

UN DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES: FIVE YEARS ON
(Thursday, 25 October 2012, 11 a.m. – 12.30 p.m.)

Background

Indigenous peoples number about 370 million in some 90 countries in all regions of the world¹. While they constitute 5 per cent of the world's population, they account for 15 per cent of the world's disadvantaged. Of the 7,000 languages in the world today, it is estimated that more than 4,000 are spoken by indigenous peoples. Language specialists predict that up to 90 per cent of the world's languages are likely to become extinct or under threat by the end of the century².

Indigenous peoples are increasingly demanding greater recognition of their rights. Since 1923 when Cayuga Chief Deskaheh of the Six Iroquois Nations first came to the League of Nations to assert the rights of his peoples, indigenous peoples have been engaging with the international community.

The adoption of the UN Declaration on the Rights of Indigenous Peoples³ in September 2007 was the culmination of over 20 years of intense efforts and negotiations. It is a standard of achievement, realized through the solidarity and close partnerships of indigenous peoples with governments, non-governmental organizations, academics, parliamentarians and others. The UN Declaration is the most advanced and comprehensive international instrument on indigenous peoples' rights. It builds on existing human rights enshrined in international human rights treaties and embodies global consensus on indigenous peoples' rights⁴. It defines the minimum standards necessary for the survival, dignity and well-being of indigenous peoples of the world.

The IPU and indigenous peoples

The IPU began work on the rights of minorities and indigenous peoples in 2005. The Chiapas Declaration, adopted at an international parliamentary conference organized by the IPU in 2010⁵, urges parliaments to adopt a Plan of Action to make the right to equal participation and non-discrimination a reality for minorities and indigenous peoples. A *Handbook for Parliamentarians on the UN Declaration on the Rights of Indigenous Peoples*⁶ is in the final stages of preparation.

¹ "State of the World's Indigenous Peoples". Secretariat of the Permanent Forum on Indigenous Issues. United Nations, New York, 2009, p. 1.

² Language Vitality and Endangerment. UNESCO Ad Hoc Expert Group on Endangered Languages. Paris, France, 10-12 March 2003.

³ <http://social.un.org/index/IndigenousPeoples/DeclarationontheRightsofIndigenousPeoples.aspx>

⁴ By December 2010, Australia, Canada, New Zealand and the United States who had earlier voted against the adoption, had reversed their positions and supported the UN Declaration. Of the nine abstentions, two (Colombia and Samoa) also reversed their positions.

⁵ Parliaments, minorities and indigenous peoples: Effective participation in politics, <http://www.ipu.org/splz-e/chiapas10.htm>

⁶ In partnership with the United Nations Permanent Forum on Indigenous Issues, the United Nations Development Programme, the Office of the UN High Commissioner for Human Rights and the International Fund for Agricultural Development.

The United Nations General Assembly has decided to organize a high-level World Conference on Indigenous Peoples in September 2014. The IPU is seeking to create a space for parliaments in the preparatory process. It may also want to consider organizing a parliamentary event in conjunction with the World Conference, which would provide political input to the conference outcomes.

About the session

The purpose of the panel discussion is to take stock of the status of the implementation of the UN Declaration five years after it was adopted. The session will also analyse the involvement of parliaments in promoting indigenous rights, and seek ways to strengthen their engagement. Lastly, participants will consider ways in which parliaments and the IPU can influence the preparation and outcome of the 2014 World Conference on Indigenous Peoples.

Key questions to be addressed during the session include:

- What action have States taken in response to the UN Declaration? What has been the involvement of parliaments? What has been the impact of the UN Declaration to date? What are its prospects?
- Are parliaments becoming more, or less, active in promoting and protecting the rights of indigenous peoples? What are the factors that determine parliamentary engagement? How can parliaments be encouraged to accord suitable attention to indigenous rights?
- How are parliaments dealing with the requirement for States to obtain the free, prior and informed consent of indigenous peoples⁷ before adopting and implementing legislative or administrative measures that may affect them? What are the challenges of free, prior and informed consent for parliaments? What progress has been made, and what are the future prospects?
- In what ways can parliaments, parliamentarians and the IPU contribute to the 2014 World Conference on Indigenous Peoples? What should be the strategic objectives of a parliamentary contribution? What should the outcome document of the World Conference include?

⁷ See the UN Declaration, in particular Article 19.