International Indigenous Forum on Biodiversity

Item 7- Recommendations Arising From The Ninth And Tenth Sessions Of The United Nations Permanent Forum On Indigenous Issues To The Convention On Biological Diversity

Seventh meeting of the Working Group on Article 8(j) and related provisions (WG8j-7)

Montreal, Canada, November 2, 2011

Thank you, Mr President and Co-chair. Good morning everyone.

The Permanent Forum is one of three UN bodies that is mandated to deal specifically with indigenous peoples' issues. The others are the Expert Mechanism on the Rights of Indigenous Peoples and the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous Peoples.

The Permanent Forum is an advisory body to the Economic and Social Council with a mandate to discuss indigenous issues related to economic and social development, culture, the environment, education, health and human rights.

According to its mandate, the Permanent Forum will:

- provide expert advice and recommendations on indigenous issues to the Council, as well as to programmes, funds and agencies of the United Nations, through the Council
- raise awareness and promote the integration and coordination of activities related to indigenous issues within the UN system
- prepare and disseminate information on indigenous issues

There are two additional recommendations of the Permanent Forum that we feel were left out of document UNEP/CBD/WG8J/7/7 and the IIFB feels that it is imperative that they are included in the report transmitted to the COP because of it’s relevance to the work of the Convention. These recommendations are from the 10th Session of the UNPFII and they are-

- Paragraph 25. In regard to the rights of indigenous peoples, the Permanent Forum reiterates its long-standing position of encouraging the United Nations, its organs and specialized agencies, as well as all States, to adopt a human rights-based approach. At the international, regional and national level, the human rights of indigenous peoples are always relevant if such rights are at risk of being undermined. Human rights are indivisible, interdependent, and interrelated. They must be respected in any context specifically concerning indigenous peoples, from environment to development, to peace and security, and many other issues.
- Paragraph 27. The Permanent Forum reiterates to the parties to the Convention on
Biological Diversity, and especially to the parties to the Nagoya Protocol, the importance of respecting and protecting indigenous peoples’ rights to genetic resources consistent with the United Nations Declaration on the Rights of Indigenous Peoples. Consistent with the objective of “fair and equitable” benefit sharing in the Convention and Protocol, all rights based on customary use must be safeguarded and not only “established” rights. The Committee on the Elimination of Racial Discrimination has concluded that such kinds of distinctions would be discriminatory.

Finally, Mr. Chair, we propose the addition of the following recommendation:

- Requests the Executive Secretary to organize workshops in collaboration with the International Indigenous Forum on Biodiversity, at the next UN Permanent Forum on Indigenous Issues on the Nagoya Protocol, Tkaríhwaie:ri Code of Ethical Conduct, and Article 10c.

Thank you.