrial film productions and corporate videos. The 2007 Film & Video Awards received entries from over 41 countries around the world. The film can be downloaded from the website at

<http://www.un.org/esa/socdev/unpfii/en/multimedia.html> or copy obtained from SPFII.

To learn more about the festival and the 2007 finalists, please visit <http://www.newyorkfestivals.com>

SPFII participation at the III Continental Summit of Indigenous Peoples, 25 -30 March 2007, Iximche', Municipality of Tecpan, Guatemala.

The aim of the III Summit held in Iximche', Guatemala was to build a continental agenda to promote the rights of indigenous peoples within the framework of the Second International Decade of the World's Indigenous People and the UN Declaration of the Rights of Indigenous Peoples. It was also an opportunity to share the main struggles of indigenous peoples in each country. The meeting included three high level panel discussions and fifteen thematic working groups that analyzed the challenges and visions for the future of indigenous peoples in the region. At the end, a demonstration was organized to present in a public forum to the Iximche' Declaration in Guatemala City with the participation of indigenous leaders from 34 countries.

The summit was attended by Mr. David Choquehuanca, Bolivia's Minister of Foreign Affairs, UN officials, indigenous leaders from the Americas and some 2000 indigenous participants.

TABLE OF NEWS AND ACTIVITIES BY MONTH

JANUARY

- The International Expert Group Meeting on the Convention on Biological Diversity's international regime on access and benefit-sharing and indigenous peoples' rights, 17 to 19 January 2007, UNHQ, New York.
- Participation of Ms. Lux de Coti at the Third Regional Consultation on transnational corporations and other business enterprises convened by the Special Representative of the Secretary-General on human rights and transnational corporations and other business enterprises and Extractive Industries Seminar, 18 to 19 January 2007, Bogota, Colombia.
- Preparations for the sixth session: Pre-registration forms for Indigenous Peoples' Organizations, NGOs and Academic Institutions.

FEBRUARY

- The film "Indigenous Peoples and the United Nations, Vol. I" received an award from the New York Festivals, 2 February 2007, New York.
- Participation of Ms. Nicolaisen and Mr. Littlechild at the Conference on Indigenous Children's Rights, 22 to 24 February 2007, Victoria, British Columbia.
- Sixth session of the Interagency Network on Women and Gender Equality (IANGWE), 20 to 22 February 2007, UNHQ, New York: Report of the task Force on Indigenous Women.
- DESA Intra-Departmental Task Force on Indigenous Issues, 23 February, Two United Nations Plaza, New York.
- Participation of Ms. Kokajev at the general discussion of the Fifty-first session of the Commission on the Status of Women (CSW), 28 February 2007, UNHQ, New York
- Nominations closed for membership of the UN Permanent Forum on Indigenous Issues period 2008-2010.

MARCH

- Panel discussion on "The Secretary General's Report on Violence Against Women: How can it be used to promote change?" at the 51th session of the CSW, 7 March 2007, UNHQ, New York.
- Participation of Mr. Littlechild at the Indigenous Peoples' Consultation at the Arizona State Capitol, 12 March 2007, Phoenix, Arizona.
- Third meeting of the UNDG Task Team on Indigenous Issues, 14 February 2007, New York.
- Pre-sessional meeting of UNPFII, 19 - 20 March 2007, Beijing, China.
- SPFI participation at the III Continental Summit of Indigenous Peoples, 25 -30 March 2007, Iximche, Guatemala.
- The International Expert Group Meeting on Urban Indigenous issues, 27-29 March 2007, Santiago, Chile.

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All previous issues of *MESSAGE STIK* are available to download here:

<http://www.un.org/esa/socdev/unpfii/en/newsletter.html>



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