

## UN WORLD CONFERENCE ON INDIGENOUS PEOPLES 2014

On 16 November 2010, the Third Committee of the United Nations General Assembly adopted a resolution (A/C.3/65/L.22/Rev.1) to organize a high-level plenary meeting of the General Assembly to be known as the World Conference on Indigenous Peoples. This meeting will be held in New York, 22-23 September 2014. The purpose of the meeting is to share perspectives and best practices on the realization of the rights of Indigenous peoples, including pursuing the objectives of the United Nations Declaration on the Rights of Indigenous Peoples. This meeting is not a complete World Conference such as the World Conference on Racism 2001 held in Durban; rather it is a high level plenary session of the General Assembly *to be known as* the World Conference on Indigenous peoples. As such it is subject to the rules and procedures of the General Assembly and the interpretation of those rules and procedures by States. There has never before been a UN meeting at this level that will focus solely on Indigenous peoples' rights. As such there are huge expectations amongst Indigenous peoples for this meeting both in terms of their participation and its outcomes. There is also a fair amount of skepticism as to what it will actually deliver. Given the opportunity it presents to raise awareness about the rights of Indigenous peoples and to push for greater recognition of those rights at the international level, it would be remiss of Indigenous peoples not to leverage it for their benefit.

### Initial indigenous responses

In response to the GA resolution Indigenous peoples have developed a number of initiatives aimed at ensuring Indigenous peoples are able to participate in this meeting including both the preparatory and post Conference processes. For example during the 10<sup>th</sup> session of the Permanent Forum on Indigenous Issues, the Sami Parliament of Norway offered to host a preparatory meeting of Indigenous

peoples in June 2013 to consolidate Indigenous people's strategies and inputs. A concept paper was written by Indigenous peoples outlining the key areas where Indigenous peoples should focus their attention in order to maximize the opportunity this meeting offers and in January 2012 an open-ended Indigenous Peoples' Brainstorming Meeting on the World Conference on Indigenous Peoples 2014 was held in Copenhagen. The meeting was organized by the Greenland Self Rule Representation in Copenhagen, the Sami Parliament of Norway and the International Work Group for Indigenous Affairs, IWGIA and was attended by 30 indigenous representatives from all over the world and invited UN Experts.

The outcome of the Copenhagen meeting was a resolution affirming the importance of maintaining the standards established in the United Nations Declaration on the Rights of Indigenous Peoples and outlining a set of minimum terms regarding indigenous peoples' participation in the process, including the appointment by the UN of an indigenous co-facilitator who should work together with the State appointed Ambassador and the formation of an Indigenous Global Coordinating Group (GCG).

The GCG is comprised of the 7 Indigenous regions of the world – the Arctic, Africa, Asia, Latin America, North America, the Pacific and Russia as well as the Indigenous women's and Indigenous youth caucuses. Each group has the right to have two members and one alternate. The current members of the GCG are Joseph Ole Simel and Saoudata Aboubacrine for Africa, Hjalmar Dahl, John Henriksen and Sara Larsson (alternate) for the Arctic, Joan Carling, Binota Moy Dhamai and Ang Kaji Sherpa (alternate) for Asia, Florina Lopez, Marta Sánchez and Nancy Iza (alternate) for Latin America, Kenneth Deer, Debra Harry and Art Manuel (alternate) for North America, Ghazali Ohorella and Menase Kaisiepo (alternate) for the Pacific, Rodion Sulyandziga and Dmitry Berezhev (alternate) for Russia, Tarcila Rivera Zea, Alyssa Macy, Vicky Tauli-Corpuz (alternate) and Kamira Nait Sid (alternate) for the women's caucus and Tania Pariona, Tomas Aslak Juuso and Eleanor Goroh (alternate) for the youth caucus. The GCG is supported by its Secretariat, Tracey Castro Whare and Inger Johanne Mudenia.

The GCG is primarily responsible for lobbying for the full and effective participation of Indigenous peoples in the preparatory processes leading up to, during and after the meeting. Fundraising is also a major focus of the GCG. This is undertaken by the fundraising committee as well as by the individual GCG members to ensure that the indigenous preparatory process is realized. GCG members are also responsible for disseminating timely and relevant information to

their respective regions and caucuses. For more information on the work of the GCG see [www.wcip2914.org](http://www.wcip2914.org)

## **Modalities resolution**

On 17 September 2012 the GA adopted a modalities resolution which sets out the framework for the World Conference.

Key components are:

- Meeting will be held in New York on Monday 22 September and the afternoon of Tuesday 23 September 2014.
- There will be two plenary sessions, the opening and closing sessions.
- There will be 3 interactive roundtables and one informal panel discussion.

The modalities resolution provides that summaries of the roundtables and the panel discussion will be presented by the co-chairs at the closing session. Participants in the roundtables and the informal panel discussion will include States, UN agencies, Indigenous peoples, civil society and national human rights institutions.

## **Interactive hearing**

The modalities resolution requires the President of the General Assembly to organize an informal interactive hearing no later than June 2014 in order to provide input into the preparatory process. Indigenous peoples, UN agencies, academia, national human rights institutions, parliamentarians, civil society and States are encouraged to participate.

## **Outcome document**

The modalities resolution states that the meeting should result in an action orientated outcome document. The President of the General Assembly will prepare the draft text on the basis of consultations with States and Indigenous peoples. The President will take into account the views emerging from the preparatory pro-

cesses and the interactive hearing. They will then convene a consultation process to provide input for sufficient consideration by States and agreement by the General Assembly prior to the meeting itself.

The resolution makes particular note of Indigenous peoples' participation as follows:

- 3 indigenous representatives will speak at the opening session;
- The informal round tables and the interactive panel session will be co-chaired by States representatives and Indigenous peoples' representatives;
- The accreditation of indigenous organizations and institutions to the meeting will be based on existing practice such as accreditation procedures used by the Expert Mechanism on the Rights of Indigenous Peoples and the Permanent Forum on Indigenous Issues;
- States are to consider the inclusion of Indigenous peoples in their delegations;
- There is special mention of the participation of indigenous women, youth, elders and persons with disabilities;
- Indigenous peoples will be able to participate in the informal interactive hearing;
- Indigenous peoples will be consulted in the preparation of the outcome document in two ways, firstly from their input into the preparatory processes and secondly through a process of consultation; and
- Indigenous peoples are encouraged to disseminate the results of their international, regional and thematic conferences.

The expectations of Indigenous peoples for the modalities resolution was that it would give effect to the rights enshrined in the UN Declaration on the Rights of Indigenous Peoples (UNDRIP). This would include an accreditation process that catered for Indigenous governments both traditional and contemporary as well as the myriad of ways that Indigenous peoples organize themselves collectively. Coupled with that there was also a clear expectation that Indigenous peoples' participation in the meeting would be unfettered thereby realizing the right of full and effective participation in decisions affecting them. Given the modalities resolution was negotiated within the confines of the rules and procedures of the General Assembly, some States chose to take a strict interpretation of those rules and procedures giving them greater weight than the rights enshrined in the UNDRIP.

The GCG met with States in New York during the negotiations of the modalities resolution. Given that the decision making did not lie with Indigenous peoples but resided solely with States, the only strategic and viable option was to lobby States. The GCG was able to lobby for language that addressed the views and positions expressed by Indigenous peoples. Their presence and active participation in the process also provided an opportunity to see how States were positioning themselves in relation to the implementation of Indigenous peoples' rights within the UN system. Whilst seeking to uphold these rights, it became clear to the GCG that the larger ongoing political tensions as well as the reluctance by some States to give real meaning to Indigenous peoples' rights were going to be key factors. Language specifically drafted by the GCG that captured all the ways that Indigenous peoples choose to organize themselves was omitted. National policies such as China's rejection of Taiwanese independence, the US desire to only include federally recognized tribes and Russia's position of not wanting to recognize any rights for Indigenous peoples within the confines of the General Assembly all influenced the negotiations of the modalities resolution. Despite these challenges, the GCG continued to call for strong inclusive language. Their efforts also helped John Henriksen and Ambassador de Alba of Mexico in their roles as co-facilitator to the President of the General Assembly to push for stronger language and to rebut the more negative amendments that were proposed.

Upon the adoption of the modalities resolution there were some Indigenous organizations and peoples who expressed their unhappiness with its content noting that it provided a lesser standard than the rights set out in the Declaration and therefore limited Indigenous Peoples right to participate effectively. However the majority of views expressed by the members of the GCG was that whilst a stronger modalities resolution had been preferred, the language as adopted was workable.

## **Indigenous preparatory processes**

The GCG has put together a road map flagging all potential activities leading up to the World Conference. It is clear that Indigenous peoples need to meet and strategize. To that end each region and the two caucuses have agreed to hold preparatory meetings with the objective of bringing together their concerns, recommendations and potential themes for the meeting. A global meeting of Indigenous peoples is also planned in Alta, Norway 8 -13 June 2013. This will seek to

bring together all the regional and caucus declarations and create a common platform upon which Indigenous peoples as a collective can all agree. This common platform can then be used to lobby for specific recommendations and outcomes in the outcome document of the World Conference.

### **Future work**

In 2013, the remaining indigenous regional and caucus preparatory meetings will be held. The global indigenous preparatory conference will also be held in Alta, Norway and the Mexican government has offered to hold a regional meeting for Latin America that will include both Indigenous peoples and States. The UN needs to appoint a Secretariat who will be responsible for organizing the World Conference. This is likely to include the Secretariat of the Permanent Forum on Indigenous Issues, the office of the President of the General Assembly and the deputy Secretary General. To date Indigenous peoples have been far more organized and active in their preparation towards the World Conference than States or the UN have despite financial constraints and working globally. The UN must prioritize resources to bring this meeting to fruition. This will require constant lobbying by Indigenous peoples to ensure the meeting remains a priority.

### **Indigenous sentiment**

Whilst the World Conference is an opportunity to raise awareness of indigenous peoples' rights and push for their greater recognition, Indigenous peoples are under no illusion that it will meet all of their concerns and needs. Many years of experience within the UN have taught Indigenous peoples that the realization of rights and access to justice cannot be provided solely by the UN however it is clear that this meeting should be utilized to its full extent. It is a testing time to see how States will implement the Declaration on the Rights of Indigenous Peoples in practice at the international level both in the organization of the meeting as well as its substantive outcomes. ○

**Tracey Castro Whare**, *Rapporteur, Indigenous Peoples Global Coordinating Group. E-mail: traceycastrowhare@gmail.com*