



WIGIA

ANNUAL REPORT
2009

THE INTERNATIONAL WORK GROUP FOR INDIGENOUS AFFAIRS

IWGIA is an international, non-governmental, membership organisation, which supports indigenous peoples world wide in their struggle for self-determination. IWGIA's activities focus on human rights work, research, documentation and dissemination of information and project work in co-operation with indigenous organisations and communities.

Since its foundation in 1968, IWGIA has followed the indigenous movement and continuously increased its activities and expanded its network with indigenous peoples worldwide. Today, IWGIA has an established global network of researchers and human rights activists concerned and engaged in indigenous peoples' affairs.

THE INDIGENOUS PEOPLES

The world's indigenous peoples account for more than 350 million individuals, divided into at least 5000 peoples.

Indigenous peoples are the disadvantaged descendants of those peoples that inhabited a territory prior to the formation of a state. The term indigenous may be defined as a characteristic relating the identity of a particular people to a particular area and distinguishing them culturally from other people or peoples. When, for example, immigrants from Europe settled in the Americas and Oceania, or when new states were created after colonialism was abolished in Africa and Asia, certain peoples became marginalised and discriminated against, because their language, their religion, their culture and their whole way of life were different and perceived by the dominant society as being inferior. Insisting on their right to self-determination is indigenous peoples' way of overcoming these obstacles.

Today many indigenous peoples are still excluded from society and often even deprived of their rights as equal citizens of a state. Nevertheless they are determined to preserve, develop and transmit to future generations their ancestral territories and their ethnic identity. Self-identification as an indigenous individual and acceptance as such by the group is an essential component of indigenous peoples' sense of identity. Their continued existence as peoples is closely connected to their possibility to influence their own fate and to live in accordance with their own cultural patterns, social institutions and legal systems.

Indigenous peoples face other serious difficulties such as the constant threat of territorial invasion and murder, the plundering of their resources, cultural and legal discrimination, as well as a lack of recognition suffered by indigenous institutions.

AIMS

IWGIA co-operates with indigenous peoples all over the world and supports their fight for human rights, self-determination, their right to territory, control of land and resources, cultural integrity, and the right to development.

Through publications, human rights work, networking, conferences, campaigns and projects, IWGIA aims to support indigenous peoples in their struggle to improve general life conditions, to improve relationships with the nation states of which they are part, and to increase control of the global economic and political forces that affect their lives.

IWGIA aims to give indigenous peoples the possibility of organising themselves and opens up channels for indigenous peoples' own organisations to claim their rights.

THE INTERNATIONAL BOARD

Espen Wæhle (Chair)
Diana Vinding
Mark Nuttall
Maria Teresa Quispe
Robert K. Hitchcock
Thomas Skielboe

Staff representatives:
Kathrin Wessendorf

THE ADVISORY BOARD

Albert Barume
Ana Cecilia Betancourt
C.R. Bijoy
Morita Carrasco
Kim Carstensen
Suhas Chakma
Alberto Chirif
B.R. Shyamala Devi
Birgitte Feiring
René Fuerst
Pedro García Hierro
Sid Harring
Efraín Jaramillo
Peter Jull
Kuupik Kleist
Jannie Lasimbang
Benedict Ole Nangoro
Geoff Nettleton
Paul Oldham
Sarah Pritchard
Carlos Romero
Chandra Roy-Henriksen
Dalee Sambo Dorough
Inger Sjørsløv
Terence Turner
Sharon Venne

LOCAL GROUPS

- **IWGIA Oslo - Norway**
iwgia.oslo@gmail.com
<http://sosalantropologi.org/iwgia>
- **IWGIA Gothenburg - Sweden**
iwgia.goteborg@sant.gu.se
- **IWGIA Zurich - Switzerland**
iwgia@ethno.inuzh.ch
- **IWGIA France / GITPA**
gitpa.iwgiafrance@wanadoo.fr
www.gitpa.org
- **IWGIA Barcelona**
asurralles@hotmail.com

THE INTERNATIONAL SECRETARIAT

Director: Lola García-Alix

Administrator: Anni Hammerlund

Coordinators of programmes:

Russia: Johannes Rohr

The Arctic: Kathrin Wessendorf

South and Central America: Alejandro Parellada

Asia: Christian Erni and Christina Nilsson

Africa: Marianne Wiben Jensen and Geneviève Rose

Human Rights: Lola García-Alix, Kathrin Wessendorf
and Käthe Jepsen

Environment and Climate Change: Silje Stidsen

Communications: Kathrin Wessendorf

Website:

English: Mette Hvidberg

Spanish: Alejandro Parellada

Distribution of books: Kathrin Wessendorf

Administration: Inger Dühring (indtil April 2009) and
Zoya Shahbazian

Secretaries: Käthe Jepsen and Annette Kjærgaard

Photo Archive & Library: Mette Hvidberg and
Ronald McHugh

Coordination and editing of publications:

Spanish documents: Alejandro Parellada

English documents: Programme coordinators

The Indigenous World/El Mundo Indígena:

Kathrin Wessendorf and programme coordinators

Indigenous Affairs: Kathrin Wessendorf

and programme coordinators

Asuntos Indígenas: Alejandro Parellada

Graphics, layout and typesetting: Jorge Monrás

English translation and proofreading: Elaine Bolton

Spanish translation and proofreading: Patricia Borraz,
Jacqueline Behrend and Jorge Monrás

Assistants: Lise Ranving-Christensen, Nadia Sander
Strange and Louise Bleeg



IWGIA'S ACTIVITIES

2009

INTRODUCTION	4
REPORT FROM THE BOARD	6
RUSSIA	8
LATIN AMERICA	11
ASIA	15
AFRICA	20
AFRICAN COMMISSION	25
INTL. HUMAN RIGHTS ADVOCACY	28
ENVIRONMENT AND CLIMATE CHANGE	33
THE ANNUAL COLLECTION - MEMBERSHIP	38
LOCAL GROUPS	38
IWGIA ONLINE	40
PUBLICATIONS	41
ANNUAL ACCOUNTS	54
CHALLENGES AND FUTURE PLANS	58

INTRODUCTION

2009 will be remembered for the heightened focus on climate change and the enormous challenge we all face in safeguarding the planet. Indigenous peoples and their livelihoods are disproportionately facing the devastating effects of climate change and indigenous peoples are, moreover, at risk of not being heard when national adaptation plans are formulated, falling victim to some of the mitigation measures suggested by the international community, including investments in “green” sources of energy. In 2009, IWGIA embarked on its new programme on Environment and Climate Change that aims to strengthen indigenous peoples’ control over natural resources nationally and link these efforts to international policy making on environment and climate change. Naturally, in 2009, much of IWGIA’s efforts within this programme were invested in facilitating indigenous peoples’ active preparation of and participation in the negotiations for the UN Framework Convention on Climate Change (UNFCCC) leading up to and during the 15th Conference of the Parties (COP 15) held in December. Another line of work was to support capacity building of indigenous peoples in order to ensure their informed and effective participation in national and international policy shaping and decision-making processes related to REDD. So far, this support has contributed to securing the inclusion of indigenous peoples in the planning for national REDD programmes in Nepal, Tanzania and Indonesia.

COP 15 was also the occasion for launching the book *“Making the Declaration Work”*, telling the inside story of the making of the UN Declaration on the Rights of Indigenous Peoples and including reflections on the future challenges related to its implementation. The book was presented by some of the contributors, among them former UN

Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people, Rodolfo Stavenhagen, and the Mexican UN Ambassador, Luis Alfonso De Alba.

The adoption of the UN Declaration of the Rights of Indigenous Peoples was a huge step forward for indigenous peoples’ rights to consultation and free, prior and informed consent. However, during 2009, IWGIA witnessed an increasing gap between the law and actual practice and a continuous criminalization of indigenous social protest around the world, as documented in various country reports in *“The Indigenous World 2009 and 2010”*. In Peru, for example, a long and widespread indigenous mobilization against a set of new laws, which would make it possible to grant concessions for the extraction of natural resources from indigenous territories, culminated in a violent encounter between indigenous protesters and the military police in June, leaving many dead. IWGIA’s work in Peru in 2009 focused on assisting the indigenous organisations, particularly in the Cenepa River Valley and Madre de Dios Department, to document their situation, improve their advocacy skills and prepare their legal defence against false accusations of criminal acts. In a response to this and like situations, in 2009, IWGIA also continued and enhanced its support to indigenous rights monitoring in the Philippines, human rights observatories and defenders in Chile and Colombia, and indigenous information centers in Peru and Russia.

The right to self-determination is at the heart of indigenous peoples’ struggle worldwide. Much of IWGIA’s work is aimed at strengthening indigenous peoples’ self organizing and empowerment to successfully advocate this right. In 2009, in Kenya, Malaysia, India, Philippines, Thailand, Cambodia, Indonesia, Colombia and Argentina this was for example carried out through community organiser and leader-

ship training programmes. In accordance with the recommendations from the joint review of 2008, in 2009, IWGIA furthermore increased its efforts to support initiatives that feed directly into processes of political change. IWGIA has thus, for example, intensified its commitment to securing a peace accord in the Chittagong Hill Tracts and to supporting indigenous peoples' involvement in national constitutional processes. In Bolivia, in January, a long and difficult process was concluded with the approval of the new State Constitution that declares Bolivia to be a plurinational and communitarian state and improves the rights of indigenous peoples with regard to, among other things, electoral representation and indigenous territorial autonomy. In 2009, IWGIA followed up on the direct support provided in 2008 with a systematization of this experience. Throughout 2009, IWGIA also supported indigenous participation in the ongoing constitutional processes in Nepal, including training of indigenous members of the Constituent Assembly and awareness raising, and in Kenya, where indigenous peoples have successfully lobbied for recognition of equal rights for minorities and enhanced possibilities for community self-determination. In line with the aim of IWGIA's information and documentation strategy's to contribute to indigenous peoples' capacity building and sharing of experiences, a video on indigenous peoples' experiences of the Bolivian constitutional process, was produced in Spanish, English and Nepali and disseminated among IWGIA's partner organisations.

Notwithstanding such positive developments at the level of national politics, in 2009, the situation of indigenous peoples worldwide continued to be characterised by human rights violations and development aggression. In Africa, for example, pastoralists experienced gross human rights violations in 2009, with the massacre of Peul pastoralists in Niger and violent evictions of Maasai from villages in the Loliondo

district of Tanzania to mention but a few examples. IWGIA In Tanzania, IWGIA has strengthened its engagement in lobbying for land rights and legal protection, and in Niger, IWGIA carried out an assessment mission and has initiated a partnership with a pastoralist organisation to document the situation. This will be published in the format of a Human Rights Report, which, in 2009, proved to be a strong advocacy tool in cases of human rights violations in Brazil, Paraguay and Peru.

A key aspect of IWGIA's International Human Rights Advocacy is to secure indigenous peoples' own participation in regional and international meetings where issues related to their human rights situation are discussed. As in previous years, IWGIA made a special effort to create linkages between activities and issues that our partners work on locally and nationally, and international processes and fora. In 2009, IWGIA also continued to give particular priority to supporting initiatives aimed at improving the coordination between, and effectiveness of, international human rights mechanisms and at raising the capacity of indigenous peoples to bring their grievances to the relevant bodies. The effort to raise awareness of national human rights abuses in regional human rights systems has also been further strengthened, as well as the effort to inform national governments and institutions about improvements in international indigenous peoples' rights. IWGIA has thus, for example, successfully supported the Centre for Minority Rights Development (CEMIRIDE) in Kenya to bring the Endorois case before the African Commission on Human and Peoples' Rights. In Latin America, IWGIA is actively involved in supporting different cases to be brought before the Inter-American Commission on Human Rights, and in Asia IWGIA is supporting AIPP in lobbying for indigenous rights in the newly established ASEAN Intergovernmental Commission on Human Rights. ○

REPORT FROM THE BOARD

In 2009, the Board held three regular meetings – February 20-21, May 17-21 and November 13-14 – and one telephone conference. Its composition remained the same — Robert K. Hitchcock and Diana Vinding were both re-elected for another term and Espen Waehle and Diana Vinding were re-elected as Chair and Vice-Chair.

At the February meeting, the Board was briefed about the Danida/Norad Review and its positive findings as well as a number of recommendations. Much of the Board's work during 2009 has therefore been to follow up on these recommendations. Unfortunately, due to the loss of one of our main core funding sources – SIDA - some of these recommendations proved to be out of reach, at least for the time being. Other recommendations, however, such as those regarding IWGIA's management and organisational structure, were thoroughly discussed and much time has been spent looking into how IWGIA's leadership could be strengthened. In order to deal with some of these challenges, in August the Board designated a small working group consisting of the Executive (Chair and Vice-Chair) and Thomas Skielboe which, together with IWGIA's Director, has worked intensively to find viable solutions, balancing the needs of the organisation with the financial constraints we are facing. By the end of the year, the first steps had been taken towards establishing a new structure that would strengthen the overall administration and at the same time make it possible for the Director to devote more time to strategic and policy issues. Among other things, the position of a Head of Finances and Administration was advertised in December, with inter-

views of possible candidates scheduled to start in January 2010.

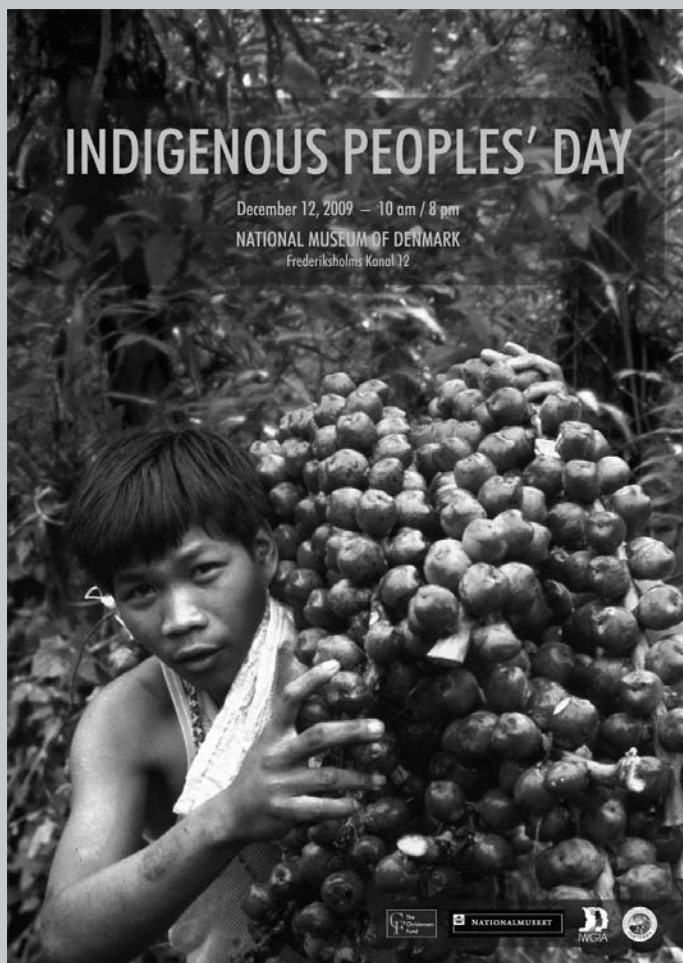
The May meeting took place in New York, during the annual session of the UNPFII. This gave the Board a welcome opportunity to see the UNPFII at work, meet with many of our indigenous partners, attend the launch of The Indigenous World 2009, and, not least, get a feel of how IWGIA works for indigenous rights in international fora.

At the November meeting, the Board continued to follow up on the recommendations from the NORAD/Danida Review. It was thus decided to begin a review process of IWGIA's strategies, starting with the strategies on Latin America, Africa and the international Human Rights advocacy work. These strategies will be considered by the Board for their final approval in 2010. Concerning our internal structure, the Board also decided to cut down on the number of regular Board meetings and in the future have only two per year. Instead of two days, they will last for three days and, if necessary, be supplemented by telephone meetings. In order to ensure a continued dynamic as well as new input from the Board, ways of strengthening its composition will be looked into.

It was also decided to have a more focussed discussion with the various IWGIA local groups about their future role and responsibilities. Finally, acknowledging the crucial importance of member support, it was decided to send out periodic letters to our members about important issues facing IWGIA. The first of such letters was sent out in January 2010 informing members of some recent developments, including our funding situation, and encouraging them to continue their support. ○

INDIGENOUS PEOPLES' DAY

On December 12, 2009, IWGIA and Tebtebba co-hosted the Indigenous Peoples' Day event at the National Museum in Copenhagen, Denmark. Aimed at drawing wider attention to indigenous peoples' rights, and their perspectives and contributions with regard to mitigating and adapting to climate change, as well as taking stock of what indigenous peoples had achieved in advocating for these in the Climate Change negotiations, 14 indigenous and one non-indigenous speaker presented papers on the following themes: Climate Change and Human Rights; Forests, Biodiversity and Climate Change; Indigenous Peoples' Traditional Knowledge and Western Science on Climate Change; and Indigenous Peoples' Local Adaptation and Mitigation Measures. The closing panel wrapped up the discussions and assessed what would be needed to bring the final documents from the COP 15 fully into line with internationally agreed standards on indigenous peoples' rights as enshrined in the United Nations Declaration on the Rights of Indigenous Peoples and other existing international



Human Rights instruments. A reception with cultural performances by indigenous representatives closed the day's programme, and served as an opportunity for continued dialogue and networking. Parallel to the event, the National Museum's cinema screened the Indigenous Voices on Climate Change film festival, organised by the UN University, Tokyo.

Danida and the Christensen Fund sponsored Indigenous Peoples' Day. ○

RUSSIA

Summary of IWGIA's Russia Programme Strategy

Thematic priorities include:

- Protection and promotion of land and resource rights;
- Impact of extractive industries;
- Capacity building and empowerment of indigenous youth;
- Support of information dissemination and networks.

The geographical priorities are:

- The European Arctic North, Siberia, the Russian Far East.

The current key partners are:

- The Russian Association of indigenous small-numbered peoples of the North (RAIPON)
- Regional branches of RAIPON
- Indigenous peoples' information centres in the target regions

For nearly a decade, IWGIA has been continuously supporting the national umbrella organisation of the indigenous small-numbered peoples of Siberia, the Russian North and Far East, known as RAIPON, as well as regional indigenous organisations.

Even though Art. 69 of the Russian Constitution acknowledges an obligation to guarantee the rights of the indigenous small numbered peoples "according to the universally recognized principles and norms of international law and international treaties and agreements of the Russian Federation", the legal framework that should ensure the protection of these rights is currently not functioning. Traditional indigenous ownership of their lands and resources is not recognised by Federal legislation and even use and access rights are not guaranteed in a reliable manner. In recent years, legislative innovations have tended to favour the privatisation and commoditisation of land and resources, while ignoring the customary rights of indigenous peoples. Indigenous

peoples increasingly find themselves in situations where they have to compete with private businesses in commercial tenders for their own traditional hunting and fishing grounds. In 2009, these trends were aggravated, among other things, by the enactment of a new law "On Hunting", which allows any hunting territory in Russia to be put out to commercial tender. Many of the activities supported by IWGIA over the year were thus related to protecting indigenous peoples' rights to access those resources on which they depend for their very survival.

In 2009, IWGIA's work in Russia comprised three components:

- Support to RAIPON's legal advocacy work, aimed at promoting and protecting indigenous peoples' legal and human rights;
- Support to a network of indigenous peoples' information centres in Russia's regions, with a central hub hosted by RAIPON in Moscow, focusing on promoting youth involvement in indigenous rights activism;



6th Congress of Indigenous Peoples of the North, Moscow 2009 – Photo: Alejandro Parellada

- Use of international human rights mechanisms for the promotion and protection of indigenous rights.

The **advocacy** component was supported through a project entitled “Protection and Promotion of Indigenous Peoples’ Rights in the Russian Federation”, funded by the Danish Ministry of Foreign Affairs. Throughout 2009, RAIPON worked for the closure of the regulatory gap which, since 2001, has been preventing the establishment of the so-called territories of traditional nature use (TTU), a special category of protected territories which, even though not recognising indigenous ownership to the land, would still grant them legally guaranteed long-term use rights and put strict conditions on resource exploitation or other commercial uses. At the same time, legal drafts prepared by RAIPON seek to institute binding regulations with regard to industrial projects affecting indigenous peoples. RAIPON is seeking to introduce so-called ethnological impact assessments as part of the approval procedure as well as a legally recognized methodology for the assessment of damage inflicted on indigenous peo-

ples’ livelihoods by third parties operating in their territories, among other things in order to have objective grounds for the determination of compensation. To this end, the main tool was the draft law “On the Protection of the original habitat, traditional way of life and traditional nature use of indigenous small-numbered peoples of the North”, which RAIPON promoted through, among others, the Committee on Northern and Indigenous Affairs of the Federation Council, which represents Russia’s regions, and the Committee on Nationalities Affairs of the State Duma, the federal parliament. While both committees supported the initiative, the executive branch, namely the Federal Ministry of Regional Development, upheld its opposition to it such that, over the course of 2009, its adoption could not be achieved. At the same time, RAIPON continued to monitor other legislative proceedings, namely revisions of the Federal Law on Territories of Traditional Nature Use (TTU). RAIPON and the Ministry of Regional Development strongly disagree on what is the correct way of overcoming the obstacles that still prevent this law, which was first enacted in

2001, from functioning. Overall, efforts in the field of legislation have been an uphill battle, meaning that a lot of effort has had to be put into preventing the legal framework from deteriorating further, rather than achieving genuine progress. One such example is the Federal Law “On Hunting”, which was adopted in 2009 and entered into force on 1 April 2010. This law enables the all-out privatisation of hunting grounds without any consideration whatsoever of indigenous rights. RAIPON has been working towards the inclusion of basic legal safeguards; however, no major changes were achieved before the law entered into force.

The second component was supported chiefly through a two-year project entitled “Indigenous Peoples Youth Network”, funded by the European Commission. Under this project, IWGIA supported five regional **indigenous information centres**, located mostly in the Russian Far East, in the regions of Magadan, Kamchatka, Khabarovsk as well as in Vladivostok, the centre of the Primorye region. The fifth centre is located in Tomsk region of Western Siberia. Together with six other centres, including in the European Arctic North (Nenets Autonomous Region) and Southern Siberia (Kemerovo and Altai Republic), these centres constitute a countrywide network that is coordinated by RAIPON’s office in Moscow. News and updates generated by the information centres are posted daily on the website www.raipon.info as well as disseminated via a mailing list. Selected news items are also translated into English and published at www.raipon.info.en. Regionally, the centres have been working to involve indigenous youth in indigenous rights activism, as well as to disseminate printed and electronic newsletters containing a mix of information covering areas such as rights, culture and economic issues. Centres have also provided indig-

enous communities (*obshchiny*) with legal advice on issues such as fishing or hunting rights or tax regulations.

In February 2009, Russia was considered at the **UN Human Rights Council’s Universal Periodic Review (UPR)**, a peer-review mechanism with a broad human rights mandate which was instituted alongside the Human Rights Council. Together, RAIPON and IWGIA prepared a submission to the UPR, available from IWGIA’s website, and attended the session in order to work with government representatives for the inclusion of indigenous peoples’ issues. Eventually, the Danish representative made a statement recalling the concluding observations issued in August 2008 by the UN Committee for the Elimination of Racial Discrimination (CERD), which contained a number of specific recommendations with regard to indigenous rights. In his statement, he asked Russia to implement these recommendations. The representative of the Russian Ministry of Regional Development later stated that Russia had adopted a national plan for the implementation of the CERD recommendations and would deliver the first interim report on its implementation by the end of the same year. Unfortunately, RAIPON and IWGIA have been unable to obtain confirmation that such a plan actually exists.

Overall, the political pressure being exerted on IWGIA’s partners seems to have increased during 2009. At the same time, the funding situation of the Russia programme has become more difficult as institutional donors are scaling down or discontinuing their support to Russia, citing its economic recovery which, allegedly, has made external support redundant. Increased efforts will therefore need to be made to explore new sources of funding, especially for those small, regional and local organisations that have few other sources of support at their disposal. ○

LATIN AMERICA

Summary of IWGIA's Latin America Strategy

The IWGIA Latin America program strategy was adopted in 2005, and will be revised in 2010.

Its **thematic priorities** are:

- Territorial Defence and Empowerment of the Indigenous Organisations
- Support of Indigenous Peoples in Voluntary Isolation
- Advocacy/Communication and Indigenous Youth

The **geographical priorities** are:

- Peru, Bolivia, Colombia and Chile
- Argentina, Brazil, Paraguay and Mexico

The **current key partners** are:

Indigenous organizations

- Odecofroc (Peru)
- Fenamad (Peru)
- Route 86 (Argentina)
- UNAP (Paraguay)
- AJI (Brazil)
- Asociación del Pueblo Guaraní/CCCH (Bolivia)

Non-indigenous institutions

- Observatorio de Derechos de los Pueblos Indígenas (Chile)
- Centro de Estudios Jurídicos y Sociales (Bolivia)
- Grupo de Trabajo Jenzerá (Colombia)
- Iniciativa Amotocoide (Paraguay)

Over the last decade, most Latin American countries have made changes aimed at incorporating basic indigenous rights into their national constitutions. In addition, almost all of them have signed ILO Convention 169, and a large proportion of indigenous territorial demands have now been achieved in their favour. However, mining, oil and logging companies are exerting very strong pressure on the natural resources found on indigenous territories, and the States seems unwilling to enforce

the legitimate rights of indigenous peoples. For this reason, one essential aspect of IWGIA's Latin America strategy is aimed at supporting territorial defence initiatives such that the indigenous communities' right to self-determination is respected. This area of work involves the participation and strengthening of the indigenous organisations, through leadership training and technical assistance.

In the context of indigenous territorial defence, IWGIA is continuing to pay par-

ticular attention to highly vulnerable peoples, such as indigenous peoples living in voluntary isolation or initial contact in the Amazon and Chaco regions.

At the same time, there is a need for greater advocacy around indigenous issues. IWGIA understands that it is particularly important to disseminate information on the situation and demands of indigenous peoples so that the grassroots, authorities and public in general are more aware of their demands. The growth and consolidation of the Indigenous Rights Watchdogs is playing an important role in Latin America. These associations, of mixed composition, have made it possible to establish important processes to systematize and promote the different demands of the indigenous populations on both a national and international level.

Communications has always been an important aspect of the regional strategy, and greater efforts were made during 2009 to move forward with the programme of publishing, printing and distributing our publications in the region, and with the production of videos. Both publications and videos are always linked to our projects, as part of a strategy that has been defined with each partner, for each project.

Another area of work takes place on an international level, especially through the participation of leaders in the UN Permanent Forum, in the preparation of country reports for the UPR mechanism in Geneva (the cases of Colombia and Chile were discussed during 2009) and, most importantly for this region, in the use of the Inter-American Human Rights System. As part of the strategy for some projects, cases have been submitted - or are being prepared for submission - to the Inter-American Human Rights System.

Territorial defence and organisational empowerment has been a constant in almost all of the region's projects, albeit adapted to the particular features of the

different cases. In Colombia, the difficult situation being experienced by the communities because of the armed conflict is particularly intense in the Pacific Region. This is precisely where IWGIA is supporting the organisational process of the indigenous communities of the Emberá people and communities of African origin. This project is being coordinated by the *Jenzerá Working Group*, with a focus on leadership training and building common inter-ethnic strategies in the region, which could in turn link into the peace initiatives being discussed at national level. National-level activities have also been integrated with the promotion of indigenous rights in Colombia, through the spaces offered by the United Nations.

In Argentina, IWGIA has continued to work with indigenous peoples' organisations in Salta Province. These are Wichí, Chorote and Toba communities that are demanding recognition of their traditional territories. The project has focused on indigenous leadership training and promoting their capacity to make known their demands to the different local and national government bodies.

In Peru, the Amazonian peoples continue to suffer severe invasions of their territory on the part of oil and mining companies. Despite the obligation to consult indigenous peoples, as stipulated in ILO Convention 169, the State has not complied with this requirement, which led to serious conflicts during 2009. In this context, IWGIA has supported two regional indigenous rights organisations in the defence of their natural resource rights. These organisations are *FENAMAD*, in the Madre de Dios region, and *Odecofroc*, in the Amazonian border region with Ecuador. In both cases, work has been done to strengthen the organisations, enabling their leaders to visit the communities and the country's capital in order to publicise their demands.

Peru has embarked on a dramatic intensification of extractive activity on indigenous territories in the Amazon region. Mining, in particular, has grown spectacularly. Among the peoples affected are the Awajún and Wampís, near the border with Ecuador.

Through their organisation ODECOFROC they are conducting a fierce campaign to enforce their rights. IWGIA is working with ODECOFROC to support its organisational strengthening and the production



Awajun family, Cenepa, Peru – Photo: Marco Huaco

of publicity materials such as a Human Rights Report and a video focusing on the mining conflict on their territory. For more information, see IWGIA's website at <http://www.iwgia.org>

In Bolivia, support to the Constituent Assembly process has been particularly important given that the advice and facilitation of discussions among the "indigenous bloc" has ensured the inclusion of important indigenous demands in the new constitutional text. However, the favourable political context for indigenous peoples does not prevent some communities from continuing to suffer violations of their rights. One such case is that of the Guaraní people of the Chaco Region, where a number of communities continue to live in a situation of virtual enslavement by the region's cattle ranchers. For this reason, the Guaraní people's organisations (APG and CCCH) are promoting a campaign for the release of their brothers and sisters, with the legal assistance of the NGO *Cejis*. The case has also been submitted to the Inter-American Commission. During 2009, significant progress was made on the basis of land expropriations, in areas where the State was able to observe the existence of indigenous labour in servitude.

In Chile, support continued to the *Indigenous and Civic Rights Watchdog*, which is working on a number of different issues such as land restitution, the criminalisation of indigenous demands in the country and the submission to, and monitoring of, cases before the Inter-American Commission with regard to the prosecution of indigenous Mapuche leaders. In 2009, however, the main focus of work supported by IWGIA was the issue of water rights in relation to mining activity in the north of the country (among Aymara and Atacameño communities), which is speeding up the desertification of this zone. This is why the Watchdog has, firstly, conducted a study into this issue and, secondly, provided training for indigenous leaders on their rights to water resources.

Indigenous peoples in voluntary isolation continue to form one of IWGIA's priorities, given the growing pressure being exerted on their territories by extraction companies. In the case of Paraguay, work was undertaken during 2009 to defend the

indigenous people living in voluntary isolation in the Chaco region. This relates to Ayoreo indigenous families that have chosen to avoid contact with the national society. Respecting their decision, the indigenous organisation *UNAP*, with advice and support from the NGO *Iniciativa Amotocoide*, is attempting to defend these isolated communities from the advancing agricultural frontier, which is exerting strong pressure on their traditional area. In Peru, FENAMAD is also very active in protecting the isolated indigenous peoples living in the Madre de Dios Region. This work on behalf of Paraguay and Peru's isolated peoples is being coordinated with similar initiatives in other countries around the continent.

These territorial defence and empowerment activities have been linked with different advocacy and communications projects. IWGIA has continued to support the NGO *Servindi's* communications project which, based in Lima, has been consolidating its role as one of the main channels of information on indigenous affairs, not only in Peru but throughout a large part of the continent. At the same time, *Servindi* has been implementing an effective training programme for indigenous communicators, both in the Amazonian and Andean regions. During 2009, *Servindi* was supplementing its Internet information service with weekly radio broadcasts and some initial attempts at video production.

Along the same lines, we have been working with a communications programme with indigenous youth from the Dourados Reserve in Brazil, who suffer a situation of dual marginalisation: on the indigenous reserve and in the nearby city of Dourados. Organised through the *Indigenous Youth Association of Dourados (AJI)*, the project has contributed to establishing a space in which young people can meet on a day-to-day basis, and where they can

receive different forms of training, mainly in the area of audiovisual communication. As a result of these training courses, throughout 2009 the project regularly produced a bimonthly magazine, photo documentation and videos. The participants have also established a website and organised a series of exhibitions in different cities around the country.

IWGIA's work in Argentina also included a component of support to urban indigenous youth, in the city of Tartagal (Salta Province) through a radio and Internet communications project. This component is also aimed at providing a space for young people who have none, either in their communities or in the city, with its non-indigenous majority. Lastly, an exchange of experiences has taken place with indigenous youth from the project in Argentina and the AJI project from Brazil.

In Mexico, support was provided for the development and launch of an indigenous newspaper that is distributed as a supplement to the national daily "*Milenio*". The team of journalists is mixed and, over the course of the year, they have gained an excellent level of professionalism. The newspaper has tried - successfully - to reach a wider public than would usually read news items on the indigenous situation. IWGIA's support has laid the foundations, and funding will therefore not be required for 2010 as the project is now generating its own income.

The incorporation of new forms of media, such as videos, into advocacy work has been very positive. This has made it possible to reach a much wider audience, both nationally and internationally, facilitating an understanding of the situation and demands of indigenous peoples. This has led to yet further consolidation of a line of action that characterises the work in this region and links the work of the indigenous organisations to other civil society sectors. ○

Summary of IWGIA's Asia Strategy

The Strategy and Work Priorities for IWGIA's Asia Programme were adopted in 2006 and will be reviewed in 2011.

Its **thematic priorities** are:

- Self-organizing and empowerment;
- Rights to land and resources;
- Self-determination, peace processes and constructive agreements with the State;
- Advocacy.

The **geographical priorities** are:

- 1st priority: Philippines, Malaysia, Thailand
- 2nd priority: Thailand, India, Bangladesh, Nepal, Laos, Cambodia, Indonesia

The current **key partners** are:

Indigenous partner organizations:

- Asia Indigenous Peoples Pact (AIPP; regional alliance of indigenous peoples' organizations)
- Cordillera Peoples Alliance (CPA; Philippines)
- Partners of Community Organizations (PACOS Trust, Malaysia)
- Inter Mountain Peoples Education and Culture in Thailand (IMPECT, Thailand)
- Aliansi Masyarakat Adat Nusantara (AMAN, Indonesia)
- Bindrai Institute for Research, Study and Action (BIRSA; India)
- Inter-People's Exchange (IPEX, Philippines)
- Sarawak Dayak Iban Association (SADIA, Malaysia)
- Indigenous Community Support Organisation (ICSO, Cambodia)
- Lawyers' Association for Human Rights of Nepalese Indigenous Peoples (LAHURNIP, Nepal)

Non-indigenous support NGOs:

- Anthropology Watch (Philippines)
- Global Association for People and Environment (GAPE, Laos)

At the core of the challenges faced by indigenous peoples in Asia lies the struggle to retain or regain control over their land and resources, a denial of self-determination and the related undermining of traditional institutions, discrimina-

tion and a pressure to assimilate, leading to a weakening of their identity, poverty and a lack of access to government services which, in one way or another, are the result of or exacerbated by the former.

Self-organising and empowerment is one of the top priorities in IWGIA's Asia programme. In 2009, this work was undertaken mainly by supporting the regional Indigenous Community Organisers' and Leaders' Training (ICOLT) programme being implemented by Asia Indigenous Peoples Pact (AIPP) in close cooperation with Cordillera Peoples' Alliance (CPA) in the Philippines and PACOS in Malaysia. The programme conducted six training programmes in five countries (Malaysia, Indonesia, India, Philippines, Thailand). In partnership with AIPP, in 2009 IWGIA was more pro-actively involved in both the development of training manuals and the conducting of training sessions. In the previous phase (2005-2007), training programmes were established in the Philippines, Malaysia, Cambodia and Bangladesh. The community organisers' training programme (ICSO) in Cambodia is now operating independently and IWGIA provided partial support to this programme in 2009.

One direct positive impact of these training programmes on the indigenous communities has been the increased capacity of their leaders to address the various challenges they are confronted with. In the recent evaluations of the regional ICOLT programme and the community organisers' programme of ICSO in Cambodia, elders and other community members interviewed unequivocally expressed their appreciation of the programmes. A number of direct impacts, such as prevention of further land sales and the election of trained leaders to local government positions, have also been reported.

The three organisations mentioned above are also three of IWGIA's key strategic partners in Asia. In line with the priority given to self-organizing and empowerment, IWGIA had previously decided to support regional and sub-national alliances by providing core funding to two

of these partners, the Cordillera Peoples' Alliance (CPA) in the Philippines, and the regional Asia Indigenous Peoples' Pact (AIPP). It continued to do so in 2009. Support to existing national networks or to the formation of such networks has been done in an implicit way by cooperating on various activities (conferences, workshops, trainings) with national networks, such as the Aliansi Masyarakat Adat Nusantara (AMAN) in Indonesia or the Nepal Federation of Indigenous Nationalities (NEFIN) in Nepal. Both AMAN and NEFIN are direct project partners in the REDD project supported by NORAD. Support for the national strategy conference of the indigenous peoples' movement in Thailand in 2009 also helped strengthen the new national Network of Indigenous Peoples in Thailand (NIPT). In Thailand, IWGIA provided core funding to the Inter-Mountain Peoples' Education and Culture in Thailand (IMPECT). Since this was the third year of the project, an evaluation was conducted to form the basis for a decision on whether and how to continue the partnership with IMPECT.

In response to the ongoing and increasing pressure on the land and resources of indigenous communities in Asia, support to projects addressing land and resource rights continued to be a priority in 2009. In the Philippines, the Ancestral Domain Support Programme, which supports indigenous communities to obtain communal titles, was in its last year of implementation. The communal land titles (CADT) approved by the government in the Philippines now help indigenous communities to assert control over their territories and they create the incentives to sustainably manage and protect their forest and other natural resources. Secure tenure is, however, not sufficient for sustainable management and community-based development. Follow-up projects providing support for ancestral domain



*During the regional training of indigenous trainers on REDD, held in Chiang Mai, Thailand
Photo: Christian Erni*

governance and development planning will thus be critical in the years to come. In the Malaysian states of Sarawak and Sabah, the Sarawak Dayak Iban Association (SADIA) and PACOS are undertaking legal awareness raising and providing advice to remote communities and, in Laos, after successful completion of a pioneering project on advocacy for indigenous communities' land rights in Bachieng district of Champasak province, a new project commenced in January 2009 in Paksong district. In India, IWGIA continued its support to the Forest Rights Campaign project in Jharkhand, a state with a large indigenous population, with a new phase

starting in July 2009. IWGIA has supported the Jharkhand Save the Forest Movement (JJBA) for the past 10 years, and it has emerged as a strong popular movement, successfully re-establishing control over forests on the part of Adivasi communities.

In Sarawak, Malaysia and Jharkhand, India, increased awareness of legal rights to land and forests has led to the mobilization of communities around assertion of their rights. This has already resulted in increased control over community forests in India and the filing of numerous court cases by communities in Sarawak and Sabah. In Jharkhand, the impact of the project goes far beyond the stated objective

of securing communities' rights over forests. An overall empowerment can be seen, through increased confidence, revitalized traditional institutions and the creation of new institutions, including the state-wide JJBA as a popular movement, by which indigenous peoples are asserting their rights and identities.

The thematic priority of self-determination and constructive agreements with the State was given more attention in 2009 than in previous years. This is partly in response to the adoption of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), which recognizes indigenous peoples' right to self-determination, and partly in response to new developments on the ground, such as the formation of a new Chittagong Hill Tracts Commission and the drafting of a constitution in Nepal. In 2009, activities were supported in four countries: in Nepal, IWGIA provided support to indigenous peoples' advocacy and engagement in the constitution drafting process, in particular to their advocacy for the recognition of indigenous peoples' self-determination within the Nepalese federal structure that is currently being negotiated. In Bangladesh, IWGIA supported the Chittagong Hill Tracts Commission (CHT Commission), a commission comprising respected scholars and human rights advocates whose mission is to contribute to raising international awareness on the situation in the Chittagong Hill Tracts of Bangladesh and put pressure on the government to implement the Peace Accord of 1997 and thus seek a peaceful solution to the decades-long problems and conflicts. In North-east India, a fact-finding mission was supported to look into the violent conflicts between the minority indigenous Bru and the majority indigenous Mizo in Mizoram state. The fact-finding mission resulted in a commitment from the Home Ministry to ensure the rehabilitation of the displaced Bru in

Mizoram in 2010. The immediate impact on the displaced Bru has been renewed hope for a lasting solution; the expected impact over the coming months is the rehabilitation of the displaced communities and thus the restoration of their economic and social security.

IWGIA also closely monitored political developments in North-east India, in particular the peace process among the Nagas and the negotiations between the Government of India and the National Socialist Council of Nagalim (Isak-Muivah). IWGIA is in regular contact with Naga civil society organisations and is thus well informed about current developments. In the Philippines, IWGIA supported a project aimed at strengthening the participation of Subanen leaders in local government. This project is a follow-up to the titling of ancestral domains in the same area and part of the overall goal of strengthening self-governance of ancestral domains.

Policy advocacy and awareness raising activities are integral parts of most projects; some projects, however, are entirely devoted to these crucial tasks. One such project is the Indigenous Peoples' Rights Monitor in the Philippines which, on basis of thorough human rights documentation, advocates respect for and implementation of indigenous peoples' rights. In 2009, this work contributed to a strengthening of the position of indigenous advocates e.g. through access to international human rights instruments such as the CERD.

At regional level, through its core funding, IWGIA has been able to support AIPP in stepping up its advocacy in the Asia region. AIPP has started engaging with the Association of Southeast Asian Nations (ASEAN) by participating in the peoples' forum held parallel to the ASEAN summit in Thailand, and by establishing a good relationship with the Thai member of the recently-established ASEAN Human Rights Body. ○

“Strengthening Indigenous Peoples to Promote their Rights in the Constitution-making Process in Nepal”

Nepal is currently in the process of crafting a new Constitution. As the process takes shape, the indigenous movement is continuing to struggle for a space in which to contribute to the new statute as well as draw attention to the inadequacies of the policy measures undertaken, or the weak implementation of promises that the state of Nepal has made with regard to their inclusion.

With support from IWGIA, the indigenous lawyers’ organisation, LAHURNIP, has been involved in advocacy and campaigning activities to promote the rights of indigenous peoples in the constitution-making process by uniting, raising awareness among, educating, empowering and sensitizing the indigenous peoples, and especially their leaders, at all levels so that they can effectively lobby and participate in the constitution-making process for change.

This has, among other things, led to the formation of a “Mega Front” uniting indigenous peoples’ organisations, indigenous NGOs, indigenous political parties and academics around the common agenda of getting recognition of indigenous peoples’ rights and, in particular, their right to self-determination enshrined in the new Constitution. Creating such unity at a time of intensive political campaigning and horse-trading is a major achievement. This is particularly important with respect to the controversy on the future structure of the nation, in which the demands for indigenous peoples’ self-determination and proposals for ethnic-based federalism are highly contested.

Participants at the workshop on Self-determination, autonomy and self-governance held in Nepal in September 2009 – Photo: Christian Erni



AFRICA

Summary of IWGIA's Africa Strategy

The IWGIA Africa program strategy was adopted in April 2004. It will be revised in 2010.

Its **thematic priorities** are:

- Land and natural resource rights
- Human rights
- Indigenous women's rights
- Self-organization and capacity building

The **geographical priorities** are:

- *First priority:*
East Africa (Kenya and Tanzania)
- *Second priority:*
Central Africa (Burundi and Rwanda)
- *Third priority:*
West Africa (Niger)

The current **key partners** are:

- Indigenous partner organizations:
- Mainyoito Pastoralist Integrated Development Organization (MPIDO, Kenya)
- Indigenous Movement for Peace Advancement and Conflict Transformation (IMPACT, Kenya)
- Arid Lands Institute (Kenya)
- Ogiek Peoples' Development Programme (OPDP, Kenya)
- Parakuiyo Pastoralists Indigenous Community Development Organization (PAICODEO, Tanzania)
- Community Research and Development Services (CORDS, Tanzania)
- PINGOs Forum (Tanzania)
- Unissons-Nous pour la Promotion des Batwa (UNIPROBA, Burundi)
- Communauté des Potiers du Rwanda (COPORWA, Rwanda)
- Association pour la redynamisation de l'élevage au Niger (AREN)

The situation of indigenous peoples in Africa remains highly precarious and the livelihoods, culture and future existence of indigenous peoples are threatened all over the African continent. Constitutional and legal frameworks protecting the rights of indigenous peoples remain weak

or non-existent. One of the main threats to African indigenous peoples continues to be land dispossession caused by, among other things, unfavourable state policies, logging, conservation initiatives, tourism and commercial hunting activities, encroachment of agriculture and individualization



Meeting of Maasai community, Loliondo District, Tanzania

of land tenure. In 2009, IWGIA continued its support to indigenous partner organizations to carry out activities aimed at promoting and protecting the human rights of indigenous peoples in Africa and, in particular, their land and natural resources rights.

In *Kenya*, land dispossession continues to be a major threat to the livelihoods and survival of indigenous peoples, and land rights advocacy thus continued to be the focus of IWGIA's support in 2009. This is in line with the Danida/Norad review which concluded that a land rights focus was very relevant for the Kenya programme. IWGIA's main partner on land issues is *Mainyoiito Pastoralist Integrated Development Organization* (MPIDO), an organization which has developed into a strong voice for the Maasai pastoralists and for pastoralists generally in Kenya. In 2009, IWGIA supported MPIDO with the second phase of a land rights programme, operating mainly in southern Kenya and focussing on lobbying for policy reforms, capacity building of local communities,

and legal action to challenge land dispossession. An external evaluation was carried out of this land rights programme by the end of 2009, and the evaluation reports concluded that the programme has achieved substantial results and needs to be continued and expanded. Based on the recommendations of this evaluation, IWGIA will continue support for a third phase of this programme in 2010.

Indigenous pastoralist communities in northern Kenya suffer from marginalization, impoverishment and violent conflicts. Indigenous women in these areas are in particular at risk of serious human rights violations, including violent attacks, rape, domestic violence, forced marriages, economic deprivation, lack of participation in decision-making, lack of rights to land, lack of access to education, etc. Based on an external evaluation carried out in 2008, IWGIA continued to provide support to the partner organization *Indigenous Movement for Peace Advancement and Conflict Transformation* (IMPACT) in 2009. Building on the recommenda-

tions of the external evaluation, the support focuses on strengthening the capacity of IMPACT to become a key human rights organization for indigenous peoples in northern Kenya, with particular emphasis on promoting and protecting the rights of indigenous women.

Despite Kenya being a hard-line country, initially opposing the adoption of the UN Declaration on the Rights of Indigenous Peoples, some of the positive developments reported last year continued into 2009. These include the adoption of the new National Land Policy, initiatives to include indigenous rights issues in the National Action Plan on Human Rights, inclusion of aspects of importance to indigenous peoples in the final new draft Constitution and the continuing priority given by the Kenya National Human Rights Commission to indigenous rights issues. The visit of the UN Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people to Kenya in 2006 highlighted the situation of indigenous peoples in Kenya and, in 2009, IWGIA continued its support for a follow-up project to his visit aimed at thoroughly documenting the situation of indigenous communities in Kenya and building their capacity to advocate for their rights. This project is being implemented by the partner organization *Arid Lands Institute*.

The support to organizations in *Tanzania* was expanded in 2009 on the basis of the findings and recommendations of an assessment mission undertaken at the beginning of 2009, and in line with the recommendations of the Danida/Norad review of IWGIA, which recommended that the Africa programme should further develop its project activities in Tanzania. The assessment mission looked at the possibilities for further IWGIA engagement in Tanzania and potential partners. The situation of indigenous peoples (pas-



Maasai women, Loliondo, Tanzania

toralists and hunter-gatherers) in Tanzania is very difficult. The land tenure security of pastoralists and hunter-gatherers is becoming increasingly insecure and large-scale land disposessions are taking place, including forced evictions. The government of Tanzania is hostile towards pastoralism, and the dominating discourse and official policies emphasize the fact that nomadic pastoralism should be transformed into sedentary livelihoods. Forced evictions of pastoralists continued to take place in Tanzania in 2009 and resulted in gross human rights violations, uprooting and impoverishment. In 2009, IWGIA supported the umbrella organization *Pingos Forum* to organize a meeting of lawyers from Tanzania and Kenya aimed at mapping out legal and advocacy strategies to assist the victims of the forced evictions and avoid similar situations in the future. In partnership with Pingos Forum and other in-



Meeting of Maasai community, Loliondo District, Tanzania

digenous organizations in northern Tanzania, IWGIA also carried out direct information and advocacy work aimed at international institutions and European embassies in Tanzania in order to raise awareness of the critical situation and encourage a strong response towards the government of Tanzania. In 2009, IWGIA also supported capacity building of the organization *Parakuiyo Pastoralists Indigenous Community Development Organization (PAICODEO)*, which strives to promote and protect the land and natural rights of pastoralists in southern Tanzania, where pastoralists are also victims of numerous forced evictions. Support also commenced for *Community Research and Development Services (CORDS)* in relation to a land titling/land use planning project in northern Tanzania aimed at securing the land and natural resource rights of the Maasai pastoralists in Longido district.

In **Burundi**, the government recognizes the marginalized situation of the indigenous Batwa population, and special representation of the Batwa is provided for in the Senate and Parliament. Burundi has been characterized by cycles of armed conflict between the two dominant ethnic groups, the Tutsis and the Hutus, and this has negatively affected the highly marginalized Batwa population, whose access to public office, education, health care, land and other fundamental rights remains well below the national average. In 2009, IWGIA continued its support to the Batwa organization *Unissons-Nous pour la Promotion des Batwa (UNIPROBA)* with a project aimed at following up on the Batwa land survey that IWGIA had previously supported. The decision to continue support was based on an assessment mission carried out in January 2009. The project, initiated in 2009, is aimed at using the land survey to secure land

Massacres of Peul pastoralists

The Peul pastoralists in Niger are victims of massacres and gross human rights violations. During 2009, several Peul settlements were attacked and many Peul were killed and wounded, including young children and the elderly. There is severe negative stereotyping of the Peul pastoralists in Niger, and the attacks very often go unpunished. There is little information being produced about these human rights violations by either the press or civil society and, in 2009, IWGIA supported the organization *Association pour la redynamisation de l'élevage au Niger (AREN)* to produce a human rights report on the situation.

rights for the Batwa via the national land distribution process.

In *Rwanda*, the government continues to deny the existence of ethnic diversity and this makes it difficult to advocate for the rights of the marginalized Batwa population. The government has, however, demonstrated some willingness to address the serious problems that the Batwa population faces. Improved collaboration has been established between the government, the National Human Rights Commission and the main Batwa organization in Rwanda, the *Communauté des Potiers du Rwanda (COPORWA)*, and the government recognizes that the Batwa/potter community constitutes a highly marginalized and impoverished group. The government has initiated small health, education and housing programmes for the Batwa and is showing an increased interest in collaborating with Batwa organizations. In 2009, IWGIA continued to support COPORWA with a media project aimed at raising the awareness of the general population in Rwanda around the situation of the Batwa and creating dialogue.

The indigenous peoples of *Niger* are victims of serious human rights violations, including killings and massacres. These crimes take place with impunity

and there is very limited public debate or information around the issue. In line with the recommendations of the Danida/Norad review, IWGIA carried out an assessment mission to Niger in 2009 to assess the situation and explore potential for partnerships. Based on the findings and recommendations of this mission, in 2009 IWGIA entered into a partnership with the pastoralist organization *Association pour la redynamisation de l'élevage au Niger (AREN)* and provided support for the production of a human rights report aimed at documenting the gross human rights violations taking place toward the Peul pastoralists in Niger. The report will be a co-production between AREN and IWGIA and will be distributed in Niger as well as to a global audience.

At the *continental level*, the African Commission on Human and Peoples' Rights continues to be the major regional human rights platform for the recognition and promotion of indigenous peoples' rights in Africa. The Danida/Norad review of IWGIA concluded that IWGIA had played a major role in facilitating this development and recommended that the work be continued and further developed. In 2009, IWGIA continued its advocacy programme in relation to the African Commission, as described below. ○

THE AFRICAN COMMISSION ON HUMAN AND PEOPLES' RIGHTS

The African Commission on Human and Peoples' Rights (ACHPR) is the main Human Rights body in Africa. With the establishment of its Working Group on Indigenous Populations / Communities in Africa in 2001, the ACHPR took a remarkable step forward in the promotion and protection of the human rights of indigenous peoples in Africa. The human rights situation of indigenous peoples has, since then, been on the agenda of the African Commission and henceforth has been a topic of debate between the ACHPR, states, national human rights institutions, NGOs and other interested parties. IWGIA's support to indigenous representatives' participation in the ACHPR's sessions and to the Working Group's continued activities – sensitization seminars, country visits, information activities and research – plays a crucial role in ensuring the vital dialogue on indigenous peoples' rights between African states, African national human rights institutions, African NGOs, the African Union and its different sub-bodies.

During 2009, the African Commission on Human and Peoples' Rights (ACHPR or African Commission) continued its work to protect and promote the human rights of indigenous peoples in Africa. As in previous years, IWGIA was actively involved in this process, particularly via the African Commission's Working Group on Indigenous Populations/Communities (Working Group), of which IWGIA's Africa Coordinator is a member, and by assisting indigenous peoples' representatives to attend the ACHPR sessions.

In 2009, the key activities carried out by the Working Group, with IWGIA's support, were:

- Two meetings held prior to the ACHPR Ordinary session (Both meeting took place in Banjul, The Gambia).
- Translation of Summary version of the Working Group's expert report into two African indigenous languages: Tamasheq and Fulfulde.
- Publication of the reports from the visits to the Central Africa Republic, the Republic of Uganda and Libya.
- Publication of the report of the Central African Sensitization Seminar held in Cameroon.
- Research on African constitutions and legislation: the International Labour Organisation and the ACHPR, in collaboration with the Human Rights Centre of the University of Pretoria, published the Overview Report of the Research Project on the constitutional and legislative protection of the rights of indigenous peoples in 24 African countries. It provides the results of a research project that examined the extent to which the legal framework of 24 selected African countries impacts on and protects the rights of indigenous peoples.
- Research and information visit to the Democratic Republic of Congo (DRC): the visit was carried out

from 9-25 August 2009 by Kalimba Zephyrin, Expert Member of the Working Group, and Moke Loamba, Member of the Working Group's

- Advisory Network of Experts. The delegation held meetings with government ministries, national and international NGOs and indigenous communities. The Delegation noted that indigenous populations in DRC have no rights to land, suffer from discrimination, are victims of violence and insecurity due to the ongoing conflict in the region, and are living in extreme poverty with very limited access to education and health care.
- Urgent appeals: the Working Group addressed two urgent appeals to the President of Tanzania concerning the serious human rights abuses that were committed in relation to the forced evictions of, and destruction of property belonging to, the Maasai community in Loliondo, Northern Tanzania. The African Commission has not yet received a response from the Government of Tanzania.
- Participation in international meetings: the Working Group Chairperson, Commissioner Bitaye, and Dr. Albert Barume, expert member of the Working Group, participated in the 2nd session of the UN Expert Mechanism on the Rights of Indigenous Peoples (EMRIP). The Chairperson made two presentations: one on the Study of lessons learned and challenges relating to the implementation of the right of indigenous peoples to education, the other on the United Nations Declaration on the Rights of Indigenous Peoples and its implementation in Africa. They also held meeting with many important stakeholders.

The 2009 sessions of the African Commission

In 2009, IWGIA facilitated the participation of 16 indigenous peoples' representatives from Africa at the African Commission's 45th session in May 2009 and 46th session in November 2009. Both sessions took place in Banjul, The Gambia.

During every session, the ACHPR also examines the periodic reports of African states, in accordance with Article 62 of the African Charter on Human and Peoples' Rights. The periodic reports of Uganda, Benin and Mauritius were presented at the 45th session and the reports of the Republic of Congo, Botswana and Ethiopia were examined at the 46th session. During the different state report examinations, Commissioner Bitaye, chairperson of the Working Group, made sure that the issue of indigenous peoples' rights was raised and clarified.

IWGIA and other partner organisations also contribute with shadow reports that provide an alternative source of information and assist the ACHPR's commissioners in asking substantiated critical questions on indigenous peoples during the constructive dialogue with the state and in the drafting of the concluding observations. Shadow reports were prepared for Uganda, the Republic of Congo and Ethiopia. Questions and recommendations were drafted for Botswana.

The Working Group's activities, as well as indigenous representatives' participation in the sessions, are central to encouraging and assisting the ACHPR to uphold its focus on indigenous peoples' rights. The Working Group's and indigenous representatives' different activities have already contributed to much awareness raising and, hopefully, these efforts will be further strengthened in the future. ○

Ruling in favour of the Endorois Peoples of Kenya

The Endorois community in Kenya has been forcibly removed from its ancestral land around Lake Bogoria without prior consultation or adequate and effective compensation. The Endorois people made an appeal/communication to the African Commission on Human and Peoples' Rights (ACHPR), and the African Commission has now issued a ruling emphasizing that the evictions are in violation of the African Charter on Human and Peoples' Rights.

The African Commission recommends that the ancestral land rights of the Endorois be recognized and restituted, that the Endorois community should have unrestricted access to Lake Bogoria, that compensation should be paid to the community for all losses suffered and that the Endorois community should receive royalties from existing economic activities. This ruling is a landmark decision with regard to the recognition and protection of the land rights of indigenous communities in Africa.

This ruling illustrates that the issue of indigenous peoples is now part of the African Commission portfolio and is well understood and accepted by its Commissioners. IWGIA's continued collaboration with the ACHPR and its Working Group has contributed largely to ensuring that indigenous peoples' rights are a priority for the ACHPR.

*Moke Loamba, President of ADHUC - Republic of Congo at the 45th session of the ACHPR, May 2009.
Photo: Marianne Jensen*



INTERNATIONAL HUMAN RIGHTS ADVOCACY

The current strategy was approved in 2005. Following the adoption of the UN Declaration on the Rights of Indigenous Peoples by the UN General Assembly, IWGIA commenced a review process of this strategy. Consultations are now taking place with our partners with regard to a new strategy, which is expected to be adopted by the end of 2010.

The thematic priorities are:

1. Indigenous participation in UN meetings dealing with indigenous peoples' rights
2. Capacity building and skills development in international human rights standards
3. Linkages and implementation: linking local with regional and international activities
4. Human rights documentation and publications

In the current strategy, priority is given to the following UN processes:

- The UN Permanent Forum on Indigenous Issues
- Implementation of the UN Declaration on the Rights of Indigenous Peoples
- The UN Human Rights Council
- The Special Rapporteur on the situation of the human rights and fundamental freedoms of indigenous people (SR)
- The UN Expert Mechanism on the Rights of Indigenous Peoples (EMRIP)
- The Universal Periodic Review Mechanism (UPR)
- The UN Treaty Bodies

The geographical priorities are:

Priority is given to supporting activities in parts of the world where human rights problems are most acute and funding most limited, such as Asia, Africa and Central/South America.

The current key partners are:

Indigenous partner organizations:

- Saami Council
- Inuit Circumpolar Conference
- Asian Indigenous Peoples Pact – AIPP - (Regional network)
- Cordillera Peoples Alliance (Philippines)
- Tebtebba Foundation
- FAIRA (Australia)
- MPIDO (Kenya)
- African Indigenous Peoples Coordinating Committee - IPACC- (Regional network)
- Servicios del Pueblo Mixe (Mexico)

Non-indigenous support NGOs:

- Rights and Democracy (Canada)
- Almaciga (Spain)
- NCIV (Holland)
- DOCIP (Switzerland)

In recent years, new structures for dialogue and negotiation have developed between governments, international organizations and indigenous peoples. These have helped to increase international awareness of indigenous peoples, which has in turn made for progress in the recognition of their fundamental rights within the international legal framework and the establishment of several international and regional mechanisms with a mandate to promote and protect indigenous peoples' rights.

Indigenous peoples are key players in advocating for the implementation of human rights standards that promote and protect their rights at both the international and national level. However, the UN system and its procedures are often far removed from the realities of indigenous peoples, who require practical information, training, support and assistance in order to better interact with it.

A key aspect of IWGIA's International Human Rights Advocacy strategy is to ensure participation on the part of the indigenous people themselves in UN meetings where issues related to their human rights situation are being discussed. In 2009, through its International Human Rights Advocacy Programme, IWGIA maintained its strong commitment to supporting **indigenous participation** in the following international meetings where, along with indigenous peoples, it supported the preparation of reports, organised side events and made oral and written statements lobbying for indigenous rights:

- **8th session of the UN Permanent Forum on Indigenous Issues (New York, May 2009)**

This year, the Forum began the important task of reviewing the implementation of its previous recommendations – an important activity if indigenous peoples' human rights, as expressed

in the Declaration, are to become more than “mere ink on paper”. With its new mandate of promoting respect for, and full application of, the UN Declaration on the Rights of Indigenous Peoples (Article 42 of the Declaration), the issue of the Permanent Forum's role in the implementation of the Declaration formed a central part of discussions during the eighth session. Another important initiative of the Permanent Forum in 2009 was the introduction of in-depth dialogues with multiple UN agencies.

- **2nd session of the UN Expert Mechanism on the Rights of Indigenous Peoples (Geneva, August 2009)**

A thematic study on indigenous peoples' rights to education was presented at the second session of the Expert Mechanism on the Rights of Indigenous Peoples. The participant selection process, supported by IWGIA, gave special priority to indigenous organizations that had provided the Expert Mechanism with information and documentation and had contributed to developing the thematic study.

During the 2nd session, the Expert Mechanism held a discussion on the UN Declaration on the Rights of Indigenous Peoples, addressing the implementation of the Declaration at the regional and national levels. It also considered the possible themes for its next thematic study, which the Human Rights Council subsequently requested should be on indigenous peoples' right to participate in decision-making.

In order to help promote the Expert Mechanism's mandate, and engage indigenous people and governments in its work, IWGIA produced a video documentary of the 2nd session aimed at raising awareness among indigenous peoples, civil society, national human

rights institutions and the general public around the mandate of the Expert Mechanism and its contribution to advancing the implementation of indigenous peoples' rights. This was produced with the support of the Office of the High Commissioner of Human Rights.

- **10th and 12th sessions of the UN Human Rights Council (Geneva, March 2009 and September 2009)**

In 2009, IWGIA continued to document and promote indigenous peoples' rights during the sessions of the Human Rights Council.

At the 10th session, IWGIA monitored the Council's examination of the report prepared by the OHCHR on the relationship between climate change and human rights. This is of special relevance to indigenous peoples as it recognizes indigenous peoples' special vulnerability with regard to both the direct effects of climate change and the consequences of the climate change mitigation measures being negotiated. The report highlights indigenous peoples' fundamental right to self-determination and to preserve their cultural and social identities. These rights are at stake when their lands, territories and resources are threatened. IWGIA also monitored the presentation of, and discussion on, the report from the 1st session of the Expert Mechanism and read a statement on this agenda item under the interactive dialogue with NGOs. In this statement, IWGIA endorsed the Expert Mechanism's recommendation to include the UN Declaration on the Rights of Indigenous Peoples as a separate agenda item in its program of work. In this regard, IWGIA stated that the Expert Mechanism's intention to focus its thematic studies on possible processes and mechanisms for the implementation of the Declaration

was certainly a *timely and much needed* endeavor that could be of great value to the Council.

IWGIA also actively monitored the 12th session of the Council, at which reports from the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people and reports from the 2nd session of the Expert Mechanism were presented.

Capacity building and skills development in international human rights standards

IWGIA places strong emphasis on supporting activities aimed at enforcing indigenous peoples' rights and special priority is given to supporting initiatives aimed at building the capacity of indigenous peoples to bring their grievances to the relevant international mechanisms. In 2009, IWGIA invested considerable efforts in strengthening the coordination and effectiveness of the UN human rights mechanisms and raising awareness among indigenous peoples' organizations as to their potential.

In 2009, special attention was given to making use of the UN Human Rights Council's Universal Periodic Review Mechanism (UPR) in order to draw attention to the human rights situation of indigenous peoples and put pressure on those states reviewed to comply with the UN Declaration. During the sessions of the UPR Working Group, governments under review are asked to reply to critical questions regarding their national human rights situation, put by other member states in an interactive dialogue.

By providing input on the situation of indigenous peoples in specific countries through alternative reports, IWGIA and its indigenous partners have found the UPRs to be an effective way of raising concerns over indigenous peoples' rights. Alternative reports produced on the human

rights situation of indigenous peoples and submitted to the Human Rights Council and its subsidiary bodies have proved to be a powerful tool in helping the international human rights mechanisms and procedures gain a better understanding of the human rights situation of indigenous peoples in specific countries and formulate well-targeted recommendations. It has also resulted in a growing awareness on the part of the Human Rights Council that violations of indigenous peoples' rights can lead to serious forms of violence, and that there is a need to act on the root causes of this.

Three sessions of the UPR were held in 2009, and several countries with indigenous populations were up for review. IWGIA decided to focus only on a number of states in which it has active partnerships with indigenous organizations: Bangladesh, the Russian Federation, Malaysia, Cameroon and Chile, with minor activities taking place in relation to the review of Canada. In cooperation with its indigenous partners, IWGIA developed a number of reports, questions and recommendations on the human rights situation of indigenous peoples in these countries. With regard to Russia's review, and in cooperation with RAIPON, IWGIA submitted a stakeholder report to the Office of the High Commissioner on Human Rights. This document also formed the basis for questions and recommendations that were sent to several states prior to the review.

Based on the documentation prepared and the lobbying efforts made by IWGIA and its indigenous partners during the 4th session of the UPR Working Group, several governmental delegations raised questions relating to the human rights situation of indigenous peoples. The reports from the UPR working group on the reviews of Bangladesh, Russia, Malaysia, Chile and Cameroon also included recommendations regarding the implementation of indigenous peoples' rights.

With IWGIA's support, indigenous peoples in Asia organised an "Asia Preparatory Meeting relating to the UN System and Indigenous Peoples" in Malaysia. The purpose was to disseminate information about UN processes among regional indigenous organizations, discuss joint strategies related to their contributions to international processes, and identify ways of following up on international resolutions and recommendations at the national/local level. The preparatory meeting strengthened the networking and solidarity of indigenous organizations in the region and their working partnership with the UN agencies and the regional and international human rights organizations present during the meeting, thus facilitating a strategic, coordinated and effective lobbying process, especially during the UNPFII and EMRIP sessions.

In 2009, IWGIA played a leading role in promoting and supporting the mandates and work of the UN mechanisms dealing with indigenous peoples' rights; fostering the development and implementation of their recommendations; and helping to bridge the gap between the UN mechanisms dealing with indigenous peoples' rights and other relevant UN bodies and the regional human rights systems.

In the course of the discussions that took place during the International Expert Seminar in Madrid (see box), the limitations that the mechanisms face (due to budget restrictions) in terms of fully carrying out their mandates and achieving better coordination with each other were exposed. Given this situation, and after several discussions with the Special Rapporteur and the Chairperson of the EMRIP, IWGIA - in cooperation with Rights & Democracy from Canada and Almaciga from Spain - decided to establish a fund aimed at providing financial assistance for activities that will help to implement the mandates of the mechanisms and increase the interaction between indigenous peoples and the Human

The International Expert Seminar on the role of United Nations mechanisms with specific mandates regarding the rights of indigenous peoples, Madrid, 4 - 6 February 2009

This seminar followed on from an initiative of Prof. Bartolomé Clavero, member of the UN Permanent Forum on Indigenous Issues, and Prof. James Anaya, United Nations Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people. It was organized by the International Work Group for Indigenous Affairs (IWGIA) and the Inter-Cultural Group Almaciga and hosted by the Spanish Agency for International Development Co-operation (AECID).

The main objective of the meeting was to promote an informal dialogue among the members of the three UN mechanisms with specific mandates concerning the rights of indigenous peoples, with a view to coordinating their work, as well as their work with other UN agencies and bodies.

The seminar was attended by all members of the UN Expert Mechanism on the Rights of Indigenous Peoples, the UN Special Rapporteur and four members of the UN Permanent Forum on Indigenous Issues. The meeting was also attended by the representatives of the secretariats of the three UN mechanisms, as well as by a group of experts from the different regions, including the former Special Rapporteur, Rodolfo Stavenhagen (Mexico).

All participants attended the seminar in their own personal capacities as experts and advocates on indigenous peoples' rights. The informal and open brainstorming format of the seminar provided a unique opportunity for all participants to exchange experiences and share analysis, with the practical objective of finding ways of interacting and cooperating that could promote the more efficient performance of the three UN mechanisms.

Over three days, the participants in the seminar debated the possibilities of coordinating and enhancing their respective methods of work and came up with a set of recommendations for further consideration and discussion.

A summary of the report from the seminar, including its recommendations, were included as annexes to the reports presented by the UN Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people and by the UN Expert Mechanism on the Rights of Indigenous Peoples to the 12th session of the UN Human Rights Council.

Rights Council. As a result, the UN Special Rapporteur and the UN Expert Mechanism on the Rights of Indigenous Peoples have been able to increase their visibility as human rights mechanisms and have increased the number of activities carried out during the year. The country visits of the Special Rapporteur have, for example, contributed

to enhancing dialogue with states around the construction of a hydroelectric dam on indigenous lands in Panama; assisting in the development of a law on consultation in Chile; contributing to a national debate about racial discrimination in Australia; and shaping discussions to address violent conflict in the Peruvian Amazon. ○

ENVIRONMENT AND CLIMATE CHANGE

The Environment and Climate Change Programme was started in January 2009

The **thematic priorities** are:

- International Climate Change Policy – the UN Framework Convention on Climate Change
- Human rights and climate change
- REDD and forest conservation policy – (Reduced Emissions from Deforestation and Forest Degradation – forest conservation as a climate change mitigation strategy)
- Mobilization of indigenous peoples around climate change policy issues, and facilitation of engagement in policy processes internationally and nationally

The **geographical priorities** are:

- Global (international policy)
- East Africa
- Asian region – specifically Nepal, Vietnam, Laos, Indonesia

In 2009 **the partners** were:

- Tebtebba Foundation, Philippines
- MPIDO - Mainyoto Pastoralist Integrated Development Organisation, Kenya
- ICC - Inuit Circumpolar Council, Alaska / Arctic region
- OPDP - Ogiek Peoples Development Program, Kenya
- CORDS - Community Research and Development Services, Tanzania
- IPF - The Indigenous Peoples Foundation for Education and Environment, Thailand
- AIPP – Asia Indigenous Peoples' Pact, Asian region
- NEFIN – Nepal Federation of Indigenous Nationalities, Nepal
- CSDM - Centre for Sustainable Development in Mountainous Areas, Vietnam
- GAPE - Global Association for People and the Environment, Laos
- AMAN - Aliansi Masyarakat Adat Nusantara, Indonesia

Climate change was high on the global political agenda throughout 2009, with the 15th Conference of the Parties (COP15) to the United Nations Framework Convention on Climate Change (UNFCCC) expected to deliver a new global agreement on joint responses to climate change. While COP15 did not deliver the expected deal, the summit and the process leading thereto did serve as an important arena for mobilizing indigenous peoples from all corners of the world. In a wide range of activities prior to the im-

portant UN Summit in December 2009, indigenous peoples came together and asserted their right to lands, territories and resources, their right to self-determination and to free, prior and informed consent, their right to participate in all decision-making in matters that may affect them, through their own self-selected representatives, etc., in the face of the threats posed by an altered climate - as well as many of the known adaptation and mitigation strategies.

Supporting indigenous peoples' engagement in the negotiations under the UN Framework Convention on Climate Change was one of the main priorities of IWGIA's Environment and Climate Change Programme in 2009. The Tebtebba Foundation in the Philippines was supported to organize an **Asia Summit on Climate Change and Indigenous Peoples**, which took place in Bali, Indonesia, from February 24-27, 2009, hosted by the Indonesian umbrella organization for indigenous peoples (AMAN – *Aliansi Masyarakat Adat Nusantara*). The Summit brought together 65 people, most of them indigenous, from 12 countries in Asia, and a report on the proceedings as well as a joint strategy - *Asia Indigenous Peoples' Road Map to Copenhagen* - adopted at the Summit came to serve as important frameworks for indigenous organizations' further engagement in the national and international climate change policy processes in the region. In Africa, the Maasai organization *Mainyoito Pastoralist Integrated Development Organization* (MPIDO) was supported to organize and host an **Africa Regional Summit on Indigenous Peoples and Climate Change**. The Summit took place in Nakuru, Kenya, on March 5-6, 2009, and 45 indigenous men and women from all regions of Africa participated, along with representatives from NGOs and international organizations. The Summit adopted the Nakuru Declaration on indigenous peoples in Africa and climate change, and resulted in a network of indigenous representatives from across the region committed to addressing the many concerns expressed in the Summit's presentations by engaging jointly in climate change policy development in the region. A similar regional Summit was held in Latin America (Peru), with funding from other sources. In April 2009, the discussions, analysis and strategizing on how indigenous peoples are affected by, and deal with, climate change, moved to the global level with the **Indigenous Peoples' Global Summit on Climate Change**. This global Summit took place in Anchorage, Alaska, from April 20-24, 2009,

and was attended by more than 400 indigenous people from 80 countries.

The regional and global summits served as occasions for broad experience-sharing and joint analysis on how indigenous peoples are affected by climate change and related policies and actions. On this basis, political positions guiding indigenous peoples' further engagement in the UNFCCC process were formulated, most importantly the Anchorage Declaration, which was adopted by a large global caucus on the last day of the Summit. The Anchorage Declaration and the comprehensive documentation on indigenous peoples' experiences of the adverse impacts of climate change, local adaptation and mitigation strategies, etc., was compiled and published as the outcome documents of the global and regional summits, contributing significantly to indigenous peoples' joint formulation of policy proposals and positions on the negotiations within the UN Framework Convention on Climate Change (UNFCCC) in the process leading to COP 15. Indigenous peoples have increased their visibility in the UNFCCC process considerably over the year, and much of their lobbying in the negotiations has built on what came out of the regional and global summits. A remarkable achievement in the COP 15 process was the inclusion, in the final text of the Ad-Hoc Working Group on Long-term Cooperative Action (AWG-LCA) in Copenhagen, of a reference to the UN Declaration on the Rights of Indigenous Peoples. With no COP decision on the text in Copenhagen, however, it remains a challenge to strengthen the human rights language and specific references to indigenous peoples' rights throughout the negotiation text. Even simply defending what is already in the negotiation text at this point may turn out to be a challenge, and indigenous peoples therefore consider it important to maintain a strong presence in the negotiations throughout the process leading up to COP 16 in November-December in Cancún, Mexico, and beyond.



Indigenous manifestation during COP 15, Bella Center, Copenhagen, December 2009 – Photo: Lola García Alix

The other major priority in IWGIA's Environment and Climate Change Programme in 2010 was awareness raising and advocacy around the so-called REDD schemes (Reduced Emissions from Deforestation and Forest Degradation – forest conservation as a climate change mitigation strategy). These activities were supported under a new regional project in Asia entitled *Promoting Rights-based, Equitable and Pro-Poor REDD Strategies in South and Southeast Asia*, which commenced in June 2009 with funding from the Government of Norway's International Climate and Forest Initiative. The Asian umbrella organization for indigenous organizations, *Asia Indigenous Peoples' Pact* (AIPP), is co-project holder with IWGIA, and indigenous partner organizations in Nepal (*National Federation of Indigenous Nationalities* – NEFIN), Laos (*Global Association for People and the Environment* – GAPE), Vietnam (*Center for Sustainable Development in Mountainous Areas* – CSDM) and Indonesia (*Aliansi Masyarakat Adat Nusantara* –

AMAN) are implementing a comprehensive set of activities in their respective countries under the project. During the first 6 months of the project, our partners have established the infrastructure and foundations for a long-term engagement in REDD processes. Staff have been hired, the project methodology discussed and adapted to the current circumstances and developments in each of the countries, etc. In all countries, our partners have embarked on dialogue processes with the authorities regarding how to secure indigenous peoples' rights in the context of REDD programme development. In some countries this has been through large national (*Nepal*) or provincial (*Vietnam*) dialogue meetings while in others it has been through informal and formal meetings (*Laos*) and engagement in ongoing policy reform processes related to REDD (*Indonesia*). In some countries these dialogues have resulted in the authorities responsible for REDD inviting our partners for in-depth talks on REDD-related issues.



*Indigenous manifestation during COP 15, Bella Center, Copenhagen, December 2009
Photo Sille Stidsen*

Awareness raising on the implications of REDD and mobilization of indigenous organizations to engage in the REDD planning process has also taken off in different ways in each of the countries. This has been either through large dialogue meetings bringing together indigenous leaders, civil society organizations and relevant government agencies, through national / sub-national indigenous consultations or, more informally, through networking with all kinds of organizations and institutions involved in REDD development in the country.

In September the **Climate Change Monitoring and Information Network** was established at a partner meeting held in Bangkok parallel to the UNFCCC climate change

negotiations. AIPP has set up a website for the CCMIN (ccmin.aippnet.org), where our partners post news items on REDD-related developments in their countries. The website is intended as a platform for experience-sharing, and thus in effect also a capacity building tool for our project partners and other indigenous organizations engaging in REDD activities in their countries.

Engagement in the UNFCCC process setting the framework for REDD: Representatives from all our partner organizations met in Bangkok and participated in the global indigenous caucus' preparatory meeting to the September-October UNFCCC negotiations (Sep 26-27) and in the lobbying work of the indigenous caucus dur-

ing the negotiations (Sep 28-Oct 9, 2009). AIPP organized the preparatory meeting, and thus facilitated not only our Asian partners' lobbying work during the negotiations but also that of the global indigenous caucus. Apart from engaging in this important lobbying process, AIPP also organized various capacity-building activities for our partners, which took place during the first week of negotiations: an *Asia caucus* was organized to discuss the policy work in more detail and in a way that enabled people new to the processes to gain a deeper understanding of the process and issues at stake; an *Asia Orientation Seminar on REDD* was organized on 30 September with presentations by the Forest Peoples' Programme and IW-GIA; an *Asia Indigenous Peoples' Workshop on Climate Change* was organized on October 2, at which various resource persons from in-

digenous organizations and NGOs gave presentations on Shifting Cultivation, REDD and Climate Change and Indigenous Peoples' Agrobiodiversity adaptations to climate change; a *dialogue meeting with UN-REDD* was held on October 1. Many of our partners told us during the week how all these activities were helping them greatly to gain a better understanding of the policy processes around REDD and the possibilities for cooperating on these issues across the region. Two representatives from AIPP also attended the November UNFCCC negotiations and played a crucial role in the global indigenous caucus. Along with partners from Nepal, Vietnam and Indonesia, they also attended COP 15 and engaged actively in the international indigenous caucus' intense lobbying work there, as described above. ○

The Copenhagen Accord

The 15th Conference of the Parties (COP) to the United Nations Framework Convention on Climate Change (UNFCCC) concluded on December 18, 2009 with a weak political agreement known as the Copenhagen Accord. Throughout the year indigenous representatives gained increasing support from state parties to recognizing indigenous peoples' human rights in the negotiation texts. With references to the UN Declaration on the Rights of Indigenous Peoples in the outcome documents from the negotiations on REDD, and to the UN Human Rights Council's resolution (10/4, March 2009) on human rights and climate change in a preambular paragraph in the outcome document on a Shared Vision for long-term cooperative action, it was expected that the Copenhagen Accord would specifically recognize the obligation of states to respect and protect indigenous peoples' human rights in all climate change policies and actions. It was thus a serious disappointment to learn that the Copenhagen Accord makes no reference whatsoever to the rights of indigenous peoples. The Accord does not, in fact, mention human rights at all.

IWGIA's Annual Collection (Landsindsamling) 2009-2010 focused on indigenous rights in relation to climate change mitigation and adaptation and the need to strengthen indigenous peoples' voices in climate change policy negotiations. The donations received through the Annual Collection 2009-2010 will contribute to this important work by supporting IWGIA's local and global activities to empower indigenous peoples.

Apart from collecting funds for a specific purpose, IWGIA's Annual Collection, which takes place only in Denmark, is a way of informing Danish society about a specific issue of importance to indigenous peoples. In 2009, the Annual Collection was publicised by means of a folder distributed to major public libraries across Denmark and through DR radio and TV spots. ○

MEMBERSHIP

IWGIA's membership consists of researchers, activists, students and others from around the world with an interest in indigenous peoples' issues. Through our members, we wish to create a strong network of people dedicated to issues relevant to indigenous peoples. For IWGIA, membership is an important sign of support of our work, both politically and economically.

On 12 December 2009, IWGIA's members were invited to participate in the "In-

digenous Peoples' Day" – a conference and cultural event held in Copenhagen during the COP15. "Indigenous Peoples' Day" was organized together with TEBT-EBBA and the Danish National Museum and offered the public an opportunity to take stock of indigenous peoples' achievements and future demands in relation to the international Climate Change negotiations. ○

LOCAL GROUPS

IWGIA local groups consist of members working on a voluntary basis in areas of lobbying, publications, film screening/festivals and educating/providing information on indigenous issues. During 2009, three local groups were active and did an important job in raising awareness about indigenous peoples and about IWGIA in different fora, while

another three groups in Gothenburg, Zurich and Basel are currently dormant. Many of their members do, however, work individually on various projects focusing on indigenous issues. In 2010, the Gothenburg group is planning to celebrate its 25th anniversary as a local group.

IWGIA OSLO

IWGIA Oslo is registered as a student group at the Anthropological Institute of the University of Oslo. This year, the group increased its communication with the Norwegian Rainforest Foundation in relation to Norway's economic involvement in the UN REDD-programme. This led to a presentation entitled: *Conflicts in the Amazon: Rainforest and indigenous peoples' struggle for their rights*, which was also given at the annual development seminar "*U-landsseminaret*" at the University of Oslo. In June, IWGIA Oslo attended the celebrations for the Rainforest Foundation's 20th anniversary, and was represented at the Rainforest Foundation's meeting with the Venezuelan organization WATANIBA regarding their involvement with the Yanomami of Venezuela.

IWGIA Oslo was also present at the film festival *Films from the south*, where films produced by indigenous peoples in Brazil were screened and discussed. The group has also shown the IWGIA movie "Building dignity", on the constitutional process in Bolivia, provided information about IWGIA's work and activities, and assisted students at Oslo University to plan projects related to indigenous peoples and issues. Its members have also contributed articles to the Namibia Association of Norway's news magazine, the anthropological student magazine *Antropress* and the Internet. The group has continuously updated the news boards at the University of Oslo and its own website with current indigenous affairs.

IWGIA FRANCE/GITPA

In 2009, GITPA continued to develop its website and now has around 4,000 visitors a month. It published four electronic newsletters over the year, one of which was about REDD. One issue of "*Questions autochtones*", on indigenous peoples and Climate Change (a translation of Indigenous Affairs 1-2/2008),

was published and the DVD ROM "*Des Peuples Autochtones Francophones en Mouvement*" was disseminated widely to GIPTA's French-speaking network of 480 indigenous activists and organizations and 200 scholars, researchers, NGOs and governmental institutions.

In 2009, GITPA maintained contact with French-speaking indigenous NGOs and peoples, disseminating information, responding to their questions on international processes, facilitating contacts with French officials, etc. However, following the election of a new Bureau for the CAF (French-speaking indigenous coordination), during the second World Congress in Quebec (November 2008), GITPA formally withdrew from that organization.

In May, GITPA members participated in the UN Permanent Forum on Indigenous Issues and, in November, GIPTA contributed to the yearly training of the French-speaking indigenous delegates, with grants from UNESCO.

IWGIA BARCELONA

The local Barcelona group has worked to finalise all the legal structures necessary to apply for public funding to finance its planned activities. This has been a long and complicated procedure but it is now complete. The local group participated as IWGIA members in a seminar entitled, "Sustainable Development in the Amazon" during which IWGIA books were circulated and sold. At this seminar, they introduced IWGIA to the Catalan International Cooperation Agency. They subsequently met with representatives of this institution and gave them copies of "The Indigenous World 2009". The Barcelona group later formally proposed holding a seminar on indigenous autonomy for the Spanish International Cooperation Agency. This proposal was rejected but work is being conducted to adapt it so that it can be more successfully presented to other financial institutions. ○

IWGIA ONLINE

IWGIA's website plays a crucial role in disseminating the information needed by people working to promote indigenous rights. It contains a vast amount of information, in English and Spanish, on indigenous issues, international processes relating to indigenous peoples, news and events from the indigenous world, etc. It also gives interested people an insight into IWGIA's strategies, its history and areas of work. New members can sign up through the website and IWGIA's publications are presented and sold in the web shop.

In 2009, a usability study of the website was conducted, showing a general satisfaction by the users but also resulting in various recommendations with regard to design, content and functionality, some of which have already been implemented. Throughout 2009, an average of 100,000 people visited IWGIA's website every month.

IWGIA has joined different online communities such as Flickr, Facebook, Twitter and Daily Motion, in order to reach out to a wider audience and share, communicate and spread information on indigenous peoples, our work and particularly our publications, as well as photos and videos.

- Photo archive on Flickr.com. IWGIA's photo archive contains more than 20,000 photos from all over the world and is continuously being updated and expanded. A selection of pictures from

the photo archive is made available on Flickr.com. The URL for IWGIA's photo archive on Flickr.com is: www.flickr.com/photos/iwgia.

- On Facebook, IWGIA has created a profile, a group and a cause. They can all be supported and joined and IWGIA has more than 1,800 friends, 1,351 fans and 3,755 supporters so far.
- On Daily Motion, IWGIA posts videos that we have produced or supported, and links to other videos that we find interesting. People can subscribe to our videos and be informed every time there is a new video on the profile. And we can connect with others sharing the same interests as ourselves. YouTube allows people to easily upload and share video clips on www.YouTube.com and across the Internet through websites, mobile devices, blogs and email.
- Free downloads of publications. A number of IWGIA's publications are available for free download, including the yearly publication *The Indigenous World* and the journal *Indigenous Affairs*. In 2009, IWGIA made a total of 15 publications available for free download, among them the book *Making the Declaration Work* and all Human Rights Reports and reports from the African Commission. ○

PUBLICATIONS 2009

IWGIA has published one of the most comprehensive collections of documentation and reflection on indigenous peoples' struggle for survival and recognition. The objective is to provide a platform for indigenous issues and a voice for indigenous peoples that will reach a broad audience, both nationally and internationally, thereby contributing to the recognition of and respect for indigenous rights. IWGIA continues to be at the forefront of reflecting the most significant issues of concern to indigenous peoples.

The majority of IWGIA's publications are in English and Spanish. However, in 2009, IWGIA also published in French and Hindi.

IWGIA's publications are published on a not-for-profit basis. All subscriptions to our publications form a direct contribution enabling IWGIA to continue its analysis and documentation work on the situation of the world's indigenous peoples. IWGIA's books are distributed worldwide by IWGIA and by professional distributors in North America, the United Kingdom and Peru. Read more about the books published in 2009 on the following pages. ○

PUBLICATIONS IN ENGLISH

MAKING THE DECLARATION WORK

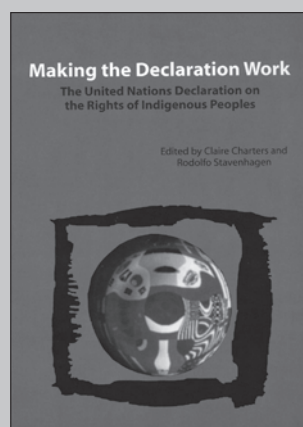
THE UN DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES

The UN Declaration on the Rights of Indigenous Peoples is the culmination of a centuries-long struggle for justice by indigenous peoples. This book tells the story of the Declaration from the inside, detailing its history, negotiations, content and broader significance. The contributions come from indigenous activists, members of the Human Rights Council and its various working groups, as well as the UN and governmental officials who engineered the process from beginning to end.

IWGIA – 2009

390 pages

ISBN: 978-87-91563-61-4



Rodolfo Stavenhagen &
Claire Charters (eds.)

IWGIA - A HISTORY

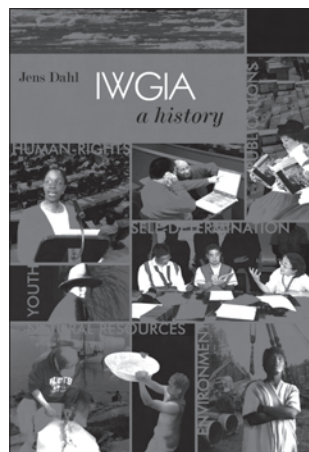
IWGIA was one of the very first organisations to be established in support of indigenous peoples. It was founded in 1968 by anthropologists concerned at the atrocities being committed against Indians in South America.

This book is written by Jens Dahl, a Danish anthropologist and former director and Board member of IWGIA. Jens has been closely connected with the organisation for the last 40 years and this book thus offers an insider's view of its development.

IWGIA – 2009

208 pages

ISBN 978-87-91563-52-2



Jens Dahl

LAND PEOPLE AND POLITICS

CONTEST OVER TRIBAL LAND IN NORTHEAST INDIA

Land is the centre of most conflicts in Northeast India because of its importance in the life of the people of the region, particularly its tribal communities. It is also the resource most under attack, in the tribal areas in particular. This book is an attempt to understand the processes that result in tribal land alienation and the consequent conflicts in the region. The essays in this book attempt to disaggregate the received knowledge on land use systems in Northeast India, by using a mixture of ethnography and archival data.

NESRC & IWGIA 2009

173 pages

ISBN 978-87-91563-40-9



Walter Fernandes and
Sanjay Barbora (eds.)

PERU- A CHRONICLE OF DECEPTION

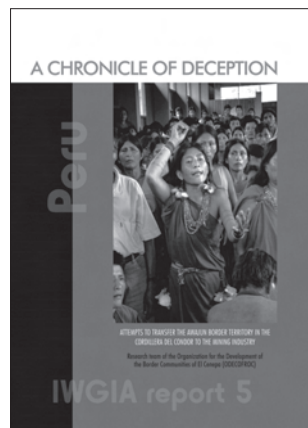
ATTEMPTS TO TRANSFER THE AWAJUN BORDER TERRITORY IN THE CORDILLERA DEL CONDOR TO THE MINING INDUSTRY

This report documents how the Peruvian government has broken promises to establish a national park on the territory of the Awajun and Wampis peoples and has attempted to transfer land away from these indigenous peoples into the hands of politically connected mining companies. This situation served as a basis for the claims made by the indigenous movement that led to massive demonstrations in 2008 and 2009, in addition to a prolonged strike, which culminated in the bloody events of Bagua (June 5, 2009).

ODECOFROC, Racimos de Ungurahui & IWGIA 2009

62 páginas

ISBN: 978-87-91563-69-0



The ODECOFROC
Research Team

PUBLICATIONS IN ENGLISH AND FRENCH

REPORT OF THE AFRICAN COMMISSION'S WORKING GROUP ON INDIGENOUS POPULATIONS/ COMMUNITIES: MISSION TO THE CENTRAL AFRICAN REPUBLIC

RAPPORT DU GROUPE DE TRAVAIL DE LA COMMISSION AFRICAINE SUR LES POPULATIONS/ COMMUNAUTES AUTOCHTONES: MISSION EN REPUBLIQUE CENTRALAFICAINE

The African Commission's Working Group on Indigenous Populations / Communities undertook a research and information visit to the Central African Republic in January 2007. The report gives an account of meetings held with government authorities, civil society organizations, indigenous communities and other stakeholders. It also describes the situation of the indigenous populations in the Central African Republic who are mainly the hunter-gatherer people Aka and the nomadic pastoralists people Mbororo and makes recommendations to the Government, civil society organizations and the international community. The report is published both in English and French.

ACHPR & IWGIA – 2009

English version: 60 pages - French version: 62 pages

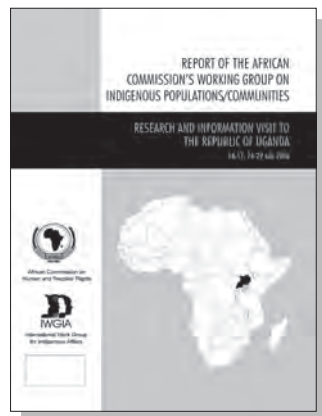
ISBN 978-87-91563-62-1



REPORT OF THE AFRICAN COMMISSION'S WORKING GROUP ON INDIGENOUS POPULATIONS/COMMUNITIES: RESEARCH AND INFORMATION VISIT TO UGANDA

RAPPORT DU GROUPE DE TRAVAIL DE LA COMMISSION AFRICAINE SUR LES POPULATIONS/COMMUNAUTES AUTOCHTONES: MISSION EN REPUBLIQUE DE L'UGANDA

The African Commission's Working Group on Indigenous Populations / Communities undertook a research and information visit to the Republic of Uganda in July 2006. The report gives an account of meetings held with government authorities, civil society organizations, indigenous communities and other stakeholders, it describes the situation of the Batwa, the Benet, and the Ugandan pastoralists and it makes recommendations to the Government, civil society organizations and the international community. It also includes sections on the conceptualization of indigenous peoples in Uganda and the constitutional/legal and policy framework for the indigenous question. The report is published both in English and French.



ACHPR & IWGIA – 2009

English version: 85 pages – French version: 85 pages
ISBN 978-87-91563-60-7

REPORT OF THE AFRICAN COMMISSION'S WORKING GROUP ON INDIGENOUS POPULATIONS/COMMUNITIES: MISSION TO LIBYA

RAPPORT DU GROUPE DE TRAVAIL DE LA COMMISSION AFRICAINE SUR LES POPULATIONS/COMMUNAUTES AUTOCHTONES: MISSION EN LIBYE

The African Commission's Working Group on Indigenous Populations / Communities undertook a research and information visit to Libya in August 2005. The report gives an account of the meetings held with government authorities, civil society organizations, indigenous communities and other stakeholders, it describes the situation of the indigenous populations in Libya and it makes recommendations to the Government. The report is published both in English and French.



ACHPR & IWGIA – 2009

English version: 49 pages – French version: 51 pages
ISBN 978-87-91563-67-6

REPORT OF THE AFRICAN COMMISSION'S WORKING GROUP ON INDIGENOUS POPULATIONS/COMMUNITIES: REGIONAL SENSITIZATION SEMINAR: "THE RIGHTS OF INDIGENOUS POPULATIONS/COMMUNITIES IN CENTRAL AFRICA"

RAPPORT DU GROUPE DE TRAVAIL DE LA COMMISSION AFRICAINE SUR LES POPULATIONS/COMMUNAUTES AUTOCHTONES: SÉMINAIRE RÉGIONAL DE SENSIBILISATION: "DROITS DES POPULATIONS/COMMUNAUTÉS AUTOCHTONES EN AFRIQUE CENTRALE"

The report gives an overview of all the presentations made during the regional sensitization seminar, which brought together participants drawn from indigenous civil society organisations, indigenous communities, National Human Rights Institutions, NGOs, state delegates from the Central African region, members of the African Commission on Human and Peoples' Rights and organs of the African Union. It summarises the recommendations to member states, to the African Commission of Human and Peoples' Rights, to the African National Human Rights Institutions, and to NGOs. The report is published in both English and French

ACHPR & IWGIA – 2009

English version: 29 pages – French version: 31 pages
ISBN 978-87-91563-59-1



PUBLICATIONS IN SPANISH

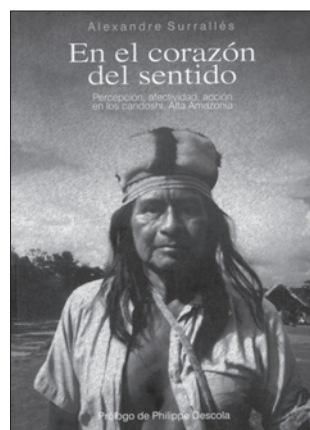
EN EL CORAZON DEL SENTIDO

PERCEPCION, AFECTIVIDAD, ACCION EN LOS CANDOSHI, ALTA AMAZONIA

Partiendo del estudio etnográfico de los candoshi –grupo indígena de cazadores y horticultores de la Alta Amazonía– en este monografía se desarrolla un análisis del entorno, de las relaciones sociales y de las prácticas colectivas, destacando la variable de la intensidad de la percepción y la afectividad. Además que contribuir a una discusión central en la antropología amazónica de hoy, el libro propone ser útil para demostrar, en la lucha por sus derechos territoriales y culturales, la particularidad de la forma de vida de los candoshi.

IWGIA & IFEA – 2009

384 páginas – fotos
ISBN: 978-9972-623-62-2



Alexandre Surrallés

TIERRAS DURAS

HISTORIAS, ORGANIZACION Y LUCHA POR EL TERRITORIO EN EL CHACO ARGENTINO

En 1984, Guando la Argentina retorna a la democracia luego de varios gobiernos dictatoriales, pueblos indígenas del Chaco semiárido solicitan al gobierno de la provincia de Salta un título colectivo sobre las tierras ocupadas por sus comunidades.

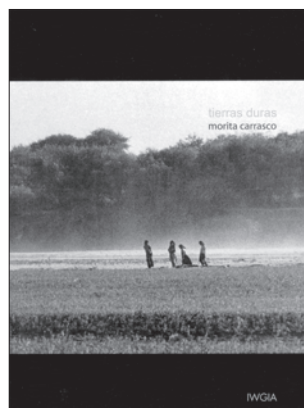
¿Por qué estos pueblos, que son pescadores, cazadores-recolectores, y para quienes el movimiento y la flexibilidad son preceptos cardinales en sus vidas, luchan por un territorio único para sus comunidades? Su lucha no responde sólo a un problema de justicia o legalidad. No se trata sólo de un reclamo jurídico, un asunto negociable o una demanda de lo que les corresponde. En este pedido se juega una cuestión vital para ellos: su derecho a elegir y su decisión de seguir siendo lo que son.

Este libro relata el duro y difícil derrotero seguido por el reclamo de estos pueblos entre los años 1984 y 2008 y nos acerca a la comprensión de su profunda y apremiante significación.

IWGIA – 2009

400 páginas

ISBN: 978-87-91563-51-5



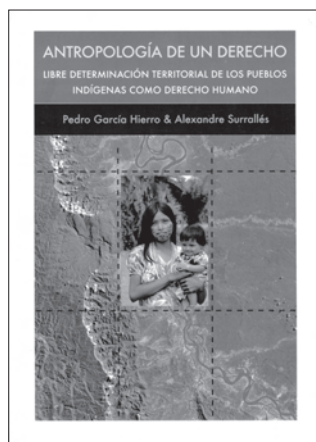
Morita Carrasco

ANTROPOLOGIA DE UN DERECHO

LIBRE DETERMINACION TERRITORIAL DE LOS PUEBLOS INDIGENAS COMO DERECHO HUMANO

La Declaración de las Naciones Unidas sobre los derechos de los pueblos indígenas, aprobada en 2007, reconoce la libre determinación de estos pueblos en lo que se refiere, entre otros, a sus derechos territoriales. El 'territorio indígena se convierte, de esta manera, en un derecho humano fundamental, sostén del resto de los derechos individuales y colectivos. Este reconocimiento internacional supone un hito en la historia de los pueblos indígenas americanos y debería ser un punto de inflexión, luego de más de cinco siglos de incesante expolio territorial. Sin embargo, este derecho fundamental se enfrenta a una realidad social y cultural compleja y con ordenamientos jurídicos cuyo desarrollo histórico ha supuesto una enrevesada trama de legitimidades

Este libro pretende analizar este tejido antropológico y legal a partir de la descripción de la problemática territorial del pueblo Kandozi del norte de la Amazonía peruana. El objetivo de este texto no es solo contribuir al debate teórico que la Declaración promueve; es también fundamentar el proceso de construcción y reconocimiento de una nueva estructura del territorio kandozi y su titularidad. Se trata de una reflexión colectiva, en la que los kandozi han participado de manera determinante, para sustentar una propuesta en un tema que marcará el futuro inmediato.



Pedro García Hierro y
Alexandre Surrallés

Alternativa & IWGIA – 2009

221 páginas

ISBN 978-87-91563-65-2

IMAGINARIO E IMAGENES DE LA EPOCA DEL CAUCHO

LOS SUCESOS DEL PUTUMAYO

La imagen manipulada del indígena salvaje y alejado de la historia y temporalidad occidental -concepto devenido de la teoría de Darwin- fue una constante durante la época del caucho en la Amazonía (fines del siglo XIX y primeras décadas del XX). Mediante la aplicación de esta teoría al escenario social, se brindaron “elementos científicos” a los argumentos sobre la inferioridad de estas sociedades originarias, a quienes se ubicó en la margen opuesta de la élite ilustrada.

Junto con la construcción de este imaginario sobre el poblador nativo de la Amazonía, la sociedad occidental creó -en el otro extremo- el del civilizador, representado por el cauchero. Este imaginario justificaba el dominio sobre el indígena y el medio amazónico y proveía una dimensión moral a la actuación del opresor. ¿Qué propósito tenía este tinglado? No era otro que percibir el dominio como un acto que buscaba el interés colectivo: se quería demostrar -a través de imágenes y discursos- que el fin supremo era la salvación del otro... El altruismo, el amor a la patria, el progreso y la libertad eran expuestos como baluartes de la empresa cauchera pero, enmarañado, se encontraba el afán desmedido y sangriento por el preciado látex, la violencia febril y jerárquica, acompañada de un racismo desmedido y malsano.

CAAAP & IWGIA – 2009

225 páginas

ISBN: 978-9972-608-27-8



Alberto Chirif y
Manuel Cornejo
Chaparro (eds.)

HISTORIAS PARA NUESTRO FUTURO

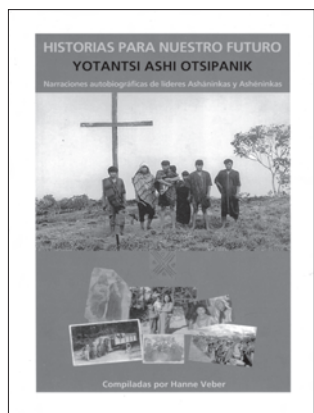
YOTANTSI ASHI OTSIPANIKI: NARRACIONES AUTOBIOGRAFICAS DE LIDERES ASHANINKAS Y ASHENINKAS

Este libro otorga la palabra a siete líderes de la población indígena más numerosa de la Amazonía peruana, quienes han luchado durante siglos por la defensa de sus territorios, sus condiciones de vida y su dignidad. Las narraciones autobiográficas relatan no solamente la vida de líderes asháninkas y ashéninkas, sus motivaciones, sus luchas y sus sufrimientos; sino que nos invitan a vivir los problemas que hoy enfrentan todos los pueblos amazónicos. Estos parecen ser agravados bajo las potentes fuerzas nacionales e transnacionales que trabajan para debilitar los derechos indígenas y las leyes adoptadas en las últimas décadas para proteger a los pueblos indígenas.

IWGIA – 2009

349 páginas

ISBN: 978-78-91563-21-8



Hanne Veber

PARAGUAY: EL CASO AYOREO - INFORME IWGIA 4

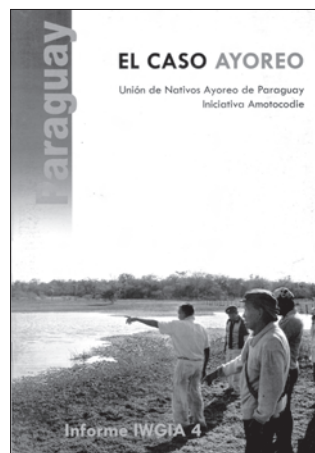
El territorio es mucho más que el suelo físico: es el mapa trazado por la historia de pueblos que han vivido allí desde cuando el tiempo era el aliado del origen y el destino propio. Et territorio no es el mero suelo, la tierra física, sino el lugar contorneado y marcado por mediaciones simbólicas intensas que dibujan la cartografía del hábitat y habilitan efectivamente un sitio para el desarrollo de sus particulares formas de vivir, crear, creer y crecer colectivamente.

El territorio es la zona que cautela los restos de los antepasados, provee los alimentos exactos que el pueblo necesita y configura el hábitat donde se reconocen comunidades diversas, vinculadas no sólo por linajes de sangre, sino por constelaciones de sentido. Ticio Escobar

UNAP, IA & IWGIA – 2009

40 páginas

ISBN: 978-99-95389-81-9



Unión de Nativos
Ayoreo de Paraguay
Iniciativa Amotocodie

PERU - CRONICA DE UN ENGAÑO INFORME IWGIA 5

LOS INTENTOS DE ENAJENACION DEL TERRITORIO FRONTERIZO AWAJUN
EN LA CORDILLERA DEL CONDOR A FAVOR DE LA MINERIA

Este documento argumenta y demuestra que el Estado peruano ha actuado de mala fe al recortar la propuesta original de creación del Parque Nacional Ichigkat Muja acordado con las comunidades Awajún y Wampis. La propuesta de un área natural protegida sobre la Cordillera del Cóndor, en territorio tradicional de estos dos pueblos, fue acordada con la autoridad ambiental del Estado peruano con el propósito de conservar un área extremadamente vulnerable y como aporte de estos pueblos al establecimiento de una paz duradera en la frontera con el Ecuador.

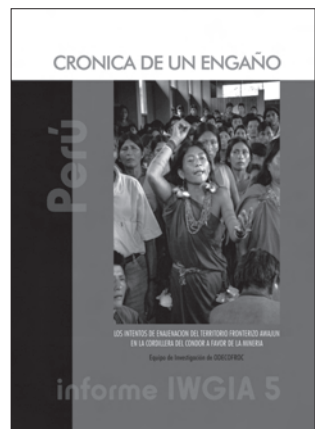
El documento demuestra también que el Estado peruano ha actuado así para beneficiar a empresarios mineros entre los que se encuentran algunos con fuertes vinculaciones políticas. Con ello pone en riesgo el territorio de estos pueblos y desafía sus derechos y las normas nacionales e internacionales que los resguardan.

Las comunidades de estos pueblos y sus organizaciones han demandado continuamente la restitución de la propuesta de creación del Parque Nacional y la cancelación de las concesiones mineras sin eco en las autoridades.

ODECOFROC, Racimos de Ungurahui & IWGIA – 2009

62 páginas

ISBN: 978-87-91563-69-0



Equipo de Investigación
de ODECOFROC

PUBLICATIONS IN PORTUGUESE

OS DIRECTOS DOS POVOS INDIGENAS EM MATO GROSSO DO SUL, BRASIL CONFINAMENTO E TUTELANO SECULO XXI

IWGIA INFORME 3

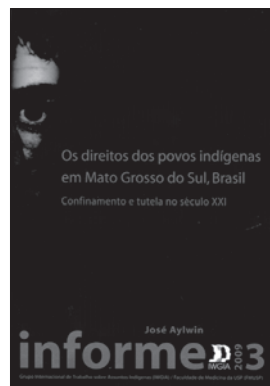
Este informe, llamado “Los derechos de los pueblos indígenas en Mato Grosso del Sur, Brasil - Confinamiento y tutela en el siglo XXI”, trata de las observaciones durante mi visita, así como la investigación y análisis realizados posteriormente a partir de la perspectiva de los derechos humanos.

Se discute el tratamiento que el Estado brasileño ha dado a los pueblos indígenas, analizando especialmente el marco jurídico que ha sido aplicado (Constitución Federal de 1988, legislación específica y Convenio 169 de la OIT), las políticas públicas llevadas a cabo –tanto por la Fundación Nacional del Indio (FUNAI), como por otras entidades públicas– así como sus resultados.

FMUSP & IWGIA – 2009

84 páginas

ISBN: 978-87-91563-34-8



José Aylwin

OLHARES SOBRE O FUTURO

This report argues and demonstrates that the Peruvian government acted in bad faith by modifying the original proposal to create the Ichigkat Muja National Park agreed upon with the Awajún and Wampís indigenous communities of the District of El Cenepa, Department of Amazonas, Peru. The proposal to create a protected natural area in the Cordillera del Cóndor, the traditional land of these peoples, was prepared together with the environmental authority of the Peruvian government through a long negotiation process and detailed scientific studies, with the purpose of preserving an extremely vulnerable area at the headwaters of the Cenepa River, and as a result of the contribution made by the Awajún and Wampís communities to the establishment of long-lasting peace along the Peruvian-Ecuadorian border.

AJI, ORÊ & IWGIA – 2009

108 páginas

ISBN 978-87-91563-58-4



Maria de Lourdes Beldi
de Alcântara e
Alejandro Parellada (eds.)

THE INDIGENOUS WORLD - EL MUNDO INDIGENA 2009

This yearbook contains a comprehensive update on the current situation of indigenous peoples and their human rights, and provides an overview of the most important developments in international and regional processes during 2008 in over 60 region and country reports and updated information on international and regional processes relating to indigenous rights, such as the United National Human Rights Council's mechanisms, the African Commission etc. It is an essential source of information and indispensable tool for those who need to be informed about the most recent issues and developments that have impacted on indigenous peoples worldwide.

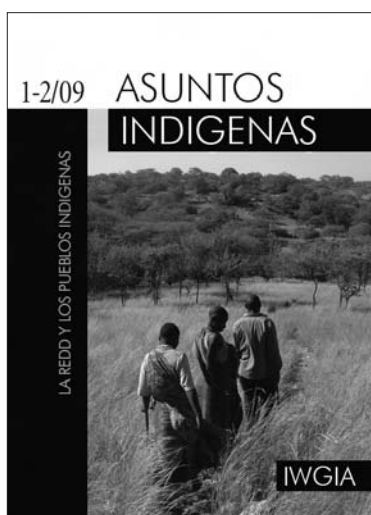
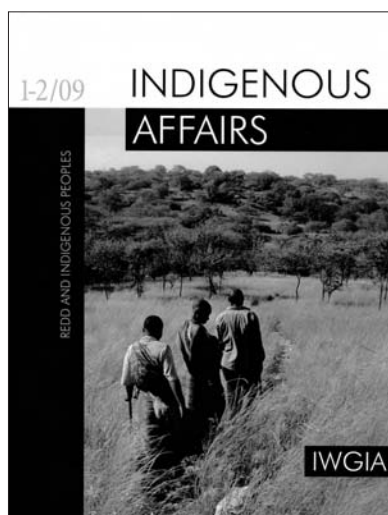
On 20 May 2009, *The Indigenous World 2009* was officially launched at a side event of the meeting of the UN Permanent Forum on Indigenous Issues in New York.

The Indigenous World / El Mundo Indígena is published in Spanish and in English. It is distributed widely and free of charge within IWGIA's network, as well as through the Internet where it can be downloaded from IWGIA's website.

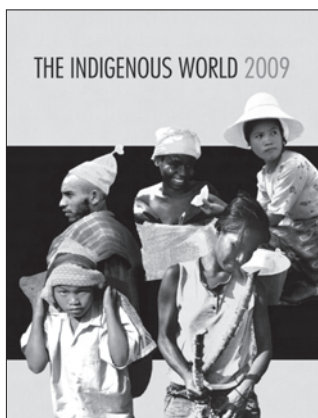
IWGIA'S JOURNAL

IWGIA's quarterly journal is thematically focussed on indigenous issues and is written by indigenous and non-indigenous experts, scholars and activists.

THEMES 2009: 1-2/2009 REDD and Indigenous Peoples



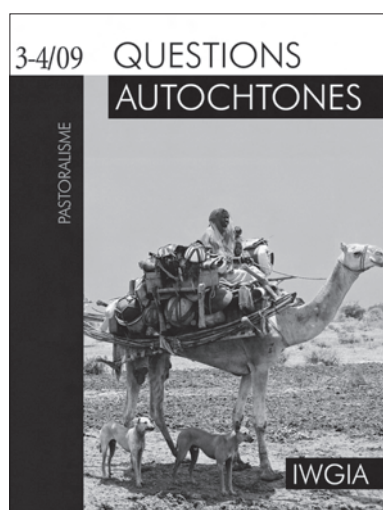
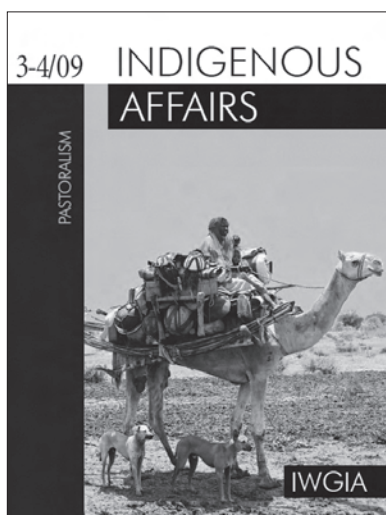
IWGIA 2009
English, 578 pages
ISBN 978-87-91563-57-7
Spanish, 693 pages
ISBN 978-87-91563-56-0



ADIVASI VISHAY

Two issues of Indigenous Affairs in Hindi (Adivasi Visay) were published in Ranchi, Jharkhand, India. The 1,000 copies of each issues were distributed throughout the country and, to a limited extent, Nepal. The topics of the two issues were “IWGIA 40 years on” and “REDD and Indigenous Peoples”.

THEMES 2009: 3-4/2009 Pastoralism



VIDEOS IN ENGLISH

AMAZONIA FOR SALE – 2009

Director: Facundo López

Executive producer: Alejandro Parellada

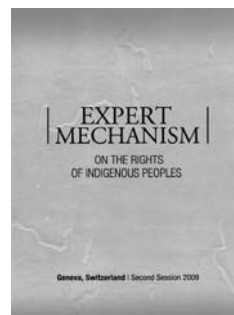
Production by IWGIA, ODECOFROC, ORE-MEDIA & Racimos de Ungurahui.



EXPERT MECHANISM ON THE RIGHTS OF INDIGENOUS PEOPLES GENEVA, SWITZERLAND. SECOND SESSION 2009

Camera: Fernando Cola - **Photography:** Martín Ladd

Production: Alejandro Parellada, José Parra & Lola García-Alix
An IWGIA production in association with ORE-MEDIA.



BUILDING DIGNITY

NEW POLITICAL CONSTITUTION OF THE STATE – 2007/2009 BOLIVIA

Photography: Fernando Cola. Executive

Production: Alejandro Parellada.

An IWGIA production in association with ORE-MEDIA.



VIDEOS EN CASTELLANO

MECANISMO DE EXPERTOS SOBRE LOS DERECHOS DE LOS PUEBLOS INDIGENAS

GINEBRA, SUIZA – SEGUNDA SESION 2009

Cámara: Fernando Cola - **Fotografía:** Martín Ladd

Producción: Alejandro Parellada, José Parra & Lola García-Alix

Una producción de IWGIA en colaboración con ORE-MEDIA.



HUELLAS EN LA TIERRA

LA VISITA A BOLIVIA DEL RELATOR ESPECIAL DE LAS NACIONES UNIDAS – 2009

Fotografía: Fernando Cola

Producción ejecutiva: Alejandro Parellada

Edición: Martin Ladd

Una producción de IWGIA & ORE-MEDIA con el apoyo de CEJIS.



RESISTIENDO

VOCES DE LAS VICTIMAS DE LAS MASACRE DE PANDO, BOLIVIA – 2009

Investigación Periodística y Dirección: María Sol Wasyluk
Fedyszak

Producción Ejecutiva: Alejandro Parellada

Una producción de IWGIA en colaboración con ORE-MEDIA.



CONSTRUYENDO DIGNIDAD

NUEVA CONSTITUCIÓN POLITICA DEL ESTADO – 2007/2009 BOLIVIA

Cámara y fotografía: Fernando Cola

Producción: Alejandro Parellada

Una producción de IWGIA & ORE-MEDIA.



LA AMAZONIA EN VENTA

NUEVA CONSTITUCIÓN POLÍTICA DEL ESTADO – 2007/2009 BOLIVIA

Dirección: Facundo López

Producción ejecutiva: Alejandro Parellada

Una producción de IWGIA, ODECOFROC, ORE-MEDIA
& Racimos de Ungurahui.



CD

MUSIC OF THE AWAJUN AND WAMPIS – AMAZONIA, CENEPA VALLEY, PERU, 2009

Recordings: Franz Treichler; **Notes:** Raúl Riold, Jeremy Narby, Fermin Apikai Chimpa, Raúl Vargas Caballero. Nouvelle Planète & IWGIA (text book in French and English).

ANNUAL ACCOUNTS

Profit and Loss Report 2009 (DKK)

note		2009	2008
	Receipts		
1	Core Funding	4.700.656	5.982.084
2	Other income	297.038	322.074
	Total receipts	4.997.695	6.304.157
	Expenditure		
3	Special activities - Projects and Programs		
3	Board meetings, Travel, PR & Projects	-177.244	-486.287
		4.820.450	5.817.870
4	Publications		
	Publication expenditure, Net.....	-845.797	-683.647
		3.974.654	5.134.223
	Capacity expenditure		
5	Staff expenditure	-7.121.975	-7.282.765
6	Secretariat expenditure.....	-1.795.854	-1.665.605
7	"Implementation funds from projects and programs"	4.800.241	4.299.230
	Carried forward to next year	-142.934	485.084
			-4.649.139
10	Received Project and Program Subsidies and Grants 2008		
	Total subsidies and grants.....	25.092.268	20.922.990
10	Expenditures		
	The Danish Foreign Ministry, DANIDA.....	14.960.089	15.306.123
	The European Commission - Human Rights	0	1.011.683
	Norad	2.140.656	
	The Norwegian Foreign Ministry, NORAD	2.428.297	2.434.008
	Swedish International Development Coop. Agency.....	0	1.292.044
	The Finnish Foreign Ministry	1.037.735	446.664
	Danida, ACHPR-support 2004-2007.....	0	1.074.980
	Danida, ACHPR-support 2008-2011	690.150	0
	UM Bevilling Climate Change 2008-2010.....	1.421.563	0
	Indfødte folks dag	90.017	-
	COP 15 deltagelse	150.357	-
	Danida, East Support, 2006-2007	0	1.409.928
	Danida, East Support, 2007-2008	131.958	0
	Danida 2009-10	605.756	-
	AECI, Spain - Latin America 2008	73.270	0
	WB Review IP-Policy	9.763	-
	AECI, UN Mechanisms Madrid 2009.....	506.821	0
	AECI, Spain - ACHPR - Brazzaville	0	297.476
	AECI Lawyers School.....	582.548	-
	Tebtebba Foundation	195.440	-
	Forest People Found	90.090	-
	UN Geneva Video projekt.....	71.858	-
	Andre donorer COP 15.....	60.720	-
	UM-KT, Chittagong Hill Tracts	4.764	0
	Norge, UTD, CHT-Commission 2009-2010	517.151	-
	Workshop Bolivia.....	444.940	-

EU-TACIS, Russia 2008-2010	1.167.495	0
Total expenditures Project & Program	27.381.437	23.272.905

Balance Sheet 31 December 2009 (DKK)

note	Assets	2009	2008
	Fixed Assets		
	Deposits	25.034	19.212
	Shares, Sydbank	3.229	3.229
	Total Fixed Assets.....	28.263	22.441
	Current Assets – Outstanding Accounts		
	Outstanding amounts from subscription sales, etc.....	3.366	7.393
	Account between IWGIA and the IPR Fund	27.437	
	“Account between IWGIA and the Human Rights Fund”	728.057	88.613
	Other amounts outstanding	46.339	23.938
	Total Outstanding Accounts	805.198	119.944
9	Liquid Assets		
	Liquid assets	1.831.747	3.051.587
	Andrew’s Fund.....	835	0
	Total Liquid Assets	1.832.582	3.051.587
	Programs and Projects		
8	Prepaid for projects 2008.....	0	0
	Deposits at project accounts	4.566.398	6.556.450
	Total Programs and Projects.....	4.566.398	6.556.450
	Total Current Assets	7.204.178	9.727.981
	Total Assets.....	7.232.442	9.750.423
	Liabilities		
	Equity Capital		
	Capital account as at January 1, 2009.....	3.398.658	2.913.573
	Carried forward from “Profit and Loss Account”	-142.934	485.084
	Equity Capital as at 31 December 2009	3.255.723	3.398.658
	Debt		
	Account between IWGIA and DANIDA	14.918	84.943
	Accrued expenses.....	411.339	447.046
	Holiday pay	992.610	956.000
	Total Debt	1.418.867	1.487.989
	Activities carried forward to next year.....	2.557.851	4.863.775
	Total Liabilities.....	7.232.442	9.750.422

Notes to the Annual Accounts (DKK)

	2009	2008
Note 1		
Core Funding		
The Danish Ministry of Foreign Affairs, DANIDA	2.560.000	2.510.000
The Norwegian Ministry of Foreign Affairs, NORAD	2.140.656	2.215.440
The Swedish Ministry of Foreign Affairs, SIDA	0	1.256.644
Total Core Funding	4.700.656	5.982.084
Note 2		
Other Receipts		
National numbers game subsidies (Lotto)	0	71.038
Subscriptions and sale to non-subscribers	177.577	105.182
Private contributions (Membership fee)	46.690	42.098
Miscellaneous receipts	8.558	762
Interest accrued	51.784	102.994
Unspent project funds	12.429	–
Total Other Receipts	297.038	322.074
Note 3		
Special Activities - Projects and Programs		
Board and executive meetings	-81.963	-268.329
Travel: Meetings, Conferences & Visitors	-32.837	-97.526
PR-Activities, Folders, Annual report - fra note 6	-12.734	-57.739
Translation - fra note 6	-49.711	-62.692
Other expenditures Projects and Programs	0	0
Total Special Activities - Projects and Programs	-177.244	-486.287
Note 4		
Publications		
Publication expenditure	-1.635.797	-1.669.150
Covered by projects and Programs	790.000	985.503
Total Publications	-845.797	-683.647
Note 5		
Staff Expenditure		
Salaries and fees	-6.149.603	-6.272.637
Pensions	-902.156	-933.466
Social benefits	-91.785	-87.598
Staff training	-2.330	-37.500
Staff expenditure	-24.058	-41.269
Regulation of holiday payments	-36.610	-208.500
Public refunds	84.567	298.206
Total Staff Expenditure	-7.121.975	-7.282.765
Note 6		
Secretariat Expenditure		
Rent, electricity, heating, water supply etc.	-595.793	-552.556
Office supply, Phone, Phtcopy, books, announcement etc.	-206.760	-262.886
Computer expenditure, programs and maintenance	-210.769	-283.201
Daily postage and distribution	-366.256	-318.872
Equipment and furniture	-16.818	-5.226

Notes to the Annual Accounts (DKK)

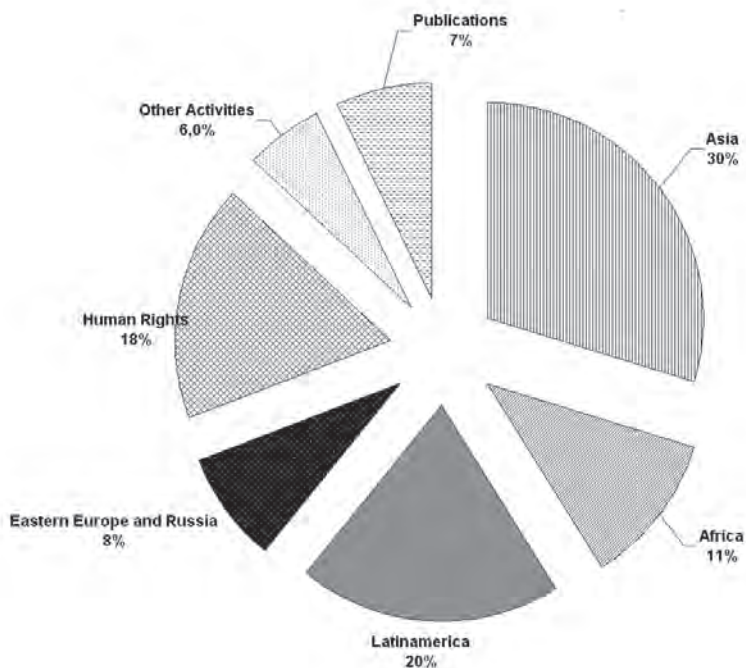
	2009	2008
Bank fees, insurance, membership fees, subscription,	-126.348	-96.874
Audit and accounting assistance	-273.111	-145.989
Total Secretariat Expenditure.....	-1.795.854	-1.665.605

Note 7

Implementation Funds from Projects and Programms

Administration funds	690.042	445.137
Consultant fees, wages, etc.	4.110.199	3.854.093
Total Implementation Funds.....	4.800.241	4.299.230

DISTRIBUTION OF FUNDS ON REGIONS/PROGRAMMES



CHALLENGES AND FUTURE PLANS

Never before have indigenous peoples formally enjoyed so many rights and had so many spaces in the international political system to promote them. And never have indigenous peoples been under so much pressure from national and global economic interest in their lands and natural resources. Time and again states and companies are willing to neglect or violate indigenous peoples' rights in the name of economic development.

It is thus clear that a persistent, and even widening, implementation gap remains between the good intentions frequently expressed in legal frameworks and the effective protection of indigenous peoples' rights on the practical, everyday level. Much more therefore needs to be done to translate international achievements in normative development into concrete and durable changes in policy and practice at the national level.

In the years to come, it will be a major challenge to make politicians and development agencies maintain and increase their support to indigenous peoples and commit themselves to put the many international human rights instruments to good use for the real benefit of indigenous peoples.

With the adoption of the United Nations Declaration on the Rights of Indigenous Peoples and thus the international recognition of indigenous peoples' right to self-determination, indigenous peoples are facing the challenge of demonstrating that this can be achieved without posing a threat to the integrity of nation states. A number of concrete models already exist which can inform and inspire those indigenous peoples whose right to self-determination is still not respected. In the years to come, IWGIA

will explore the possibilities for more intensive work in this field and prioritise initiatives that feed directly into processes of political change. As reported above, IWGIA has already increased its engagement in the Chittagong Hill Tracts and engaged in constitutional processes in Nepal, Kenya and Bolivia. Such work will certainly be consolidated and, as far as possible, expanded in the near future.

It is highly probable that progressive governments open to dialogue with the human rights movement and indigenous organisations will remain in power in many Latin American countries. It is, however, also very likely that there will be attempts to continue the developmentalist model that is challenging the territorial integrity of indigenous communities, particularly in areas of high biodiversity. For this reason, IWGIA is envisaging a new strategy for Latin America in 2010, which will focus even more on supporting indigenous peoples' right to consultation and to free, prior and informed consent and on supporting forums for critical social analysis and dialogue on the implementation of indigenous rights.

Sustaining support for indigenous peoples' engagement in climate change and REDD policy issues at the international level will continue to be a top priority for IWGIA's Environment and Climate Change Programme over the coming years. The challenge remains to strengthen the human rights language throughout the negotiation text, and also to get references put into the Kyoto Protocol. Even simply to defend what has already been achieved is a challenge. Another critical challenge is to ensure that indigenous peoples get to speak for themselves in the negotiations, since

there are many who wish to support their agenda but who sometimes end up doing so by formulating their own political positions on indigenous rights issues. Supporting indigenous peoples' own strong presence in the process is therefore crucial.

Schemes to mitigate climate change such as REDD (Reduced Emissions from Deforestation and Forest Degradation) may, through their support for e.g. the rapid expansion of bio-fuel plantations and the establishment of "carbon protected areas", turn out to be yet another threat to indigenous control over their forests and the continuation of traditional livelihood practices but they may also offer opportunities for strengthening indigenous communities' forest tenure, and for income generation. The challenge facing communities is to critically assess the potential threats and benefits and to take an informed decision. IWGIA will continue and, as far as possible expand, its work at the interface between climate change/REDD, land rights and territorial management.

Access and rights to land and natural resources are the most fundamental issue for indigenous peoples in terms of ensuring their survival as distinct peoples, and are the basis for achieving all other rights. Support to indigenous peoples whose territorial integrity is under threat thus remains a top priority, not least for peoples living in voluntary isolation or initial contact in Latin America and vulnerable groups of (former) hunter-gatherers in Asia, who are facing physical and cultural extinction, plus the many indigenous peoples in Africa, where there are few, comparatively small and weak, indigenous organisations, and only a few national networks or umbrella organisations to defend their rights.

Indigenous peoples' struggle for recognition of their rights to land and re-

sources increasingly takes the form of legal rights battles invoking both national and international laws. This requires different kinds of knowledge and skills that cannot be obtained from within their own communities or societies. IWGIA envisages addressing these changing needs through organisational strengthening, leadership training, legal assistance and human rights monitoring and combining this with efforts to publicise and lobby for indigenous demands by means of, for example, human rights Reports and audiovisual materials.

Communication of their demands is a top priority for most indigenous organisations. IWGIA will continue to strengthen this area of work, through the training of indigenous communicators and support to the production of indigenous web pages, radio programmes and audiovisual materials. In Latin America, this line of work is closely linked to support to indigenous youth. IWGIA intends to continue in this direction, paying particular attention to increasing the involvement of indigenous women and using communications training as way of reaching out to the increasing numbers of indigenous peoples now living in cities due to forced evictions, violent conflicts, climate change and the need for education and access to state institutions.

Analysis, systematisation and distribution of information on indigenous peoples remains a priority for IWGIA. Publications continue to be important advocacy tools for IWGIA and its partner organisations. In light of the decreasing opportunities for obtaining earmarked funding for documentation and publications, it remains a challenge to integrate such work into new and existing projects while at the same time enhancing fundraising and cutting down on

production costs by increasingly publishing in the regions.

IWGIA will maintain its strong commitment to ensuring that indigenous peoples participate in and continue to play a key role in the regional and global dialogues that will determine concrete and constructive actions likely to make a real difference to their lives, such as those taking place at the UN Permanent Forum on Indigenous Issues, the UN Human Rights Council, the Expert Mechanism of Indigenous Rights and the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people.

IWGIA will continue to give particular priority to building the capacity of indigenous peoples to systematize and document their human rights situation in order to be able use relevant international human rights mechanisms such as, for example, the UN Human Rights Council's Universal Periodic Reviews.

IWGIA will pay special attention to supporting the mandates and work of the UN mechanisms dealing with indigenous peoples' rights; fostering the development and implementation of their recommendations; and helping to bridge the gap between the UN mechanisms dealing with indigenous peoples' rights and other relevant UN bodies and the regional human rights systems within the OAS, ASEAN and AU.

One major achievement in Africa with regard to indigenous peoples' rights is the fact that the African Commission on Human and Peoples' Rights, under the African Union, has officially recog-

nized the existence of indigenous peoples in Africa. It has developed policy guidance and jurisprudence for the promotion and protection of indigenous peoples' rights and is pursuing information gathering on violations of indigenous peoples' rights and awareness creation and dialogue with African states. IWGIA has been instrumental in facilitating this process and plans to continue its support in order to consolidate the ACHPR as the main regional platform for indigenous peoples' rights and in order to facilitate processes whereby different stakeholders can make use of this platform to promote and protect indigenous peoples' rights at national level.

On an organisational level, IWGIA will increase its efforts to strengthen the leadership functions of the Secretariat and to strengthen its capacity for fundraising. It is a huge challenge to secure continued funding for indigenous peoples' organisations and advocacy work on indigenous issues. Given that IWGIA has limited financial resources, it is necessary to focus on strategic lobbying and advocacy aimed at key institutions and to focus the project work on a selected number of countries in order to make an impact. However, if more financial and human resources become available, IWGIA will be in a position to considerably expand its collaboration and reach out to more indigenous peoples' organisations, extend its geographical coverage and intensify its capacity-building efforts based on a solid knowledge of the issues and its extensive network of indigenous peoples' organisations. ○

**INTERNATIONAL WORK
GROUP FOR INDIGENOUS AFFAIRS**

Classensgade 11 E, DK-2100

Copenhagen, Denmark

Tel: (+45) 35 27 05 00 – Fax: (+45) 35 27 05 07

E-mail: iwgia@iwgia.org – Web: www.iwgia.org