More than 900 participants—including many indigenous peoples, Member States, UN specialized agencies, intergovernmental and non-governmental organizations—came together to open dialogue and voice their views, concerns and visions during the first Permanent Forum on Indigenous Issues, held from 13-24 May 2002 at UN headquarters in New York. With an estimated 300 million indigenous people living in more than 70 countries worldwide, the Forum was the first time indigenous peoples were heard at such a high level at the United Nations.

At the opening session, UN Deputy Secretary-General Louise Fréchette said she hoped the Forum would showcase the wide array of contributions that indigenous peoples could make, including the tradition of consensus in conflict resolution, medicinal knowledge, managing complex ecosystems, promoting biodiversity, increasing crop productivity, and conserving land. She continued, “Such fruitful interaction between indigenous peoples and the rest of the international community can only proceed, and succeed, if indigenous peoples are secure in their human rights. As yet, however, there are no universal standards on the rights of indigenous peoples as such.” She said the Commission on Human Rights is considering a draft declaration that would “complement existing international human rights instruments.” Ivan Simonovic, United Nations Economic and Social Council (ECOSOC) President, called on the Forum to be an “open, transparent, and participatory body.”

Opening the Forum, newly-elected Chairperson Ole Henrik Magga, a nomadic Sammi from northern Norway, said that the two main goals of the meeting would be “a recognition of collective rights [and] the recognition of cultural rights as human rights.” Mr. Magga said indigenous peoples first approached the League of Nations in 1923. “At that time, it was just impossible” to get a hearing before the body, he said. “For those who are not recognized at home, it is of immense help that we are recognized at the United Nations.”

The Forum, suggested by the 1993 Vienna World Conference on Human Rights and established by the UN Economic and Social Council in July 2000, is mandated to focus on indigenous aspects of the issues on the ECOSOC agenda, including economic, social, health, education, environment, human rights and development. It also works to raise awareness and promote the integration and coordination of activities relating to indigenous issues within the UN system, while preparing and disseminating information on those issues. It comprises eight government representatives and eight indigenous experts elected by ECOSOC, who will report and make recommendations directly to the Council.

During the two-week session, the Forum discussed topics including the integration and mainstreaming of indigenous issues throughout the UN system, fundamental freedoms and human rights of indigenous peoples, and respect for and protection of indigenous intellectual property and traditional knowledge. Attention was drawn to the different types of discrimination faced by indigenous women and children, as well as the impact of violence, conflict and militarization on their situations.

Statements were made by the Congress of Aboriginal Peoples, the Foundation for Aboriginal and Islander Services Secretariat, the Maasai Education Discovery, Workshop of Andean Oral History, Indigenous Caucus, Centre for International Indigenous Legal Studies Project, Saami Council and Inuit Circumpolar Conference, Indigenous Peoples Centre for Documentation, Research and Information, Asociación Nacional Indígena Salvadoreña, Inuit Youth International, Asia Indigenous Caucus, Indigenous Information Network, Indian Confederation of Indigenous and Tribal Peoples, among many others.

The Forum included parallel events on a number of topics, including: Empowering Indigenous Women; Indigenous Media Network; Indigenous Peoples and Large-Scale Development Projects; International Development Cooperation and Indigenous Peoples; Indigenous Peoples and the Right to Land and Housing, among others.
The Indigenous Media Network panel was moderated by Barbara Pyle, former vice-president of Environmental Policy for the Turner Broadcasting Network, now making films on human rights. Other panelists included indigenous journalists funded by the Indigenous Voluntary Fund to cover the Forum and to report back to their communities as well as providing stories for the newly launched Indigenous Media Website (see box on page 6).

Panellists spoke of their experiences as indigenous journalists to other indigenous and non-indigenous journalists. They called for informed and balanced reporting on indigenous issues and a better working relationship with mainstream media.

Their statement to the Forum read, “The value of the indigenous media cannot be overestimated. The mainstream media is the mouthpiece for globalization and the process of marginalization of the indigenous people of the world. On the other hand, the indigenous media stand for the truth, human rights, and accountability. The indigenous media pursue information and education of marginalized people. They advocate for health, social services, and other needed programs. They promote issues that are particular to indigenous communities, and that are not published elsewhere. The indigenous media also further the networking of indigenous communities.”

**ISSUES AT STAKE**

A wide variety of issues were brought forward by indigenous delegations during the general debate and during the review of UN system activities relating to indigenous peoples, which provided opportunities for interactive exchanges.

**The Right to Food**

Addressing the Forum, a representative from the International Indian Treaty Council (IITC), underscored the right to food—and the corollary rights of food security and food sovereignty—as issues cutting across the agenda themes of economic and social development, environment, health, education, culture, and human rights. Stating that self-determination and land, water and territory rights were essential for the full realization of food security and food sovereignty, the representative also said there was a fundamental link between biological diversity and cultural diversity.

“Our Right to Food is a human right recognized by three international instruments, including the International Covenant on Economic, Social and Cultural Rights, which states in its Article 1 that all peoples, by virtue of the right to Self-Determination, may establish and implement their own economic, social and cultural development, and their own development strategies, based on their own vision, and that ‘in no case may a people be deprived of its own means of subsistence,’” their statement read.

**Environment**

During the general debate, some indigenous delegates pointed out the need to ensure that the broader society understood and benefited from the understanding between indigenous peoples and the environment, as well as the link between traditional languages, traditional knowledge, sustainable development, and cultural and biological diversity. Several delegates called attention to the problems caused by desertification, deforestation, flooding of traditional lands from projects such as the construction of dams, unsustainable exploitation of natural resources, bio-piracy, and the commercialization of traditional knowledge without prior informed consent and/or equitable sharing of benefits.

Ron Lameman, speaking on behalf of the Confederacy of Treaty Six First Nations from Treaty Six Territory (Canada) described the “indiscriminate and unbridled destruction” of the environment caused by development activities. “Within the boreal forests that border our Treaty Territory to the north, the flora and fauna are so sensitive and unique that once the heavy machinery to harvest the trees are brought in, the destruction that is done is in most cases irreparable. It does not matter how many trees you replant, many of the life-sustaining and unique medicinal plants and roots that are eaten by the wildlife are destroyed. This results in the forced movement of the wildlife to areas that are not only foreign to them but also have a less than healthy or highly contaminated food supply, thus causing a chain reaction in the food chain. Oil patch activity, inorganic farming with chemical herbicides and pesticides, and contamination of the groundwater, rivers and lakes by timber harvesting compounds the inability of the wildlife to remain healthy,” Mr. Lameman said.

During the interactive debate on review of activities of the UN system, Forum members asked for more information on the mechanisms for coordination between agencies working in the field of sustainable livelihood practices, such as the Food and Agriculture Organization (FAO) and the United Nations Development Programme (UNDP), and with agencies whose work relates to traditional knowledge systems, such as the World Intellectual Property Organization (WIPO), the United Nations Conference on Trade and Development (UNCTAD), and the World Trade Organization (WTO).

Concerns were again voiced over the issue of bio-piracy of indigenous resources and the absence of adequate protection systems for traditional knowledge and genetic resources, with attention being drawn to the need for a new standard to address the issue in a systematic and comprehensive manner. Another concern raised was the absence of adequate compensation and rehabilitation provided to indigenous communities for environmental damage.

**Human Rights**

A number of representatives discussed their non-recognition by the States in which they lived and stated...
that there were discriminatory laws against them; some said they had even been accused of terrorism under new laws put in place since 11 September 2001. Others spoke of their experiences of racism, marginalization, slavery and internal displacement brought about by imposed development and/or conflict.

During the interactive debate on the review of the activities of the UN system, an International Labour Organization (ILO) representative said that the ILO carries out activities aimed specifically at indigenous peoples, as well as general development cooperation. He called attention to ILO Convention No. 169 on Indigenous and Tribal Peoples, which entered into force in September 1991. Article 5 of the Convention stipulates that “The social, cultural, religious and spiritual values and practices of these peoples shall be recognized and protected, and due account shall be taken of the nature of the problems which face them both as groups and as individuals.”

Article 7 states, “The peoples concerned shall have the right to decide their own priorities for the process of development as it affects their lives, beliefs, institutions and spiritual well-being and the lands they occupy or otherwise use, and to exercise control, to the extent possible, over their own economic, social and cultural development. In addition, they shall participate in the formulation, implementation and evaluation of plans and programmes for national and regional development which may affect them directly.”

A representative from the International Indian Treaty Council (IITC) said the mandate of the Permanent Forum is one that exceeds the area of human rights and includes areas such as trade, economic and social development, and the environment. While noting that these are areas of concern to indigenous people, he spoke of their role in existing processes in these areas, saying it was more a “stakeholder” role and not as holders of fundamental rights, entitled only to “dialogue.”

“When we attempt to level the playing field through equality in good faith consultations and free and informed consent and the right to say ‘no,’ or when we speak of the world asking us that we share our lands and natural resources as the ‘benefits’ of benefit sharing, we are told that economic and social development and the environment are ‘different’ than human rights. We enter into dialogues only to witness continued coercion, dominance and greed.”

The IITC statement read, “Although we recognize that human rights are in a sense, different than economic and social development, trade and the environment, we cannot forget our rights in these other dialogues. We approach the table as holders of rights and fundamental freedoms the observance and enjoyment of which are the legally binding obligations of the States and agencies of international cooperation and assistance, and, we would argue, through State obligations to transnational corporations as well. There is no need to develop voluntary codes of conduct. Those codes of conduct are

Moana Durie-Sinclair, Human Rights Officer, Indigenous Project Team is a member of five Maori tribes and was raised on New Zealand’s North Island. A filmmaker and international attorney, she joined the Office of the UN High Commissioner for Human Rights (OHCHR) last November. Below is her description of the Forum.

“They came dressed in traditional Saami silks and skins, feathered Indian chief headwear and ribboned shirts. Glossy greenstone jewellery, intricate Asian tapestries, bright bangles and beads from Africa, long-fringe Mohawk suede jackets, Tuareg turbans and silver-turquoise jewels sparkled among the 800-plus participants. Lei’s, lavalavas, and ocean shells of the Pacific graced the hallways of the UN headquarters of New York.

“The inauguration of the Permanent Forum for Indigenous Peoples was filled with the colourful diversity and drama of the world’s indigenous peoples. They were a striking contrast to the UN’s usual beige and grey suits—and hopefully signified a new era.

“Finally, after more than 20 years of knocking on the UN’s doors, indigenous people were establishing a permanent forum and partnership with governments at the UN. At the start of the plenary on 13 May 2002, the air was filled with tremendous pride and excitement. Cameras whirred and flashed as the newly-selected Permanent Forum members took their seats. A long wooden pipe-like aboriginal didgeridoo sounded a long way from its desert home in Australia, its ooom-oom-oom, groan-like sound vibrating throughout the UN Conference Room 2 and beyond, taking participants to somewhere in the Australian outback.

“Participants said they were both optimistic and skeptical about finding a home in the UN. After being left out for so long, they are understandably doubtful. And there is still much to be done, to secure the indigenous peoples’ place within the UN. The task now will be to work out how this partnership will be implemented within the UN’s mechanisms, especially since the new body is still not yet funded. The only Government Minister to attend the Forum, the Honourable Parekura Horomia of the Ministry of Maori Affairs of New Zealand, urged fellow States to demonstrate commitment to the Forum by ensuring that it receives adequate funding from the regular budget.

“Still, I was and remain more hopeful than skeptical. The Forum itself was a huge step, a moment of progress to be celebrated. There is much goodwill among States. And many other movements—environmental, women’s and children’s rights—are aligned with indigenous peoples’ struggles. They are not alone.

“Certainly the signs for a real UN home were good when at the opening, Syd Hill Tadodaho, the spiritual leader of the Confederation of Six Indigenous Nations in the New York area, addressed the Forum in his native tongue, alongside High Commissioner Mary Robinson. It was an indication of what she called a ‘partnership in action.’

“As an optimist and reader of good signs, I look forward to the best outcome possible from this first session of the Permanent Forum. Among my hopes: that governments will honour their words of commitment to indigenous people, and that the Forum will be funded by the regular UN budget.

“I hold onto the expectant words of a Maori proverb, which reflects the hopes of all indigenous people: ‘He rangi ano apoopo kei te heke haere mai a tatou tamariki mokopuna...ma te huru ka rete te manu ki te ao.’

“Tomorrow is another day, we must prepare well for our children, who will come after us…It is important that we flourish and prosper as unique people amongst all peoples of the world.”
EXCERPTS FROM JOINT CONSENSUS STATEMENT BY
THE INDIGENOUS CAUCUS IN REVIEW OF ACTIVITIES
OF THE UN SYSTEM RELATING TO INDIGENOUS PEOPLE

“It is always said that indigenous peoples are among the poorest of the poor and that they belong to the
most vulnerable sectors of society. And yet it is also known that the indigenous peoples live in territories
that are very rich with natural resources. This ironical situation explains the fact that indigenous peoples
territories are mainly regarded as resource bases which can be plundered in the name of national
development. While more and more foreign and national money are brought in to finance the extraction of
primary resources, national budgets for basic social services become less and less.

“The profits derived from these extractive activities remain in the hands of foreign and national corporations.
The behaviour of corporations on indigenous lands remains unregulated and they remain unaccountable. In
the meantime, indigenous peoples are either driven away from their own lands or are left on their own to
rehabilitate their devastated and degraded territories. They also have to repair the broken family and
community relationships caused by the divide and rule methods employed by the corporations and even the
governments. In several communities there are still ongoing conflicts that remain unresolved. This is the
state of economic and social development in many indigenous peoples communities.

“What role did the United Nations system play in perpetuating or mitigating these situations? Is it still
possible to expect the UN to play a role in making corporations accountable for their violations of the rights
of indigenous peoples and the destruction of the environment? The reports prepared for this meeting by the
various UN agencies and programmes, including the World Bank and the WTO [World Trade Organization] do
not provide us information nor recommendations on these situations.

“We know that the structural adjustment policies of the World Bank and the International Monetary Fund did
not only push for cutting back the government budgets for health and education but also pushed for further
liberalization, deregulation and privatization of basic social services. We also know that many of the WTO
Agreements like the TRIPs [Trade-Related Intellectual Property Rights] Agreement mentioned in their report,
the Agreement on Agriculture, the General Agreement on [Trade in] Services, among others, have brought
about more negative than positive impacts to indigenous peoples.

“We strongly urge that evaluations or reviews of the various programmes, policies and projects of the UN
and other related bodies be undertaken with regard to the actual impacts on indigenous peoples. Policies
which impact on indigenous peoples like the Structural Adjustment Policies (SAPs) or the Water and Forest
Policies of the World Bank, and the WTO Agreements should be included in these examinations. The
Permanent Forum can ask the specific UN bodies to become lead organizations in doing reviews based on
thematically areas. These UN bodies should also take care of the expenses which will be entailed in doing
these reviews. These review processes, however, should ensure that indigenous peoples and experts
participate as members of the review teams in close and meaningful partnership with indigenous peoples.

“We cite various examples of recommendations the Permanent Forum can make to various agencies, to
examine the actual impact on indigenous peoples and their communities, whether negative or positive, of UN
policies and programmes under appropriate themes:

- The UNDP [United Nations Development Programme] in coordination with the World Bank and the
  Commission on Social Development could lead a review in economic and social development;
- UNESCO [United Nations Educational, Scientific and Cultural Organization] could lead a review in
  education and culture;
- UNEP [United Nations Environment Programme], with the Commission on Sustainable Development, with
  the active participation of the Convention on Biological Diversity and the FAO [United Nations Food and
  Agriculture Organization], could coordinate a review of the actual impact of UN policies and programmes
  on indigenous communities under the theme of sustainable development;
- The WHO [World Health Organization] and PAHO [Pan American Health Organization] could coordinate the
  review under the theme of health;
- UNIFEM [United Nations Development Fund for Women] and the Division on the Advancement of Women
  (DAW), could coordinate a review of gender;
- UNICEF [United Nations Children’s Fund] could be asked to review the impacts of UN polices and
  programmes on indigenous communities on the theme of children;
- UNHCR [Office of the United Nations High Commissioner for Refugees] could examine the impacts of UN
  policies and programmes under the theme of internal displacement and refugees.

“We further recommend that the various UN agencies and bodies prepare more comprehensive reports in
the next PF sessions that would include the results of the reviews if undertaken. This could also include
results of earlier reviews or evaluations done with specific stress on the best and worst practices [to]
provide lessons and experience for future planning.”
already found in the United Nations Charter, the Universal Bill of Human Rights, the Convention on the Rights of the Child and other international standards."

**Health**

During the interactive discussion, participants stressed the relationship between health and culture and called attention to the high suicide rate among indigenous youth, the problem of domestic violence and the needs of indigenous women. Other issues that need to be addressed include: high levels of infant mortality and reproductive health problems; difficult access to health services in remote areas; the need to incorporate traditional health practices in State health services; instances of forced sterilization; HIV/AIDS; medicinal plants; and the impact of colonization on the mental and physical health and wellbeing of indigenous peoples.

Six areas of consensus between indigenous peoples, governments and specialized agencies emerged from the debate:

- There is a need to address primary health care and distinguish between mental and physical health as indigenous peoples have health needs that cut across socio-economic lines, with critical needs existing both in the developing South and the industrial North;
- Indigenous health care must include indigenous perspectives and incorporate holistic, physical, mental, spiritual and cultural elements, both in the design and delivery of health care;
- Capacity of indigenous people in the areas of health-care planning and management should be strengthened, including cooperation with traditional planners and healers;
- Toxic by-products of military, nuclear, and industrial use of indigenous lands have caused severe health problems;
- Given the direct relationship between poverty and ill health, the basic needs of indigenous peoples for food, nutrition and affordable shelter/housing should be met; and
- The special needs of indigenous women and children in the areas of reproductive rights, domestic abuse, addiction, immunization, and child/infant mortality must be stressed at the highest levels.

**CONCLUSION**

At the close of its inaugural session, the Forum recommended that ECOSOC establish a secretariat for the Forum, attached to the secretariat of the Council. The secretariat would assist the members of the Forum to fulfil their mandate by implementing the approved programme of activities, and the activities would be funded from the regular budget. Mr. Magga said it had been difficult to develop a real work plan, since the Forum had only been given a budget for the first session and the one planned for next year.

The Forum adopted a final report in which it calls ECOSOC’s attention to priorities in the areas of human rights, education and culture, the environment, and children and youth. Access to educational systems and language learning was also a prime consideration, as well as the preservation of the environment, as the lives of many indigenous peoples depend on it. In the report, the Forum invites coordination and cooperation among the partners in the United Nations agencies in

“Multiculturalism is a great wealth for all of us. Our voice must be heard in all areas that affect us, especially regarding education, health, development, security and respect for our human rights. The precarious situation, the vulnerability of many indigenous peoples, is directly linked to policies of marginalization.”

— Saoudata Aboubacrine, youth representative of the nomadic Tuareg people of northern Africa

“Beyond their traditional knowledge and cultural accomplishments, the indigenous peoples of the world are possessed of a unique spirituality, vision and sense of community. If the members of the Permanent Forum can find a way to share some of the wisdom and world view of their peoples with the United Nations family and with the wider international community, then this may prove to be their most important and enduring achievement.”

— High Commissioner for Human Rights

Mary Robinson

“Peace and progress means our right to determine our belief systems, to determine our languages, to determine our relationships with each other and with our lands and territories. It means the right to self-determination.....We believe there will be no peace on Earth as you continue to challenge the laws of regeneration—as the ice continues to melt....For us to know peace and to make progress in the healing of Mother Earth, we need the Earth Charter to be ratified, a charter that will have the same power as the Charter on Human Rights. We speak for our relatives the Waters, the Fish, the Plants, the Animals, the Trees, all our relatives who do not have a voice to speak for themselves.”

— Onondaga Chief Sid Hill

“Starvation, debilitating disease and terminal illnesses are a collective reality shared by indigenous peoples throughout the world. The imposition of industrialized agriculture and genetically modified foods erodes the genetic diversity of our seeds and animals, leads to migration of our community members to the cities and force feeds us products that not only fail to nourish us, they often cause diseases, and severe developmental problems and mortality rates among our children.”

— Statement made by representative of the International Indian Treaty Council (IITC)
those and other areas of concern, and states that data
collection about indigenous organizations is essential as
well. It also wished to see the appointment of a Special
Rapporteur.

The report also seeks to establish a United Nations
publication once every three years on the status of the
world's indigenous peoples. Rights in the areas of
health, intellectual property, human rights, genetic
resources, among others, would also be included in
such a report.

In his closing speech, UN Secretary-General Kofi Annan
said to the world's indigenous peoples: “You have a
home at the United Nations.” Indigenous peoples, he
said, had hopes, rights and aspirations that could and
must be addressed by the UN, as well as knowledge
and skills that could help the international community
in its goals of development and peace. He commended
their practices: “Among the traditions I find particularly
powerful is the respect given to elders as carriers of
wisdom, to women as carriers of language and culture,
and to children as carriers of the identity that is trans-
mitted to future generations.”

Indigenous peoples, he said, had already served as a
valuable voice for traditional knowledge, collective
rights and environmental custodianship. With the con-
vening of the Forum, their priorities would now take
their rightful place on the UN agenda. Stating that it
was entirely appropriate that indigenous peoples,
including many victims of discrimination and the
poorest of the poor, now had a platform, the
Secretary-General said, “On behalf of the United
Nations family, I would like to pledge our strong
commitment to your cause and your concerns.” He
pointed out that there would be many difficulties
ahead, and congratulated participants for an “excel-
ent start in navigating them.”

Mr. Magga, in his closing remarks, said that the first ses-
sion of the Forum had been a success, and that it was
evident from the testimonies heard during the two
weeks that indigenous peoples remained among the
most marginalized in the world. He said they continued
to suffer from the wrongdoings of the past, when their
territories were colonized and their voices went
unheard.

“We must never give up our fight for equality and jus-
tice,” he said, adding that for the Forum to become a
true vehicle for the advocacy of indigenous rights, it
was essential to remain action-oriented and focus on
the solutions, rather than on the problems and on a
new kind of partnership between indigenous peoples
and governments. He called for the establishment of a
secretariat, along with adequate political and financial
support. “Please do not let the Permanent Forum on
Indigenous Issues become another example of dis-


crimination against indigenous peoples, as the only
United Nations body not provided with regular fund-
ing.” He finished his remarks with a traditional Saami
song.