Bangkok, 08 October —Over 100 indigenous peoples representatives from Asia, Africa, Latin America, Pacific, and North America are in Bangkok to ensure that our rights, as enshrined in the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) and international human rights instruments, are recognized and respected in the current negotiations leading to Copenhagen. We have been actively meeting with parties to discuss and share with them our perspectives and positions on climate change.

The current negotiating text (Non-Paper 18) on REDD + (Reducing Emissions from Deforestation and forest Degradation and the role of conservation, sustainable management of forests and enhancement of carbon stocks) states in paragraph 4 (e) that:

“In accordance with relevant international agreements [, such as the United Nations Declaration on the Rights of Indigenous Peoples,] and taking into account national circumstances and legislation, ensure respect for the knowledge and rights of indigenous peoples and members of local communities and promote the full and effective participation [, including full prior and informed consent,] of all relevant stakeholders.....”

The proposed language is still weak from the perspective of indigenous peoples. It has still placed in brackets, references to UNDRIP and full prior and informed consent. This text has not distinguished between rightsholders and stakeholders.

In majority of the countries, there are no laws recognizing indigenous peoples. Or if there are any, their rights are not fully recognized and are often in conflict and compromised by existing national laws and policies.

We appeal to the Parties that indigenous peoples’ rights must not be subjected to language that limits the full recognition and respect of our rights. Most countries, including those 144 countries who voted for the adoption by the UN General Assembly of the UN Declaration on the Rights of Indigenous Peoples in 2007,
do not have existing national legislation on indigenous peoples’ rights. Thus, it is crucial that the UNDRIP remains recognized as the minimum international standard for the survival, protection and well-being of indigenous peoples and remain as a framework for the UNFCCC. Furthermore, existing national policies, such as those on forests, do not recognize that indigenous peoples have the right to control, own and manage their forests.

On the Kyoto Protocol and the UNFCCC, we are dismayed by positions and maneuvers of Annex 1 countries to kill the Kyoto Protocol and amend the convention.

The Kyoto Protocol contains the legally-binding commitments of Annex 1 countries which should be enhanced in the 2nd Commitment Period. What we are seeing now is that Annex 1 countries want to get away from their commitments and pass the burden of mitigation to developing countries and to vulnerable nations and peoples, like indigenous peoples. We decry these attempts to undermine the Bali Action Plan, the UNFCCC and the Kyoto Protocol which are the legal basis for everything being negotiated.

Rather than killing the Kyoto Protocol, Annex 1 countries must commit to make deep emission cuts to at least 45% for the 2nd Commitment Period beyond 2012. Annex 1 Parties must also fulfill their current Kyoto Protocol commitments to cut down their GHG emissions domestically by 2012, which they have hardly fulfilled in the first place.

Indigenous peoples must not bear the costs of mitigating climate change. They have for centuries lived low-carbon, sustainable livelihoods and lifestyles and are now disproportionately bearing the worst impacts of climate change.

We further call on Annex 1 countries to provide the needed financial and technological support to the developing countries to be able to mitigate and adapt to climate change. Rhetorics must now immediately be replaced by actual commitments to make the needed financial commitments and ensure that technological support is given to developing countries. We further add that this financial and technological support should not just go to States but also directly to indigenous peoples who, without much support from the international community, are doing their own mitigation and adaptation measures using their traditional knowledge, innovations and practices.

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