

INDIGENOUS PEOPLES MAJOR GROUP SUBMISSION FOR THE ZERO DRAFT OF THE OUTCOME DOCUMENT OF THE UNCSD/RIO + 20¹

Co-organizing Partners for the Indigenous Peoples Major Group: Tebtebba (Indigenous Peoples' International Centre for Policy Research and Education), Indigenous Environmental Network (IEN) and Indigenous Information Network (IIN)

1. Representatives of Indigenous Peoples' communities, organizations and networks from Latin America and the Caribbean, Asia, Africa and North America, gathered together in a Global Preparatory Meeting of Indigenous Peoples on Rio+20 and Kari-Oca 2 last August 22-24, 2011 in Manaus, Amazonia, Brazil. The key objective of this process was to discuss and agree on how Indigenous Peoples will engage and contribute effectively in the preparatory processes and the conference proper of the UN Conference on Sustainable Development/Rio+20. The participants united on the "Manaus Declaration: Indigenous Peoples In Route To The Rio + 20 Conference" and most of the conclusions and recommendations from this are integrated in this submission.

2. At the Earth Summit in Rio de Janeiro in 1992, we, the global Indigenous Peoples' caucus, agreed on the "Karioca Declaration of Indigenous Peoples". The official outcomes of Rio 92 include the Rio Declaration and Agenda 21 which recognized the vital role of Indigenous Peoples in sustainable development and identified Indigenous Peoples as one of the 9 Major Groups. During the World Summit on Sustainable Development (2002) in Johannesburg, South Africa, we gathered again and came up with the Kimberley Declaration and the Indigenous Peoples' Plan of Implementation for Sustainable Development. We used this Plan as the framework in our work around sustainable development up to the present. In Johannesburg, more than 100 Heads of States recognized the "vital role of Indigenous peoples in sustainable development." It was the first time that a High Level UN Summit used the phrase "indigenous peoples" in its Outcome Document. This helped us get the phrase "indigenous peoples" to be used by the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) which was adopted by the UNGA in 2007.

3. Twenty years after Rio 92, the Global Indigenous Peoples' Caucus would like to present these 5 key messages which hopefully will be included in the Zero Draft and the Final Outcome Document of the UN Conference on Sustainable Development.

¹ This report was consolidated by the Indigenous Peoples Major Group, primarily based on the Manaus Declaration, Conclusions and Recommendations: Global Preparatory Meeting of Indigenous Peoples on Rio+20 and Kari-Oca 2 held last August 22-24, 2011 at Manaus, Amazonia, Brazil; and other Indigenous Peoples' regional submissions.

1st Key Message:

The UN Declaration on the Rights of Indigenous Peoples should be a key international standard and framework for the realization of sustainable development.

4. Almost twenty years have passed since Rio 1992 where the States and Peoples of the world made a firm commitment to the implementation of a new vision for Sustainable Development. However, twenty years later, Indigenous Peoples see that little has changed regarding the fundamental relationship between human societies and the natural world. The ecosystems, biodiversity, as well as Indigenous Peoples who depend on them, are ever more threatened and endangered. Our basic individual and collective human rights, are violated on a daily basis. In the absence of a true implementation of sustainable development and respect for human rights, the world now confronts a multiple crises. These include, the ecological, economic, social, political and cultural crises. These are manifested in climatic change; biodiversity erosion; desertification; deglaciation; food, water and energy shortage; a worsening global economic recession; social instability and unresolved conflicts and a crisis of values.

5. The UN Declaration on the Rights of Indigenous Peoples (UNDRIP) has been adopted by the UN General Assembly after Rio and Johannesburg. **Thus, our first key message is for the Outcome Document of Rio Plus 20 to acknowledge that the UNDRIP should be a key international standard and framework for the global, regional and national implementation of sustainable development, biodiversity conservation and sustainable use and climate change mitigation and adaptation.** The Declaration provides a framework for the full and effective participation of Indigenous Peoples in all stages of the Rio + 20 process. It contains 6 Articles on free, prior and informed consent (FPIC) including the need to obtain this before any development project is brought to indigenous peoples' territories. FPIC is the standard to be applied in the development process affecting indigenous peoples.

6. The Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits (2010) which was adopted at the 10th COP of the Convention on Biological Diversity and the Cancun Agreements (2010) of the 16th Conference of Parties of the UN Framework Convention on Climate Change have noted the adoption of the UNDRIP. Other UN Treaty Bodies like the Committee on the Rights of the Child (CRC) and the Committee on the Elimination of Racial Discrimination (CERD) referred to the UNDRIP in some of their General Comments. Judgements and decisions of some Supreme Courts (e.g. Belize, Brazil, etc.) and other intergovernmental Bodies (Inter-American Commission on Human Rights) on cases filed by Indigenous Peoples, invoked the UNDRIP to make favourable judgements for the plaintiffs.

7. It is clear that the UNDRIP has evolved to be the minimum international standard which should ensure the dignity and survival of indigenous peoples. The effective implementation of the UNDRIP by UN member-states, by the UN bodies, agencies, programmes and funds, by other multilateral bodies and non-state actors including, us,

indigenous peoples; civil society; and business is crucial to make sustainable development a reality. The human-rights based approach to sustainable development should be affirmed and integrated in the outcome document of Rio + 20.

2nd Key Message:

The cultural pillar should be included as the 4th pillar of sustainable development

8. Indigenous Peoples continue to challenge the development model based on resource extraction, exploitation and market-based models, which fails to recognize that we human beings are an integral part of the natural world, and also fails to respect human rights, including the inherent rights of Indigenous Peoples. We challenge this development model which continues to destroy Mother Earth, putting at risk the survival of the entire human family. We believe that our worldviews and respect for natural law, our spiritualities and cultures and our values of reciprocity, harmony with nature, solidarity, collectivity, and caring and sharing are crucial in bringing about a more just, equitable and sustainable world.

9. **Our 2nd key message is that Rio + 20 must usher in, with a sense of urgency a 4th pillar of sustainable development, which is the Cultural Pillar – the ethical and moral values needed to nurture and care for the Earth.** This cultural pillar encompasses the broad cultural and spiritual traditions of humanity, reborn in 21st century values which are addressing contemporary problems. Culture which includes, spirituality, is the missing 4th pillar of sustainable development. Rio+20 must engender a deep love and moral responsibility towards Mother Earth and her intrinsic life-giving values, transcending instrumental conceptions of ecosystem services for human well-being, towards a reverence for the sacredness of life.

10. Sustainable development is social and cultural as well as economic and environmental. We, Indigenous Peoples, will maintain the right to define and freely pursue our own vision of development based on our needs, priorities, traditional understandings and responsibilities, including the cultural and spiritual relationships with the natural world, our ancestral territories and the ecosystems that have sustained us since time immemorial. We also affirm our sacred responsibility to defend the lives and survival of future generations of our Peoples.

3rd Key Message:

Protection and respect for the rights to Indigenous Peoples' to their lands, territories and resources is a precondition for sustainable development.

11. The past twenty years have seen the further entrenchment of deep inequalities and structural imbalances in the macro-economy, including the plunder of indigenous peoples' lands, territories and resources to serve global trade and markets and corporate profit. A prerequisite for promoting diverse local economies, is the security of lands, territories and resources of Indigenous Peoples, which are their basic sources of our wealth, well-being, cultures and identities. Based on government maps and community participatory mapping, there is a stark overlap of key biodiversity hotspots and forests within Indigenous Peoples' territories, which strongly proves that the remaining

conserved biodiversity hotspots and forests are the ones traditionally and sustainably managed for hundreds of years by Indigenous Peoples all over the world. **Our 3rd key message, is that without the protection and respect for the rights of Indigenous Peoples to their lands, territories and resources, sustainable development cannot be realized.**

12. Resource extractive industries – oil, gas and mining, as well as, logging and export-oriented forestry and chemical-based industrial agriculture – not only lead to the unjust appropriation of Indigenous Peoples’ lands, territories and resources but also the transfer wealth away from Indigenous Peoples, while degrading ecosystems and creating poverty. The violation of our rights to our ancestral lands, territories and resources is one of the main causes of our impoverishment and the non-realization of sustainable development. Beyond income, Indigenous Peoples need secured tenure over their lands, territories and resources, and the enjoyment of all their human rights. Policies and plans on sustainable development must address the underlying causes of poverty and not merely its alleviation.

13. As reiterated in the Manaus Declaration, mining is an activity that produces large amounts of environmental contamination, including greenhouse gasses, and is vastly destructive to natural ecosystems, health and the water and food sources upon which Indigenous Peoples and other communities depend. Therefore, Indigenous Peoples call for a moratorium on mining in fragile and culturally important ecosystems such as forests, deserts, water sources, sacred sites, in fragile Arctic and high mountain ecosystems and in or near the traditional lands or territories of Indigenous Peoples, who have not given their free prior and informed consent.

14. There should be no expansion of extractive industries on Indigenous Peoples lands and territories. There should be no landgrabbing with forced displacement of Indigenous Peoples as a result of industrial agriculture and large-scale production of biofuels and other mitigation measures to combat climate change, such as mega hydro-electric dams. Unsustainable development entrenches global and national inequalities, and leads to further impoverishment of the poor. Mining development creates enclaves of unsustainable production and consumption and this is the glaring example of how gross inequalities and impoverishment among indigenous peoples, who host such wealth in their territories, are created.

15. The legal protection of the rights of Indigenous Peoples to land, territories, resources and traditional knowledge should be a prerequisite for development and planning for any and all types of adaptation and mitigation to climate change, environmental conservation (including the creation of “protected areas”), the sustainable use of biodiversity and measures to combat desertification. In all instances there must be free, prior and informed consent of Indigenous Peoples, and therefore, we encourage States to take steps in this direction.

4th Key Message:

Recognition of the distinct and crucial contribution of traditional knowledge and diverse local economies to poverty eradication and sustainable development and as the cornerstones of green economies

16. It is without any doubt that Indigenous Peoples have something to offer in the 21st century solutions for survival, and have an important and even central role to play in addressing the problems of poverty eradication, biodiversity loss and climate change within a context of sustainable development. The traditional knowledge, innovations and practices of Indigenous Peoples has ensured the preservation and protection of several ecosystems. Empirical data will show that most of the last remaining ecosystems in the world today which are not fully degraded are found in indigenous peoples' territories. These ecosystems include forests and woodlands; wetlands; drylands; marine and coastal; mountain and polar; inland waters; and islands, are found in indigenous peoples territories. Indigenous Peoples' traditional knowledge and values of reciprocity, harmony with nature, etc; their customary sustainable use and management of resources, and their resistance against the wanton exploitation and plunder of their territories are the key factors which ensured this.

“Biodiversity is a clinical, technical term for this intricate inter-weaving of life that sustains us. We, indigenous peoples, say that we are related to this life; thus your “resources” are our relations. It is all in how you look at it.”

“Indigenous Peoples have something to offer in this equation for survival. We have the perspective of time. Living in one place for thousands of years has given us an understanding of the complexities of life forces. Our languages are libraries of knowledge that may contain keys to survival, and I use that word advisedly. One of our Elders said a long time ago that there will come a time when we will cease to live and begin to exist. For the sake of life and our grandchildren, we cannot let that happen in our generation. We have common goals and responsibilities, and I say that you, the leaders of this great hope of the world's people, the United Nations, should be working with us and not against us, for peace. We submit to you that as long as you make war against Etenoha (Mother Earth), there can never be peace.”

Chief Oren Lyons, Faithkeeper, Onondaga and Seneca Nations, Iroquois Confederacy

17. Diverse local economies and livelihoods such as those found in indigenous peoples' territories, which primarily serve local needs and which are underpinned by traditional knowledge are cornerstones of a green economy. Such local economies are examples of green economies which are integrated within social-ecological production landscapes and systems, promote local livelihoods, ecosystem resilience and community solidarity. For the longest part of human history and development, local economies have provided these multiple values, beyond the generation of profit. Indigenous Peoples' diverse local economies, and self-determined development are critical components of resilient economies and ecosystems. **Our 4th key message is that Indigenous Peoples' traditional knowledge and values are distinct and special contributions to 21st century global transformation and this knowledge together with their diverse local economies are the cornerstones of green economies.**

The Dayak People of West Kalimantan in Indonesia practice a community-based integrated natural resource management called the *dahas*. This local wisdom of protecting and conserving nature and resources has sustained them long before the state of Indonesia.² This concept shows how they settle within the area and conduct agricultural activities that are integrated with other economic activities taking account their spiritual relationship with the forest and resources.

The diverse ways by which the *Loitan Maasai* describe the forest show a relationship that is linked to livelihoods and important community traditions and practices. They have developed traditional forest management practices that ensure the sustainability of this important resource. These are reflected in community-adhered to guidelines that prevent livestock grazing during the rainy season, the identification by elders of segregated watering points for various purposes (e.g. for domestic harvesting and for livestock), and the selective utilization of types of trees and other plants. Furthermore, the presence of sacred sites inside the forest has served to regulate the utilization of this resource and its other products.³

In Nicaragua, the way *Miskitu* people of Kuakuail II community possess a great deal of knowledge about the resources in the forest, and such knowledge is reflected on how they categorize the forest. In *Miskitu* language, there are three words related to the concept of forest based on its characteristics and use: *Unta*, *Unta Alal*, and *Dus Ailal*. These concepts serve to guide the community's management of the forest and the resources found within.⁴

The Amerindians in Guyana have mixed livelihoods involving subsistence and cash-earning activities at present. Customary systems of rotational farming coupled with hunting, fishing and gathering support food security and form the core of traditional ways of life among the Arawak, Carib, Wapichan, Makushi, Patamona, Akawaio, Arekuna, Warau and Wai Wai peoples. As well as providing the staple crop, bitter cassava, ground provisions, fruits and other foods, traditional multi-cropping supplies families with cultivated spices, fibres, dyes, medicines and ritual crops like tobacco. In addition to providing vital crops, traditional farming grounds are an important cultural space for transmission of ancestral knowledge and skills. Subsistence farming, hunting, fishing and gathering activities in the hinterland are often underpinned by extensive tenure and customary land use systems along with traditions of sharing, reciprocity and self-help work parties that support indigenous food and livelihood security.⁵

18. Sustainable development requires government policies and regulations which recognize and reinforce traditional knowledge and which protect local economies and the prior rights of indigenous peoples and local communities from predatory investments. Public policy must prioritise support for building resilient local economies and ecosystems and the self-development efforts of Indigenous Peoples. Indigenous Peoples population is estimated at 370 million. They constitute around 5 percent of the total world

² Case Study report by Institut Dayakologi (ID) and AMAN in cooperation with Tebtebba (2010).

³ Alanguí, W. *Indigenous Peoples' Traditional Forest Management as Means for CC Adaptation and Mitigation* (2011).

⁴ Ibid.

⁵ Griffiths, T. and Anselmo, L. *IPs and Sustainable Livelihoods in Guyana: an overview of potential experiences and potential opportunities* (2010). Accessed from <http://www.forestpeoples.org/sites/fpp/files/publication/2010/08/guyanaiplivelihoodsjun10eng.pdf> on 29 October 2011.

population but it is estimated that they make up 15 percent of the world's poor.⁶ The renewed political commitment to sustainable development, must be targetted at the poor. Good governance to meet the needs of the poor, implies inclusive development, and respect for human rights, as the means and outcome of the development process.

5th Key Message:

The Green Economy should support the indigenous peoples' holistic framework to sustainable self-determined development which integrates approaches which are human-rights based, ecosystem or territorial-based knowledge-based , intercultural and gender-sensitive.

19. The proposal of a “green economy” which is a theme for discussion at Rio +20, has not been clearly defined, and Indigenous Peoples are concerned that it will be used by States and corporations to continue the same destructive and exploitative economic growth development model that caused the current global economic, environmental and climate crisis. **Indigenous Peoples call on Rio +20 to support their holistic framework and strategy for sustainable development which integrates principles and approaches which are human-rights based, ecosystem or territorial-based, knowledge-based, intercultural and gender-sensitive. This is our 5th key message.** This holistic framework should be integrate the indicators of well-being and sustainability which are defined by Indigenous Peoples should promote sufficiency economy principles and approaches.

20. We further recommend that current “Green Economy” proposals be drafted, to emphasize, among others, the following elements: conservation and reduction in resource consumption levels, especially in highly industrialized counties; the importance of decentralized development projects that respect self-determination and traditional knowledge and support and restore local economies and food systems. The green economy should support decentralized locally-controlled renewable energy programmes and projects and a rapid phase-out of all fossil fuels production and use and; respect for and incorporation of Indigenous Peoples' vision of development based on harmony between human societies and nature. Finally, we recommend that all “Green Economy” programs and projects must first and foremost include Indigenous Peoples' full participation in all stages from design, implementation, monitoring and evaluation. Their free, prior and informed consent should be obtained as well.

24. Indigenous peoples call on the UN to ensure the full, formal and effective participation of Indigenous Peoples in all processes and activities of the Rio+20 Conference, and its preparatory and follow-up mechanisms. We recommend that there be further and continuing debate, with the full participation and engagement of Indigenous Peoples, regarding the development of new or the strengthening of existing institutional frameworks on sustainable development. Any further developments of institutional frameworks should include and recognize the important contributions of Indigenous Peoples based on their traditional knowledge and practices, as well as the key role of the

⁶ State of the World's Indigenous Peoples. 2009. United Nations, New York.

UN Permanent Forum, the Expert Mechanism on the Rights of Indigenous Peoples and the Special Rapporteur on the Rights of Indigenous Peoples. We recommend the creation of formal mechanisms that ensure the participation of Indigenous Peoples in general. In addition, there should be adequate resources provided to ensure the full and effective participation of Indigenous Peoples in any the new or enhanced institutional framework.

28. Further, we recommend that the traditional knowledge being used by Indigenous women regarding methods of adaption and mitigation must be respected, promoted and strengthened; and that their roles as leaders and actors in all levels of discussion and decision making regarding sustainable development and well-being for Indigenous Peoples be respected. We further recommend the recognition of the vital contributions and the vision of the future presented by Indigenous youth, as those who will experience the long-term results of the decisions being made at the Rio + 20 World Conference. We stress the importance of including Indigenous and other youth in all stages of the planning and implementation, as well as in designing the final outcomes, of Rio + 20.

29. Finally, the proposal to upgrade the UN Commission on Sustainable Development to a new Council, similar to the Human Rights Council, may elevate discussions on sustainability within the UN system. However, it could also have the potential to reduce the space for Indigenous Peoples and other stakeholders to participate and be part of any negotiation process. The experience with the recent creation of the Human Rights Council, from the former Commission on Human Rights, confirms the potential for reduced opportunities for participation. This is an issue that requires further discussion and analysis particularly in relation to the development of guiding principles, taking into consideration the UN Declaration on the Rights of Indigenous Peoples, current Indigenous-related UN mechanisms, as well as the role of self-governing bodies and autonomies within Indigenous territories.

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