



**United
Nations**

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Addressee: Member States, State-owned corporations

Paragraph #62 Session #7 (2008)

Full Text

The Permanent Forum urges States and State-owned corporations to consult and cooperate in good faith with the indigenous peoples concerned in order to obtain their free, prior and informed consent before the approval of any policies, plans and projects affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of minerals, water and other resources, in accordance with the United Nations Declaration on the Rights of Indigenous Peoples.

Comments

The Government of Mexico reports: 10. Pursuant to the National Commission for the Development of Indigenous Peoples Act, the Commission's Consultative Council was established. This collegiate and plural body is intended to provide a framework for the initiation of a constructive and inclusive dialogue with indigenous peoples and society. It comprises 198 councillors, namely 140 members of the indigenous peoples of Mexico, 7 councillors representing national academic and research institutions, 12 councillors representing social organizations, 7 councillors who are presiding officers of the Indigenous Affairs Commissions of both chambers of the Congress of the Union and 32 councillors representing the state governments; 11. The Indigenous Consultation System of CDI is a means of recording, systematizing, disseminating and bringing together the opinions, suggestions and recommendations of indigenous peoples and

communities with respect to government activities. The system is based on the principles of diversity, equity, permanence, transparency, good faith, effective representation and respect for indigenous cultures and identities. Consultations are carried out using a participatory methodology that involves posing challenging questions on the specific themes dealt with by each consultation, and encouraging the free expression of the indigenous peoples and communities at forums and workshops, colloquiums, etc., while seeking the participation of their traditional institutions and representative authorities.

The Government of the Republic of Burundi reports:11. The Ministry has a focal point who works with the Agriculture Rehabilitation Sustainable Land Management Supplement Project in the context of the pilot action plan for Batwa development. This project has the goal of conducting a participatory analysis of the Batwa community's needs in the target provinces (Muramvya, Ngozi and Bururi, at present) and raising community awareness in order to contribute to the preparation of socio-economic development activities planned for the period 2009-2010.

12. The Ministry also provides seeds to Batwa households requesting them. A microcredit system has been tested and vulnerable Batwa individuals have been beneficiaries.

The Government of Namibia reports: The Government of Namibia just recently signed the United Nations Declaration on the Rights of Indigenous Peoples and is looking forward to suggestions from and constructive dialogue with the United Nations Permanent Forum on Indigenous Issues to promote respect for and full application of the provisions of the Declaration

The Government of Honduras reports: 3. In all its actions following Honduras' ratification of ILO Convention No. 169, the Government of Honduras has engaged in a process of free, prior and informed consultation with the indigenous peoples of Honduras. Specifically, the concepts of inclusion and gender equity have been mainstreamed in the projects and programmes that directly benefit indigenous peoples. The two most recent contributions to the development of a national policy on indigenous peoples, namely a draft special act on the comprehensive development of indigenous and Afro- Honduran peoples and the Strategy for the Comprehensive Development of the Indigenous Peoples of Honduras, are tangible evidence of these efforts.

8. The Programme for the Comprehensive Development of Indigenous Peoples

(DIPA) (1689/SF-HO) offers assistance to Government agencies through its institutional strengthening component in order to meet the needs of indigenous peoples in a culturally relevant manner

The Government of Tanzania reports: 6. The Environmental Management Act, *inter alia*, provides for the protection, conservation and preservation of the environment. The Act also provides protection of wetlands, the conservation of biodiversity, the measure of change, etc. Furthermore, it calls for public participation in decision-making issues concerning the environment. Under the Act, an obligation is imposed on developers of projects to undertake an environmental impact assessment.

7. The Government has been working with non-governmental organizations to encourage and build the awareness among minorities of their rights including the right to utilize alternative means of survival, for example, farming instead of hunting. Other measures aim at ensuring that they are accorded equal treatment in the socio-economic development of the country, for example, through the introduction of activities generating economic development for minorities living in controlled areas, such as cultural tourism among the Maasai of the Ngorongoro area

The Government of Bolivia reports: 52. The National Development Plan, entitled “Bolivia: dignity, sovereignty, productivity and democracy for living well”, 2006-2010, sets forth a comprehensive, diversified national development model structured around the concepts of decolonization and interculturalism. 53. For the purpose of “building a new State based on the power of aboriginal peoples and social movements, of civic and community organizations”, the plan sets out the objective of “dismantling colonialism by means of a State that promotes and spearheads productive development in order to develop a State, private and community economy within a multi-ethnic context”. Bolivia refers also to art. 39 of the National Constitution.

The Government of Spain reports on an information session on FPIC and international instruments for Spanish businesses with interests in Latin America, organized by the Indigenous Peoples' Programme of AECID.

The Government of Colombia reports that the Ministry of the Interior and Justice is in charge of consultation processes with ethnic communities. As of 31 December 2008, 39 of these processes had been finalized and 23 were ongoing.

The Government of Nicaragua reports that the government issued a Residential Decree through which a Special Development Regime (Régimen Especial de

Desarrollo) was established for indigenous territories with a view to reducing poverty, improving access to health and education and protecting the environment, with active participation from the communities involved at all stages.

Area of Work

Human rights