

Declaration of the Indigenous Peoples Attending COP 10, UNFCCC

Buenos Aires, Argentina, December 6 – 17, 2004

We, the Indigenous Peoples attending the UNFCCC 10th session of the Conference of the Parties (COP10), have united today in the ancestral territory of the Argentinean Indigenous tribal peoples. As Indigenous peoples, globally, of the South and North, we make the following statements.

1. We recognize the great strides accomplished during the past 10 years by the United Nations Framework Convention on Climate Change that entered into force in March 1994. The accomplishments and challenges in the global fight against climate change is reported in the UNFCCC secretariat publication, "The First Ten Years".
2. We acknowledge within the secretariat publication in Chapter 7, the commitment by the UNFCCC to include NGOs and public participation. Chapter 7 mentions Agenda 21 action plan of the United Nations Conference on Environment and Development emphasized the need for widespread public participation and the UNFCCC reiterates this in Article 4, calling on all parties to cooperate in the education, training and awareness raising that would help people assess the issues and participate full in decision making – whether through governments, community organizations or NGOs.
3. Article 6 of the Convention expands upon this by calling on all Parties to promote and facilitate these activities at the national, regional, and sub-regional levels and, where appropriate, through relevant international bodies. In 2002 the Conference of the Parties, in setting out the work program on Article 6, called for the widest possible participation in climate change negotiations and greater involvement of youth.
4. We acknowledge that Indigenous peoples have formally participated within the UNFCCC COP and its bodies since 1998 and acknowledge all previous Indigenous peoples declarations related to the COP and Subsidiary Bodies.
5. We reaffirm previous Indigenous declarations submitted to the UNFCCC Parties of the Convention calling for the creation of an Intersessional Ad hoc Working Group on Indigenous Peoples and Climate Change.
6. We reaffirm the need for the creation of this Working Group would provide the necessary mechanism to insure for the full and effective participation of Indigenous peoples in the UNFCCC and would further ensure the necessary funding for effective participation and strengthen its capacity.
7. For many years we have presented our voice to be given a space for full, direct and active participation within the official discussions of the COP Indigenous peoples have a lot to contribute and discuss with the Parties of the Convention and to our human brothers and sisters of the world before the climate related natural disasters become irreversible. All of this needs to be done with our full, informed and prior consent.

8. We are disappointed that neither approval nor response has come from the UNFCCC or the Secretariat on our request for the creation of this Working Group.

9. We reaffirm the vulnerability of our Indigenous Peoples to the impacts of climate change to our way of life, cultural practices, our sacred places and our already shrunken lands and territories. The ecosystems of the earth have been compounding in change. We are in crisis. We are in an accelerating spiral of climate change increasingly getting worse due to the conditions that industry, multinationals and governments impose upon our communities and the world.

10. As observers to the COP 10, we are hearing from the states the same old arguments being discussed on how to alleviate and mitigate the climate disasters that affect all humanity. These arguments do not address the mounting costs of adapting to climate changes within our Indigenous communities, exemplified by the Indigenous peoples of the Arctic region whose lands are literally melting before their eyes.

11. We consider this planet our Mother Earth where all humanity is born and nurtured. It is time that we looked to each other and that we listen to each other, recognizing and valuing the cultural and human qualities within each of us. Because all of this, we ask for an immediate answer to the following:

a. Why our previous requests to for the creation of an Intersessional Ad hoc Working Group on Indigenous Peoples and Climate Change that would provide a mechanism for us to actively participate in the UNFCCC were not listened to, are we not part of this planet?

b. Will this request be taken into account at this meeting or the next meeting of the COP?
Let it be acknowledged:

12. Agenda 21, Chapter 26, recognizes Indigenous People as a major group with the right to participate at all national and international policy and implementation meetings on sustainable development.

13. Nation states signed declarations, treaties and conventions, like the ILO Convention 169 making provisions for Indigenous peoples. At the same time the United Nation Human Rights Commission, Intergovernmental Forum, Convention on Biological Diversity, other UN systems and protocols, recognize our fundamental rights and the important role that the indigenous people play in nature conservation are on the increase.

14. Recognize Part V, Article 19 and Article 20 of the Draft Declaration on the Rights of Indigenous Populations that reads as follows:

Article 19

Indigenous peoples have the right to participate fully, if they so choose, at all levels of decision-making in matters which may affect their rights, lives and destinies through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions.

Article 20

Indigenous peoples have the right to participate fully, if they choose so, through

procedures determined by them, in devising legislative or administrative measures that may affect them.

States shall obtain the free and informed consent of the peoples concerned before adopting and implementing such measures.

We also recommend the following:

We request the urgent need to continue to raise awareness about the impact of climate change and approaches of climate mitigation and adaptation measures on Indigenous peoples and request a High-Level Segment on "Indigenous Peoples and Climate Change" be held during the 11th session of the Conference of the Parties. Panelists on this High-Level Segment shall include representatives of the UN Permanent Forum on Indigenous Issues. We thank those Countries, which are recognized for their clarity of vision, equanimity and ethics on these issues, who have supported the position that historically our Peoples have, and we ask that they support this position.