

INTERNATIONAL HUMAN RIGHTS DAY 2008: A SAD DAY FOR INDIGENOUS PEOPLES

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It is with great sadness that today, on the 60th Anniversary of the adoption of the UN Declaration on Human Rights, some states have denied indigenous peoples of their rights at the 14th Conference of Parties of the UNFCCC.

This morning indigenous peoples were shocked to see the final version of the Draft Conclusions on “Agenda Item 5: Reducing emissions from deforestation in developing countries: approaches to stimulate action,” of the 29th Session of Subsidiary Body for Scientific and Technological Advice (SBSTA.) This Document (FCCC/SBSTA/2008/L.23) removed any references to rights of indigenous peoples and the UN Declaration on the Rights of Indigenous Peoples (UNDRIP.) This move was spearheaded by the same states (Australia, Canada, New Zealand and the USA) that voted against the adoption of the UNDRIP by the UN General Assembly on 13 Sept. 2008.

Furthermore, these same states used the phrase “indigenous people” instead of “indigenous peoples” with an “s” which is the internationally accepted language. The international human rights instrument on indigenous peoples' rights, the UN Declaration on the Rights of Indigenous Peoples, which was adopted by 144 member-states of the UN, uses Indigenous Peoples. This was a battle fought by indigenous peoples for more than 30 years within the United Nations. The “s” in peoples implies that indigenous peoples have the right to self-determination (Article 3, UNDRIP) and have collective rights. The UNDRIP is an interpretation of how the existing Human Rights Covenants apply to indigenous peoples in consideration of the historical and present injustices from which they suffer.

It is a tragic thing to witness the way indigenous peoples' rights are undermined by the very states who took the lead in formulating and adopting the UN Declaration on Human Rights, 60 years ago. These states are very keen to include REDD as part of the agreement on mitigation which will be agreed upon during the 15th Conference of Parties in Copenhagen, to be held in 2009. However, they obstinately refuse to recognize the rights of indigenous peoples and other forest peoples, who have sacrificed life and limb to preserve the world's remaining tropical and sub-tropical rainforests.

I call upon these states to reconsider their positions and move towards recognizing indigenous peoples' rights, as contained in the UNDRIP, as a framework for the design and implementation of REDD. I earnestly wish to see states and the UN system implement effectively the UNDRIP as stated in Article 42. The Declaration has to be implemented in all arenas, whether at the local and national level and at the global level, including by the UN Framework Convention on Climate Change and its protocols.

I congratulate the Parties who insisted that the language of rights and the UN Declaration on the Rights of Indigenous Peoples remain in the draft conclusions. I know they fought hard for these and I certainly hope they will continue to do this in the future negotiations. Indigenous peoples will continue to oppose the REDD mechanisms if their rights are not recognized by States and the UN, including the UNFCCC and the World Bank. They are very vulnerable to the adverse impacts of climate change, but they are also providing the solutions to climate change. Their traditional

knowledge on forests and biodiversity is crucial for the methodological issues being tackled under REDD. Their participation in designing, implementing, monitoring and evaluating REDD policies and proposals has to be ensured. Their free, prior and informed consent has to be obtained before any REDD mechanism is put into place in their territories. It is their right to decide whether to accept REDD or not.

I welcome paragraph 6 of the Draft Decision which calls for an Expert meeting on REDD before the 30th SBSTA session. This Expert meeting should be used to go more deeply into the methodological issues relevant for indigenous peoples. However, it should also be linked with the policy issues which will be discussed under the Ad-Hoc Working Group on Long-Term Cooperative Action (AWG-LCA). Enhanced policies and measures for REDD should be linked with methodologies proposed by the SBSTA. Indigenous peoples' participation in this Expert Group meeting was acknowledged in the Draft Decision and it is my hope that this is implemented.

I call on the Ministers who will be speaking before the High-Level Ministerial Segment to reiterate the importance of recognizing and implementing the UNDRIP in REDD decisions and mechanisms. I call on the Ministers to pledge more financial and technical support for indigenous peoples to be able to contribute more substantially to mitigation efforts.

I urge indigenous peoples to continue being vigilant and active in influencing and monitoring the climate change negotiations, policies and programmes at the national and global levels. We have to use the UN Declaration on the Rights of Indigenous Peoples as an instrument which will ensure our survival and dignity especially in the face of the multiple crises the world faces. The climate change crisis, the economic downturn and the destruction of biodiversity and cultural diversity are serious threats to our continuing existence. But if we strongly unite amongst ourselves, with other civil society organizations and with states who are willing to do all they can to genuinely address these issues, then there will be hope for the earth and the future generations.

There is no choice left for us but to continue contributing what we can to help bring down greenhouse gas emissions, to strengthen our values and systems which are respectful of nature, to assert our rights contained in the UNDRIP and to be in solidarity with the most vulnerable sections of society. We should continue practicing our low-carbon and sustainable traditional livelihoods. At the same time we should demand that resources be made available for us to adapt to climate change.

I reiterate the imperative for the Annex 1 countries to carry the heavier burden of mitigating climate change. As these are the countries which have mainly caused climate change, it is just fair that they be the ones to lead the way. Meeting their legally binding targets for reducing their greenhouse gas emission is the main path towards mitigation. REDD, if properly designed and implemented can still contribute to mitigation. However, I believe that forests should not be used as carbon offsets for Annex 1 countries. Thus, emissions trading of forest carbon may not be the right approach. Rewards, both monetary and non-monetary, to indigenous peoples and other forest peoples for protecting the forests may be a better track to take.

Let it not be said that the richest and most powerful reneged on their duty to save this world and to respect the rights of those who have contributed the most to mitigating climate change.

Thank you.

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