



## Economic and Social Council

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### Permanent Forum on Indigenous Issues

#### Second session

New York, 12-23 May 2003

Item 4 of the provisional agenda\*

#### Mandated areas

### Information received from Governments

#### Ecuador

1. The following observations were compiled and adopted by consensus at the workshops organized by the Ministry of Foreign Affairs and held at the Ministry on 26 and 27 February 2003; participants included representatives of the Government and of civil society through the Development Council for the Nationalities and Peoples of Ecuador (CODENPE), a Government body responsible for policy-making for indigenous peoples, and four Ecuadorian indigenous peoples' organizations: the Confederation of Indigenous Nations of Ecuador (CONAIE), the Confederation of Quichua Nations of Ecuador (ECUARUNARI), the National Federation of Peasant, Indigenous and Black Organizations (FENOCIN) and the Coordinating Committee for Indigenous Peoples' Organizations of the Amazon Basin (COICA). Two other organizations were invited to the workshops but, for compelling reasons, were unable to attend: the Ecuadorian Federation of Evangelical Indians (FEINE) and the Confederation of the Nationalities Indigenous to the Amazon of Ecuador (CONFENIAE).

#### General observations

2. These observations were made during the workshops. While they do not fall within the scope of any specific section of the report on the first session of the Permanent Forum on Indigenous Issues (E/2002/43/Rev.1), they are consistent with the purposes and objectives of this new body.

(a) The Forum should encourage the creation of national indigenous peoples' forums in each country in order to establish a network of closer coordination with the Forum. These national forums would be composed of representatives of the Government and civil society who are working in the area of indigenous peoples' rights;

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\* E/C.19/2003/1.

(b) The United Nations should be requested to clarify the situation of the Working Group on Indigenous Populations following the establishment of the Forum and to explain whether the Working Group will be disbanded, what its current mandate is and what its future mandate will be. All participants in the workshops expressed great concern over this issue; most of them were of the view that the two bodies had different scopes and mandates and that the Working Group should be maintained and should work closely with the Forum by promoting indigenous peoples' greater involvement in its debates and helping them to make best use of their economic and technical resources;

(c) United Nations documents on international instruments and reports concerning indigenous peoples should be more widely disseminated and translated into the six official languages of the Organization in order to increase access to the information contained therein;

(d) The budget of the United Nations Voluntary Fund for Indigenous Populations should be increased so that it can provide funding for increased participation by indigenous peoples' organizations in meetings of the Forum;

(e) The word "people" rather than "population" should be used in all the Forum's activities since the United Nations has decided that it is not contrary to the growing spirit of solidarity with the world's indigenous peoples.

#### **Establishment of the secretariat of the Forum<sup>1</sup>**

3. Ecuador's indigenous organizations support the establishment of the secretariat of the Forum, subject to the criteria of regional representation and the application of a gender perspective in the selection and appointment of the required staff. They stress their concern that its mandate should include the development and implementation of an institutional policy of ongoing communication with and provision of information to indigenous organizations.

#### **Additional meetings of the Forum<sup>2</sup>**

4. We recommend that the informal intersessional meeting of the members of the Forum for five working days prior to its second session for the purposes of strategic planning should be open to the participation of representatives of and observers for indigenous peoples' organizations; this might also apply to the meeting of Forum members in the three working days prior to its second session.

#### **Information-gathering from the United Nations system<sup>3</sup>**

5. It is important for all organizations of the United Nations system to submit reports on their activities relating to indigenous peoples as the United Nations Children's Fund (UNICEF) and the Food and Agriculture Organization of the United Nations (FAO), inter alia, have done. However, it would be desirable for these agencies to include in their reports information on the impact on and coverage for indigenous peoples of their plans, programmes and projects.

6. The Organization of American States (OAS) Special Rapporteur on the rights of indigenous peoples, Mr. Julio Prado Vallejo, might be invited to attend the three-day workshop for international experts (members of the Forum; experts from the programmes, funds and agencies of the United Nations system, indigenous peoples' organizations and the indigenous media network, and the Special Rapporteur on the

situation of human rights and fundamental freedoms of indigenous peoples) with a view to coordination between the international system and the inter-American system.

7. Technical training for indigenous people should include the promotion of agreements between foreign universities and indigenous peoples' organizations for the granting of scholarships and traineeships in the area of foreign language learning, subject to the recipients' commitment to assume related posts in their countries of origin; this would facilitate relations between indigenous peoples' organizations and agencies of the United Nations system, and particularly the Forum; the Inter-agency Support Group for the Forum; and the Working Group on Indigenous Populations.

8. Indigenous peoples' organizations should be able to learn about the results achieved and the progress made during the International Decade of the World's Indigenous People, and the activities of that Decade should be used as a basis for national action on behalf of indigenous peoples through informational workshops which, in the case of Ecuador, could be held within the framework of the National Human Rights Plan.

9. Indigenous peoples' organizations should be made aware not only of international instruments relating to their rights, but also of other United Nations human rights instruments and protection mechanisms.

#### **Communications/interactions with United Nations agencies<sup>4</sup>**

10. Projects designed to improve dissemination of information on the rights of indigenous peoples should be encouraged and spokespersons for indigenous peoples should be involved in such projects throughout the United Nations system.

#### **Additional meetings<sup>5</sup>**

11. Ecuador hopes to host one of the regional consultations of the Forum.

#### **Data collection<sup>6</sup>**

12. Technical and financial assistance should be requested in connection with the proposals made under this heading since Ecuador is in the process of developing social indicators for indigenous peoples.

#### **Report on the state of the world's indigenous peoples<sup>7</sup>**

13. All past studies by agencies of the United Nations system and the inter-American system should be reviewed and incorporated in this report.

#### **Health<sup>8</sup>**

14. These recommendations should include a proposal for preparation of a study on constitutional and legal frameworks which promote or hinder the incorporation of indigenous understanding of the human body, the causes of health and illness and existing practices of treatment of women and men.

15. We recommend that the term "indigenous health systems" should be used in all activities conducted and documents issued by the Forum.

### **Technical seminars<sup>9</sup>**

16. We support the proposal to organize a technical seminar to address the health needs of indigenous women and children and stress that implementation of this proposal should incorporate a human rights and, in particular, a collective rights perspective.

### **Working group on free and prior informed consent and participatory research guidelines<sup>10</sup>**

17. We recognize that this proposal is a response to the concerns expressed by indigenous peoples' organizations at various international forums. We recommend that the consultation process leading to the organization of this working group and to the development of participatory research guidelines should follow all international and regional consultation procedures in order to ensure full discussion with the participation of most indigenous peoples' organizations.

18. We recommend that Mr. Rodolfo Stavenhagen, United Nations Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous peoples, and Mr. Julio Prado Vallejo, OAS Special Rapporteur on the rights of indigenous peoples, should be invited to participate in the working group as expert observers.

### **Human rights<sup>11</sup>**

19. We support all the proposals made under this heading and suggest that they should be coordinated with the United Nations and OAS Special Rapporteurs and with the Working Group on Indigenous Populations. Consideration should also be given to the possibility of involving some of the human rights treaty bodies, such as the Human Rights Committee and the Committee on the Elimination of Racial Discrimination (CERD). The relevant contributions of the United Nations Commission on Human Rights and the Inter-American Commission on Human Rights should also be taken into account.

20. The Government of Ecuador should undertake to adopt the draft United Nations declaration on the rights of indigenous peoples before the end of the decade.

21. The Office of the United Nations High Commissioner for Human Rights should also organize activities with indigenous peoples of the Americas.

### **Economic and social development<sup>12</sup>**

22. States should be requested to strongly support the consultations on the elaboration of a draft optional protocol to the International Covenant on Economic, Social and Cultural Rights.

23. International Labour Organization (ILO) Convention No. 169 should be ratified not only by African and Asian countries, but also by European countries, even those which have no indigenous populations.

24. International organizations such as the World Intellectual Property Organization (WIPO), the World Trade Organization (WTO) and the International Organization for Migration (IOM) should be involved in efforts to achieve the sustainable development of indigenous peoples.

25. The Forum should urge States to augment and streamline their budgets in order to increase social investment, particularly on behalf of indigenous peoples.

#### **Education and culture<sup>13</sup>**

26. The United Nations Educational, Scientific and Cultural Organization (UNESCO) should be urged to provide technical and financial assistance for the application of the Universal Declaration on Cultural Diversity.

27. Wherever possible, the term “bilingual and intercultural education systems” should be used in the meetings held and documents issued by the Forum and gender and intergenerational perspectives should be incorporated into these systems.

28. The Forum should urge States to ensure that indigenous languages are used by other groups of people in their societies and that resources adequate to the achievement of high quality education are allocated.

#### **Environment<sup>14</sup>**

29. We support the organization of a technical workshop designed to promote models for environmental and sustainable development governance. This activity should include consideration of the results and impact of Government policies concerning aerial spraying with chemical and biological agents for the eradication of illicit drug crops in the territories of indigenous peoples. The workshop should also consider the environmental impact of oil exploration and extraction.

30. States should be urged to implement locally the recommendations contained in the Johannesburg Plan of Implementation.

#### **Children and youth<sup>15</sup>**

31. We welcome UNICEF’s organization of a regional meeting on indigenous children in Quito last year; the declaration issued at that meeting could provide input into proposals made by the Forum.

32. Broader consultations should be held on the appointment of a special rapporteur on the situation of indigenous children as an external expert in order to avoid conflicts of scope and mandate with other United Nations thematic mechanisms.

33. Support should be provided for indigenous youth who receive United Nations training in order to share their knowledge with their countries of origin and Governments should hire them as technical support staff in the fields for which they were trained.

#### **Code of conduct for the members of the Forum<sup>16</sup>**

34. We support this initiative as part of a proposal which should be expanded to include all bodies of the United Nations system.

*Notes*

- <sup>1</sup> *Official Records of the Economic and Social Council, 2002, Supplement No. 23* (E/2003/43/Rev.1), chap. I, sect. A, draft decision I.
  - <sup>2</sup> *Ibid.*, draft decision IV.
  - <sup>3</sup> *Ibid.*, sect. B, para. 3.
  - <sup>4</sup> *Ibid.*, para. 4.
  - <sup>5</sup> *Ibid.*, para. 5.
  - <sup>6</sup> *Ibid.*, para. 6.
  - <sup>7</sup> *Ibid.*, para. 8.
  - <sup>8</sup> *Ibid.*, paras. 9-12.
  - <sup>9</sup> *Ibid.*, para. 10.
  - <sup>10</sup> *Ibid.*, paras. 13-14.
  - <sup>11</sup> *Ibid.*, paras. 15-24.
  - <sup>12</sup> *Ibid.*, para. 25.
  - <sup>13</sup> *Ibid.*, paras. 26-27.
  - <sup>14</sup> *Ibid.*, paras. 28-30.
  - <sup>15</sup> *Ibid.*, para. 31.
  - <sup>16</sup> *Ibid.*, para. 32.
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