



Addressee: Member States

Paragraph #90 Session #7 (2008)

Full Text

The Permanent Forum reiterates its concern about information brought to its attention on continuing violations of human rights of indigenous peoples in various parts of the world, and calls upon all States to fully implement their obligations under the international human rights and humanitarian instruments. The Forum reiterates its call on States to recognize the rights of indigenous peoples constitutionally and legally, to strengthen their institutions for the promotion and protection of the human rights of indigenous peoples and to enhance awareness-raising and capacity-building efforts for government officials.

Comments

The Government of Mexico reports: 13. The Constitution recognizes the rights of indigenous peoples and communities, establishing primarily their rights to self-determination and autonomy; to selfclassification; to be recognized as an indigenous people or community; to apply internal legal systems; to maintain cultural identity; to conserve and improve then habitat and to preserve the integrity of their lands; to be consulted and participate; their right to full access to the justice system; and to development under the responsibility of the three levels of government; 14. To date, 30 federal acts and three federal codes that recognize the rights of indigenous peoples and communities have been amended. Similarly, 22 states have amended their local constitutions in the field of indigenous rights and culture; 17 specific local acts have been introduced for indigenous peoples and

communities; and in the 31 states and the Federal District secondary acts that establish rights of indigenous peoples and communities have been amended; 15. Together with other Federal Public Administration (FPA) agencies, CDI prepared the 2008-2012 National Human Rights Programme, which contains strategies and policies for CDI and the other FPA agencies relating to indigenous affairs.16. The Commission has a policy for the development of the effective enjoyment of rights, which includes the promotion of indigenous rights and is aimed at designing materials which will disseminate and raise awareness of the rights of indigenous peoples in order to build a culture of respect for cultural diversity through participation at working sessions, seminars, diploma courses, workshops, forums, congresses, conventions and training courses, and at preparing audio-visual and printed materials with content relating to indigenous rights; 17. On the basis of the Act establishing CDI, in 2008 the Commission, in coordination with other FPA agencies, conducted awareness promotion and capacity-building campaigns for public servants in the field of indigenous rights, inter alia, to promote:

- (a) Support for specific projects based on the adaptation and use of the conceptual and methodological framework;
- (b) Strengthening of institutional ties and attention to indigenous agendas through the direct transfer of resources; and
- (c) Attention to specific sectors and themes and the training of indigenous human resources in the light of the institutional experience gained.

18. In addition, work is being undertaken with community, civil and agrarian indigenous authorities; with community representatives and leaders, community managers, traditional healers and indigenous migrants, and with youths and children, and priority participation by women in the various capacity-building activities is being promoted.

The Government of Namibia reports:(a) The Republic of Namibia is a signatory to the United Nations Declaration on the Rights of Indigenous Peoples

The Government of Bolivia reports: 26. The Bolivian Government upholds international standards such as the United Nations Declaration on the Rights of Indigenous Peoples, which was adopted in September 2007 at the sixty-second session of the United Nations General Assembly and subsequently approved by the Bolivian legislature and promulgated by President Evo Morales Ayma under Law No. 3760. 27. On 25 January 2009 the authorities held a constitutional referendum in which more than 61 per cent of the votes were in favour of the adoption of the new Constitution, which reflects

the spirit of the Declaration on the Rights of Indigenous Peoples.

50. The Supreme Decree provides that each State ministry is obligated to uphold the value of Bolivia's political, economic, legal, cultural and linguistic pluralism, based on the principles of solidarity, complementarity, reciprocity, inclusion, dignity, equity and equal opportunity, multi-ethnic approaches, transparency, social control, equity and environmental protection.

51. For example, the Office of the Deputy Minister of Justice for indigenous and aboriginal farming peoples has the responsibility and competence to defend and protect the collective rights of indigenous and aboriginal farming nations and peoples by strengthening the justice systems of indigenous and aboriginal farming peoples, overseeing the demarcation, coordination and cooperation between this jurisdiction and ordinary and agro-environmental justice and promoting compliance with international instruments in this area, all in coordination with indigenous and aboriginal farming peoples' organizations.

57. The Government of Bolivia expressed its commitment to indigenous and aboriginal farming peoples' movements by incorporating the United Nations Declaration on the Rights of Indigenous Peoples into the new Constitution promulgated on 7 February 2009. Thus, Bolivia has elevated the obligation to respect the rights of indigenous peoples to constitutional status, thereby becoming the first country in the world to implement this international instrument.

The Government of Tanzania reports: 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 the Democratic Republic of Congo reports

10. The Government of the Democratic Republic of the Congo has ratified the United Nations Declaration on the Rights of Indigenous Peoples and the Constitution has reaffirmed in that regard the attachment of the Democratic Republic of the Congo to human rights and fundamental freedoms such as those proclaimed by the international legal instruments to which it has acceded. 11. Pursuant to article 42 of the Declaration, the Permanent Forum could engage in a constructive dialogue with Member States in order to promote respect for and full application of the provisions of the Declaration by establishing monitoring

mechanisms to reiterate its unequivocal interest in that subject. Such action could only be taken with the indispensable support of the international community.

The Government of Spain supported the IWGIA project "Mobile school of lawyers for indigenous peoples' rights", which seeks to strengthen the capacity of IPO legal teams.

The Government of Colombia has provided a comprehensive listing of its legal and constitutional framework in favour of indigenous peoples. The report also states that Colombia has ratified several key international instruments, including ILO Convention No. 169. Since 2003, there is a government institution that addresses indigenous peoples' human rights, the Comité de Reglamentación y Evaluación de Riesgos para Grupos Étnicos (ETNOCRER).

Area of Work

Human rights