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DEPARTMENT OF ECONOMIC AND SOCIAL AFFAIRS
Division for Social Policy and Development
Secretariat of the Permanent Forum on Indigenous Issues

**INTERNATIONAL EXPERT GROUP MEETING
ON THE MILLENNIUM DEVELOPMENT GOALS, INDIGENOUS
PARTICIPATION AND GOOD GOVERNANCE**
(New York, 11-13 January 2006)

Background Note

Prepared by the Secretariat of the United Nations Permanent Forum on Indigenous Issues
Division for Social Policy and Development
Department of Economic and Social Affairs
United Nations

A. Background

1. Being part of nation states in which they have little influence, and forced into alien political systems, indigenous peoples have demanded recognition of their right to their own traditional forms of self-governance while at the same time engaging in mainstream political processes and seeking participation in government. Indigenous peoples are exploring possibilities for a pragmatic interfacing of traditional forms of governance with the state system. Indigenous peoples have not been able to avoid being drawn into the state political-administrative system mainly because state power is often seen as a way to gain power, status and wealth as well as influence and improve livelihoods.¹
2. In 2000, world leaders met at the United Nations Headquarters and pledged to support to the Millennium Declaration. It is clear that one of the most important requirements for achieving the MDGs is good governance. Governance includes more than formal, institutionalized political and administrative structures. The discourse of governance is complex and seen through many lenses. There are variety of contexts and actors – state, market, civil society groups and people’s movements which define the framework of governance.
3. The United Nations Permanent Forum on Indigenous Issues (UNPFII) is an advisory body with a mandate to make recommendations and provide advice on indigenous issues to Member States, the UN system and indigenous organizations. Since its inception, the Forum has called for the full and effective participation of indigenous peoples in development processes. It has called upon States and various UN agencies to provide adequate funding, technical and institutional support and training to enable indigenous peoples to achieve the MDGs and for indigenous peoples to participate effectively in the planning, design, implementation, monitoring and evaluation of policies, programmes and projects. The multidisciplinary thrust of the subject of this workshop brings together two major areas of the UN’s work, namely development and human rights, areas which also constitute two of the three major aims of the UN under Article 1 of the Charter. The subject also evokes the third aim, namely peace and security, which is inextricably linked with development and human rights. It is therefore no surprise that the issue of participation and good governance has been part and parcel of the work of a broad range of UN actors, including the UN’s development system and the human rights system.
4. The United Nations Development Program characterizes good governance as being “among other things, participatory, transparent and accountable. It is also effective and equitable. And it promotes the rule of law. Good governance ensures that political, social and economic priorities are based on broad consensus in society and that the voices of the poorest and most vulnerable are heard in decision-making over the allocation of

¹ Cordillera Peoples Alliance and PACOS *Trust Indigenous Peoples and Local Government: Experiences from Malaysia and the Philippines*, 2005, p3

- development resources”.² Likewise, the MDGs also focus on the special attention to fairness and social justice, particularly for women, minorities and the poor, to ensure that important economic and social development opportunities are not missed, and that the benefits of growth and development are shared.
5. The MDGs do not refer specifically to indigenous peoples and this concern was expressed at the May 2005 meeting of the UNPFII where it was noted that indigenous issues are not only absent from Millennium Development Goals but also from poverty reduction processes and from MDGs country reports and poverty reduction strategy papers (PRSPs). The MDGs can be met more effectively by including the human rights and needs of indigenous peoples. On a more positive note, the World Summit Outcome Report of September 2005 did make statements about indigenous peoples. The statement said ‘We reaffirm our 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’.³ For many indigenous peoples and groups, there are few opportunities for genuine partnerships as in many cases, States are not always accountable to them and they lack political representation to influence policy. Indigenous peoples’ participation in civil society is further overlooked because of their marginalization, their cultural and linguistic diversity and some States’ refusal to acknowledge that indigenous groups exist within their borders and territories.
 6. Although implicit and relevant for all MDGs, the issue of good governance is explicit in the eighth and final goal of the MDGs: **Develop a Global Partnership for Development**.⁴ This is a very broad goal that also relates to trade agreements and investment of natural resources, all of which can impact adversely on indigenous peoples unless there are opportunities for genuine partnerships that reaffirm indigenous peoples’ fundamental human rights. These rights imply fostering national human rights institutions and supporting the practical application of a human rights-based approach to development. In terms of good governance, strategies must include empowering citizens to effect change and to work collectively for more inclusive political processes with genuine political participation.
 7. Governance occurs through interactions among structures, processes and traditions that in turn determine how power is exercised, how decisions are taken, and how citizens or other stakeholders have their say. Fundamentally, governance is about power, relationships and accountability: who has influence, who decides, and how decision-makers are held accountable. Indigenous governance is based on similar structures,

² Governance for sustainable human development. A UNDP policy document. United Nations Development Programme, January 1997. <http://magnet.undp.org/policy/default.htm>

³ 60/1 2005 World Summit Outcome, para 127, p29

⁴ The United Nations Millennium Declaration represents a global social compact: developing countries will do more to ensure their own development, and developed countries will support them through aid, debt relief and better opportunities for trade. Progress in each of these areas has already begun to yield results. But developed countries have fallen short of targets they have set for themselves. To achieve the Millennium Development Goals, increased aid and debt relief must be accompanied by further opening of trade, accelerated transfer of technology and improved employment opportunities for the growing ranks of young people in the developing world.

- processes and traditions. It is a means whereby indigenous peoples make the rules and decisions for themselves. Many traditional forms of self-governance include a belief system that supervises and monitors peaceful co-existence between peoples in sharing the multi-dimensional natural world.⁵
8. According to the Harvard Project on American Indian Economic Development, indigenous governance is a jurisdiction which starts not in federal or state policy but in indigenous communities. It begins with indigenous peoples themselves. This means that indigenous peoples have decision-making power over the design of governing institutions, over land and resources, development strategies and program management. The Harvard project also makes the point that both indigenous communities and non-indigenous governments have critical roles to play in the process.⁶
 9. Barriers to indigenous entry into politics and political participation continue to exist and indigenous women highlight this issue. In many instances, the effects of colonization have undermined the traditional roles of indigenous women in leadership. While there are some indigenous women in leadership positions, this number is far from representative of the female indigenous population. The lack of women's representation in decision making has led to the perception that concerns articulated by indigenous women (accountable governing structures, gender equality and social issues) are not incorporated into the discourse on governance.⁷
 10. Another barrier to politics and political decision-making can be found among indigenous youth. There is still a need to recognize youth as real stakeholders and to acknowledge that indigenous youth need to be considered as equal partners in policy making and implementation processes. Indigenous youth often feel that their role means little more than "consultation" and any resulting policy has been a perceived notion of "what is best for young people". States, local authorities and civil society have to support and implement strategies in cooperation with relevant youth organizations and youth movements to build capacity and empower indigenous youth so that they can participate in governance decision-making at all levels, especially given the high percentage of youth population in indigenous communities.
 11. Building the capacity of indigenous peoples is a priority. It enables them define their own self-governance structures and engage with mainstream political processes. States, the United Nations system and other intergovernmental organizations must support indigenous peoples in their efforts to build, articulate and implement their visions and strategies for development. Capacity building is a process for all peoples including States, the United Nations system and other intergovernmental organizations and the private sector. In cooperation with indigenous peoples, programmes must be developed that build the capacity and awareness of staff to better understand and address indigenous issues.

⁵ Motarilavo Hilda Lini of Vanuatu.

http://abc.net.au/timetotalk/english/opinion/TimeToTalkOpinion_425873.htm

⁶ Stephen Cornell *Starting and Sustaining Strong Indigenous Governance*, paper presented to the Building Effective Indigenous Governance, Jabiru, Northern Territory, Australia 5 November 2003, p3

⁷ Sayers, MacDonald, Fiske, newel, George, Comet *First Nations Women, Governance and the Indian Act. A Collection of Policy Research Reports*, Staus of Women, Canada, 2001, p18

12. Full and effective indigenous participation in decision-making processes is an underlying basis of the MDGs and the Millennium Declaration overall, as well as the World Summit Outcome and the broader UN development agenda. Self-determination not ‘merely an end in itself’ but ‘has at its end the process of social and economic equality’. This does not mean the assimilation of Indigenous individuals as citizens like all others, but the recognition and incorporation of distinct peoples in the fabric of the State, on agreed terms’. A ‘full democratic partnership’ means effective participation and partnership in any decision-making processes that affect Indigenous peoples – not on the basis of ‘sameness’, but in such a way that recognizes the unique status of Indigenous peoples, and which respects and gives appropriate expression to their distinctive cultures within societal structures.⁸ The 2005 World Summit Outcome Reports reaffirms its 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 through consultation and collaboration with them.⁹

B. Objectives and outcome of the workshop

13. This workshop has been organized in accordance with the recommendation of the United Nations Permanent Forum on Indigenous Issues at its Fourth Session and as decided by the Economic and Social Council at its substantive session of 2005(decision 2005/252). As the topic is multifaceted, complex and interdisciplinary, pertinent issues need to be identified and analyzed before developing a framework of coordination and integration of indigenous perspectives. The overall objectives of the workshop are:

- 1) Highlight the importance of indigenous representation in decision-making processes within the context of the MDGs and the Millennium Declaration overall, as well as the broader context of the current socio-economic and political transformations, the World Summit Outcome and the broader UN development agenda.
- 2) Examine linkages between indigenous presence in governance and other decision-making bodies at all levels and their impact on policy formulation and the conduct of public institutions.
- 3) Consider the interplay between indigenous economic and political participation and the development of indigenous communities and their economic empowerment, focusing on persisting barriers to indigenous entry into politics and public representative institutions in light of their economic empowerment in the past decades.
- 4) Propose strategies to advance indigenous participation through capacity-building, coalition-building and indigenous and gender-sensitive institutional policies, programmes and mechanisms

C. Proposed themes for discussion

⁸ *Aboriginal and Torres Strait Islander Social Justice Report 2000*, p28.

⁹ 60/1 2005 World Summit Outcome, para 127, p29

14. Five major themes of discussion are proposed as follows. Under each of the themes are some preliminary questions that have been identified for consideration and to stimulate discussion.

Theme 1: International Standards and policies on participation and good governance, with reference to indigenous peoples.

- International instruments
- analysis and case law of international human rights treaty bodies and other international bodies (Human Rights Committee, Commission on Human Rights, UN Permanent Forum on Indigenous Issues, ILO and others)
- Common UN policies and policies of UN agencies, funds, programmes,
- Donor policies on participation and good governance with special reference to indigenous peoples.
- What constitutes Indigenous governance?
- How do the goals and needs of Indigenous governance differ from the needs and goals of other public institutions?

Theme 2: Areas in which indigenous participation is relevant to the MDGs

- mechanisms for representation and enforcement (including gender and youth)
- preparation of targets and indicators
- participatory budgeting
- participation in implementing, monitoring and evaluating MDG plans
- preparation of MDG country Reports
- gender
- youth
- What are the links between Indigenous governance, democracy and human development?
- How to bridge the gap between the theories of governance and actual tools and practices needed to strengthen or rebuild indigenous governance?

Theme 3: “Enablers and spoilers” in indigenous participation and good governance, with special reference to MDGs

- democratic participatory decision-making
- involving indigenous representatives; interface and cooperation with indigenous governance systems
- transparent management of the public sector
- access to public service, public administration and financial management
- public access to information
- accountability and integrity of government in decision and implementation
- access to funding
- access to the legal and judicial system
- decentralization and good governance
- obstacles, including lack of relevant statistics, corruption and others
- the role of the private sector in policy, legislation reforms and in defining the development agenda and how this affects indigenous peoples

- role of the donor community in enhancing or weakening indigenous peoples' participation in governance and achievement of MDGs for indigenous peoples
- Focus on the persistent barriers that block indigenous peoples' access to funding, the legal and judicial systems and public information such as statistics
- What is the role of the donor community in enhancing or weakening indigenous peoples' participation in governance?

Theme 4: Good examples in indigenous participation in governance policies, laws, budgets and practices with special reference to MDGs

- in the UN system and other intergovernmental organizations
- bilateral donor bodies
- in state practice
- Highlight and provide examples or case studies of the importance of indigenous representation in decision-making and strategies that advance indigenous participation and leadership in institutional policies, programmes and mechanisms(including gender and youth);
- Provide examples of the impact of equal participation of indigenous women and men in decision-making processes and the achievement of the goal of sustainable development;

Theme 5: Strategies for building institutions and capacities for indigenous participation and good governance.

D. Participants (states, agencies and indigenous experts)

15. Experts from States, UN system, indigenous experts from Latin America, Pacific, Arctic, Africa, Asia, Russia and North America and observers from indigenous organizations are invited to participate in the workshop.

E. The working documents

16. Participants in the workshop are invited to submit papers on the MDGs, indigenous participation and good governance addressing one or more of the agenda drawing from the work and experiences within agencies, as well as at the national and community level