

**Economic and Social Council**Distr.: General
6 July 2004

Original: English

Substantive session of 2004

New York, 28 June-23 July 2004

Agenda item 14 (h)

**Social and human rights questions: Permanent Forum
on Indigenous Issues****Information concerning indigenous issues requested by the
Economic and Social Council****Report of the Secretary-General****Summary*

The present report is submitted in accordance with Economic and Social Council decision 2003/307, entitled "Review of indigenous issues within the United Nations system". The report contains a summary of replies received from Governments, non-governmental organizations and indigenous peoples' organizations as well as from the United Nations system. Analysis and observations are contained in chapters V and VI of the report.

* To allow time for consultation, the report has been submitted after the deadline established by the Documents Management Section.

Contents

	<i>Paragraphs</i>	<i>Page</i>
I. Introduction	1–5	3
II. Summary of comments by Governments	6–9	3
III. Summary of comments by indigenous and non-governmental organizations	10–13	5
IV. Information received from departments, programmes, organizations and agencies of the United Nations system and other intergovernmental organizations	14–23	6
V. Analysis and review	24–49	8
VI. Conclusions	50–53	14

I. Introduction

1. The present report has been produced in accordance with decision 2003/307 adopted by the Economic and Social Council on 25 July 2003. The decision requested the Secretary-General to seek information related to the review from those Governments, non-governmental organizations, indigenous peoples' organizations and the relevant organs and bodies of the United Nations system, including the special mechanisms seized with indigenous issues, that have not yet submitted their views. The Council also requested the Secretary-General, on the basis of the information received, to provide additional substantive analysis addressing the elements contained in paragraph 8 of its resolution 2000/22 of 28 July 2000.

2. Pursuant to this request a note verbale was sent by the United Nations to the relevant Governments, organizations and bodies, as identified in the decision and mentioned above, to provide information they considered relevant for the review.

3. Replies were received from Finland, New Zealand and the United Kingdom of Great Britain and Northern Ireland. From the United Nations system, replies were received from the Department of Economic and Social Affairs of the Secretariat, the secretariat of the Framework Convention on Climate Change and the United Nations Human Settlements Programme (UN-Habitat). Information from indigenous peoples organizations was submitted in the form of a joint submission from the Grand Council of Crees (Eeyou Istchee), the Inuit Circumpolar Conference, the International Organization of Indigenous Resource Development, the Coordinadora de las Organizaciones Indígenas de la Cuenca Amazónica, the National Aboriginal and Torres Strait Islander Legal Services Secretariat, the Innu Council of Nitassinan, and the Foundation for Aboriginal and Islander Research Action. In addition to the indigenous peoples' organizations mentioned above, the joint submission was supported by several other indigenous and non-indigenous organizations.

4. Submissions, comments and information provided last year have already been collated and reported on in document E/2003/72. In the analytical part of this report, however, lessons are drawn from both sets of submissions.

5. Secondly, the decision requests the Secretary-General, on the basis of the information received, to review "all existing mechanisms, procedures and programmes within the United Nations concerning indigenous issues, including the Working Group on Indigenous Populations, with a view to rationalizing activities, avoiding duplication and overlap and promoting effectiveness".

II. Summary of comments by Governments

6. Finland stated that the Permanent Forum on Indigenous Issues has established itself as the leading actor in the field of indigenous issues and has provided indigenous peoples with an interactive discussion forum of a new type and with a wider mandate than what had previously existed. The Government of Finland highlighted the Permanent Forum as a focal point for indigenous issues within the United Nations system, but noted that an interactive dialogue between the Forum and other actors, especially the specialized agencies of the United Nations, needs to be developed and strengthened. Finland expressed its support for the wide mandate of the Permanent Forum and noted the contribution the special themes at each session made. The Government of Finland stated that sufficient financial support to

the Permanent Forum must be guaranteed in order to secure the Permanent Forum's independent status and role as a focal point for indigenous issues. Finland expressed its full commitment to working towards the adoption of the draft declaration on the rights of indigenous peoples and considers that the present draft is largely acceptable. Finland stated that it is of the utmost importance to continue the work in a spirit of compromise and show more political will in order to finalize the draft text and to submit it to the General Assembly, as a matter of priority, for consideration and final adoption. The Government of Finland welcomed the possibility of holding additionally meetings of the open-ended intersessional Working Group on the draft declaration on the rights of indigenous peoples, in 2004. Finland stated that the International Decade of the World's Indigenous People has served its purpose in drawing the world's attention to the issue of indigenous peoples and that there is no need to declare a second international decade on indigenous peoples for that purpose.

7. Finland expressed its desire that the current review be conducted with a view to rationalizing mechanisms and activities relating to indigenous issues. The Government of Finland expressed its wish to study and carefully consider the mandate and position of the Working Group on Indigenous Populations within the United Nations system, including the possibility of terminating its mandate in the longer run. In this respect, Finland noted that an overview by the Working Group on its future activities and scheduled contributions would also facilitate the process of review of indigenous issues within the United Nations. Finland expressed its full and continued support for the Special Rapporteur. Lastly, Finland noted the contribution made by United Nations treaty bodies. It noted that the concluding observations, concrete recommendations and views of the treaty bodies formed an important basis for the measures to be taken to realize the equality of the indigenous peoples in practice. The Government of Finland welcomed all efforts of the United Nations treaty bodies to raise greater awareness and to promote the full enjoyment of all human rights and fundamental freedoms by indigenous peoples and how in this respect the treaty bodies' thematic discussion days and general comments focused on indigenous issues served as useful tools.

8. In addition to reiterating comments submitted last year, New Zealand expressed the view that the Permanent Forum has become the world's pre-eminent indigenous meeting and provides a model for the confidence-building and consultation that should form the basis for the partnership between States and indigenous peoples. New Zealand noted that a rationalization of United Nations indigenous efforts, paying particular attention to streamlining and clear mandates, would pay dividends for indigenous peoples by helping ensure that objectives generated results. New Zealand expressed its awareness of the demands that multiple meetings and venues place on national, indigenous and non-governmental organization delegations as well as the United Nations system. In this regard, New Zealand noted that fewer meetings and a rationalization of agendas would help boost attendance and thus encourage wider representation and a greater exchange of views. New Zealand continued its support for the inclusion of indigenous issues in the work of the specialized agencies, including the World Health Organization (WHO), the International Labour Organization (ILO) and the World Bank. New Zealand welcomed the increasing cooperation between all component parts of the United Nations system in furthering indigenous issues and supported the continued strengthening of existing cooperation mechanisms and exchanges of information.

9. The United Kingdom identified the Permanent Forum as an excellent focal point within the United Nations and a means of bringing together experts, government representatives and indigenous organizations to raise awareness and formulate advice and recommendations for improving the position of indigenous people. The United Kingdom expressed concern over the duplication of work between the Working Group and the Permanent Forum. The United Kingdom noted that, unlike the Working Group, which is composed of expert members of the Subcommission, the Permanent Forum consists of both experts from Governments and indigenous organizations and that this inclusivity in the decision-making process has made the Permanent Forum a particularly representative and helpful body. The United Kingdom expressed its belief that the existing mechanisms for dealing with indigenous issues could be streamlined without any loss of impact and could make the United Nations more effective in dealing with indigenous issues by enabling more indigenous and non-governmental organization delegations to attend meetings, for example by reducing the number of meetings and concentrating the funds for attendance currently divided between the Permanent Forum and the Working Group.

III. Summary of comments by indigenous and non-governmental organizations

10. A joint submission entitled “Assessing the International Decade: urgent need to renew mandate and improve the United Nations standard-setting process on indigenous peoples’ human rights” (henceforth the Joint Submission) was submitted by the Grand Council of Crees (Eeyou Istchee), the Inuit Circumpolar Conference, the International Organization of Indigenous Resource Development, the Coordinadora de las Organizaciones Indígenas de la Cuenca Amazónica, the National Aboriginal and Torres Strait Islander Legal Services Secretariat, the Innu Council of Nitassinan, and the Foundation for Aboriginal and Islander Research Action. The joint submission was supported by several other indigenous and non-indigenous organizations. The submission is the same as the paper developed as input into the review of the International Decade of the World’s Indigenous People, which is also being undertaken this year.

11. The joint submission highlighted both successes and shortcomings related to the United Nations draft declaration on the rights of indigenous peoples and stressed that it is urgent and critical for the General Assembly to adopt a formal instrument that elaborates human rights standards on the full range of basic issues concerning indigenous peoples. In this regard the Joint Submission strongly recommended that the mandate of the intersessional Working Group be renewed. They also made detailed recommendations concerning the working methods of the intersessional Working Group.

12. A suggestion was made in the joint submission that the Permanent Forum should play an effective role in advancing the goals of human-rights standard setting and that the following additional changes should be considered in regard to the overall United Nations human-rights standard-setting process concerning indigenous peoples:

(a) Increased attention and priority should be accorded by the General Assembly and the Commission on Human Rights to the adoption of a strong and uplifting United Nations Declaration on the Rights of Indigenous Peoples;

(b) At all stages of the standard-setting process, no declaration should be provisionally approved or adopted by the United Nations unless it has the strong support of indigenous representatives participating in such a process;

(c) New strategies should be developed to increase State commitment to the objectives of the human-rights standard-setting process relating to indigenous peoples;

(d) There should be greater coordination between such standard-setting processes at the United Nations and those at a regional level; and

(e) Public education and awareness of the importance of developing international human-rights standards relating to indigenous peoples should be increased.

13. The joint submission stated that it was timely and pressing for the United Nations to examine the question of the status and role of indigenous peoples within the United Nations. In this regard, it was maintained that it was essential to ensure democratic and effective involvement by indigenous representatives at all levels of the United Nations consistent with the unique legal status and rights of indigenous peoples. It was added that such an examination should be carried out with the full and effective participation of indigenous peoples' representatives on an equitable global basis.

IV. Information received from departments, programmes, organizations and agencies of the United Nations system and other intergovernmental organizations

14. The Department of Economic and Social Affairs advised that the secretariat for the Permanent Forum was established on 27 February 2003 at the Department within the Division of Social Policy and Development and was provided with interim staff.

15. Since its launch, the secretariat has undertaken a variety of activities including the formal establishment of the office that is responsible for liaison with the Chairperson and members of the Permanent Forum on various substantive issues throughout the year, as well as preparations and logistics for the annual sessions of the Forum. The secretariat has also cooperated with the Department of Public Information to initiate press releases and develop a media strategy to publicize the work of the Permanent Forum. The secretariat has also established the Trust Fund for the Permanent Forum.

16. The secretariat has cooperated with various parts of the United Nations system, as well as non-governmental and indigenous peoples' organizations, to encourage and support broad representation at the annual sessions of the Permanent Forum. Furthermore, the secretariat has worked closely with the Inter-Agency Support Group to promote a coordinated substantive response to the recommendations of the Permanent Forum.

17. The secretariat also participated at the Expert Seminar on Indigenous Children organized by the Innocenti Research Centre of the United Nations Children's Fund (UNICEF) in March 2003 to further the agenda of the second session of the Permanent Forum, whose theme was "indigenous children and youth". The secretariat has also established an intra-departmental task force within the Department of Economic and Social Affairs to help make available to the Permanent Forum the relevant and broad expertise of the Department.

18. The secretariat facilitated an international workshop on data-collection and the disaggregation of data and also organized and facilitated the Global Forum on Indigenous Peoples and the Information Society, within the context of the World Summit on the Information Society. The secretariat has also organized various promotional events and panels at United Nations Headquarters and is promoting the integration of indigenous issues within the United Nations Development Group, which included indigenous issues as one of its 2004 priorities.

19. Regarding the area of sustainable development, the Department of Economic and Social Affairs stated that, from its inception, the work of the Commission on Sustainable Development has been relevant to indigenous people. It noted that chapter 26 of Agenda 21 provided the programmatic basis for making indigenous issues relevant to the work of the Commission by recognizing indigenous people as one of the nine major groups of civil society to be included in the major groups programme. It stated that national and international efforts to implement environmentally sound and sustainable development should recognize, accommodate, promote and strengthen the role of indigenous people and their communities. It also outlined objectives, activities and means of implementation that Governments and others should aim to fulfil in partnership with indigenous people and their communities. The Johannesburg Declaration reaffirmed "the vital role of the indigenous peoples in sustainable development" and this is reflected in the Johannesburg Plan of Implementation, which contains numerous references to indigenous issues.

20. The Department noted that in the current two-year action-oriented cycles of the review of the twelfth session of the Commission on Sustainable Development and preparation for the thirteenth session of the Commission an official indigenous peoples' discussion paper was submitted to the twelfth session of the Commission, which was prepared by the Tebtebba Foundation and the Indigenous Environmental Network in consultation with indigenous peoples' organizations.

21. The secretariat of the Framework Convention on Climate Change noted that since 1999 indigenous peoples' organizations have participated in the Convention process as observers and since 2000 the indigenous peoples' organizations have been considered as one of the five non-governmental constituencies in that process. In regards to the Convention process the indigenous peoples' organizations provide representatives who speak at sessions, attend workshops, etc. In response to a request by the Permanent Forum, the Convention secretariat has prepared a document entitled "Effective participation in the Convention process", which includes a section on the participation of indigenous peoples in the Convention process. This document will be considered by the parties at the twentieth session of the Subsidiary Body for Implementation to be held from 16 to 25 June 2004 in Bonn, Germany.

22. UN-Habitat noted that its activities, guided by the Habitat Agenda and the Millennium Declaration as well as by human rights instruments, treaties and their monitoring bodies, have a particular focus on protecting vulnerable and disadvantaged groups, including the urban poor and indigenous peoples, particularly through measures that aim to promote, protect and fulfil human rights. The Habitat Agenda addresses indigenous peoples in 14 out of its 241 paragraphs, with paragraph 122 in particular providing extensive guidance to Governments and leaders of indigenous communities. The Programme explained that its work on security of tenure provides scope for the strategic partnership with indigenous people in addressing the complex nature of land issues.

23. The Programme highlighted that the Habitat Agenda emphasizes the need to work in partnership with youth, including indigenous youth, in employment programmes and vocational skills development that enhance their capacity to participate fully in urban poverty reduction. Although it has no specific projects or programmes on indigenous children and youth, UN-Habitat does have the operational and normative experience of dealing with local authorities through its various programme activities. Furthermore, the Programme expressed its intention to collaborate with other agencies in addressing the issues of youth, including indigenous youth, through the proposed Global Partnership Initiative for Youth in Africa. UN-Habitat identified its Gender Policy Unit and the objectives of that unit. While working towards these objectives, UN-Habitat focuses particularly on the needs of the most vulnerable and disadvantaged women groups, including indigenous women. The Programme also noted that the World Urban Forum provides avenues for the involvement of indigenous women, and opportunities for them to raise their concerns. The Programme identified the research initiative on “Indigenous peoples and the right to housing: a global overview” undertaken within the United Nations Housing Rights Programme and implemented jointly with the Office of the United Nations High Commissioner for Human Rights, as the most significant activity of UN-Habitat focusing specifically on indigenous peoples and indigenous issues.

V. Analysis and review

24. At its 49th plenary meeting on 25 July 2003, the Economic and Social Council decided to postpone consideration of the review of the mechanisms, procedures and programmes within the United Nations concerning indigenous issues to its substantive session in 2004. The Council requested the Secretary-General to seek additional information from those who had not yet submitted their views. The Council also requested the Secretary-General, on the basis of information received, to provide additional substantive analysis addressing the elements contained in paragraph 8 of its resolution 2000/22 of 28 July 2000. In addition to the eight Member States that submitted views in 2003, only three additional Member States responded to the request made by the United Nations in 2004. A joint submission was made in 2004 by several indigenous organizations that focused mainly on an assessment of the International Decade. In addition, three United Nations entities submitted information on programmes that support indigenous peoples.

25. In order to assist in the review to be undertaken by the Council with a view to rationalizing activities, avoiding duplication and overlap and promoting effectiveness, the mandates of the various United Nations mechanisms concerning

indigenous issues, as well as the voluntary funding arrangements are summarized below.

Mandates of the United Nations indigenous-related mechanisms

26. The Working Group on Indigenous Populations is a subsidiary organ of the Subcommission on the Promotion and Protection of Human Rights. It is composed of five independent human rights experts, with States, United Nations bodies and non-governmental organizations with consultative status as observers. The Working Group makes recommendations to the Subcommission. The Working Group is also open to representatives of indigenous peoples and their communities and organizations that do not have consultative status. The Working Group is mandated to:

- (a) “Review developments pertaining to the promotion and protection of the human rights and fundamental freedoms of indigenous populations ...”;
- (b) “Give special attention to the evolution of standards concerning the rights of indigenous populations ...”.

27. The Working Group on the draft declaration on the rights of indigenous peoples consists of representatives of Member States. Non-governmental and indigenous organizations with consultative status with the Economic and Social Council may take part in the proceedings. Indigenous organizations without consultative status may act as observers if they have been approved in accordance with the Commission on Human Rights resolution 1995/32 procedure. The intersessional Working Group was created for the sole purpose of elaborating a draft United Nations declaration on the rights of indigenous peoples for consideration and adoption by the General Assembly within the International Decade of the World’s Indigenous People. The Working Group has met for 10 days each year and produced annual progress reports.

28. The Special Rapporteur of the Commission on Human Rights on the situation of the human rights and fundamental freedoms of indigenous people is an independent expert appointed by the Commission. The Special Rapporteur is mandated to:

“(a) To gather, request, receive and exchange information and communications from all relevant sources, including Governments, indigenous people themselves and their communities and organizations, on violations of their human rights and fundamental freedoms;

“(b) To formulate recommendations and proposals on appropriate measures and activities to prevent and remedy violations of the human rights and fundamental freedoms of indigenous people;

“(c) To work in close relation with other special rapporteurs, special representatives, working groups and independent experts of the Commission on Human Rights and of the Subcommission on the Promotion and Protection of Human Rights, taking into account the request of the Commission contained in resolution 1993/30”.

29. The United Nations Permanent Forum on Indigenous Issues is a subsidiary organ of the Economic and Social Council, consisting of 16 members. Eight

members are nominated by Governments and elected by the Council, while the other eight members are appointed by the President of the Council following formal consultation with the Bureau and the regional groups through their coordinators, on the basis of broad consultations with indigenous organizations. States, United Nations bodies and organs, intergovernmental organizations and non-governmental organizations in consultative status with the Council may participate in the work of the Permanent Forum as observers. Organizations of indigenous people may also participate as observers in accordance with the procedures that have been applied in the Working Group on Indigenous Populations. The purpose of the Permanent Forum is to serve as an advisory body to the Council with a mandate to discuss indigenous issues within the mandate of the Council relating to economic and social development, culture, the environment, education, health and human rights. In so doing, the Permanent Forum shall:

“(a) Provide expert advice and recommendations on indigenous issues to the Council, as well as to programmes, funds and agencies of the United Nations, through the Council;

“(b) Raise awareness and promote the integration and coordination of activities relating to indigenous issues within the United Nations system;

“(c) Prepare and disseminate information on indigenous issues ...”.

30. The Permanent Forum meets once a year for 10 working days and submits an annual report to the Economic and Social Council on its activities, including any draft decisions for approval by the Council.

Voluntary funding arrangements in support of activities concerning indigenous issues

31. At present, there are four voluntary funds established within the United Nations system to facilitate various indigenous activities and two further voluntary funds are proposed.

United Nations Voluntary Fund for Indigenous Populations

32. The United Nations Voluntary Fund for Indigenous Populations was established pursuant to General Assembly resolution 40/131 with the purpose of assisting representatives of indigenous communities and organizations to participate in the deliberations of the Working Group on Indigenous Populations. The General Assembly, in its resolution 50/156, decided that the Fund should also be used to assist representatives of indigenous communities and organizations authorized to participate in the deliberations of the Working Group on the draft declaration on the rights of indigenous peoples. The General Assembly further expanded the mandate of the Fund in its resolution 56/140 by deciding that the Fund should also be used to assist representatives of indigenous communities and organizations in attending, as observers, sessions of the Permanent Forum on Indigenous Issues. The Fund is administered by a Board of Trustees composed of five persons with relevant experience on indigenous issues, who serve in their personal capacity. The members of the Board are appointed by the Secretary-General, in consultation with the Chairperson of the Subcommission on the Promotion and Protection of Human Rights, for a three-year renewable term. At least one member of the Board shall be a representative of a widely recognized organization of indigenous people.

Voluntary Fund for the International Decade of the World's Indigenous People

33. The Voluntary Fund for the International Decade of the World's Indigenous People was established pursuant to General Assembly resolutions 48/163, 49/214 and 50/157 relating to the International Decade of the World's Indigenous People. In accordance with resolution 48/163, the Secretary-General was requested to establish a voluntary fund for the Decade and was authorized "to accept and administer voluntary contributions ... for the purpose of funding projects and programmes during the Decade". In accordance with paragraph 24 of the annex to General Assembly resolution 50/157, the Coordinator of the Decade, the United Nations High Commissioner for Human Rights, should "encourage the development of projects and programmes, in collaboration with Governments and taking into account the views of indigenous people and the appropriate United Nations agencies, for support by the Voluntary Fund for the Decade". The Fund has been used to fund project proposals from indigenous organizations and from the indigenous unit of the Office of the High Commissioner for Human Rights.

34. The Fund is administered by the Secretary-General and the Coordinator of the International Decade, who is the High Commissioner for Human Rights, in accordance with the Financial Regulations and the Rules of the United Nations. In accordance with paragraph 23 of the annex to resolution 50/157 on the programme of activities for the International Decade, an advisory group was created in April 1996 to assist the Coordinator of the Voluntary Fund. The present advisory group is composed of the members of the Board of Trustees of the Voluntary Fund for Indigenous Populations, as well as the Chairperson of the Working Group on Indigenous Populations. A review of the Decade has recently been completed and includes information on the expenditures and outcomes of the Voluntary Fund for the Decade as contained in document E/2004/82.

Trust Fund in support of the United Nations Permanent Forum on Indigenous Issues

35. In General Assembly resolution 57/191 on the Permanent Forum on Indigenous Issues, the General Assembly, inter alia, requested the Secretary-General to establish a voluntary fund for the Permanent Forum on Indigenous Issues for the purpose of funding the implementation of recommendations made by the Forum. In response to that request, the Secretary-General established the Trust Fund in support of the United Nations Permanent Forum on Indigenous Issues in July 2003. The voluntary contributions are to be used for funding the implementation of recommendations made by the Forum through the Economic and Social Council, in line with paragraph 2(a) of Economic and Social Council resolution 2000/22, as well as for funding activities under its mandate, as defined in paragraphs 2(b) and (c) of the same resolution.

World Bank Global Fund for Indigenous Peoples

36. The Global Fund for Indigenous Peoples was established by the World Bank in 2003 and provides support for strengthening the United Nations Permanent Forum on Indigenous Issues, and for a targeted pilot programme of capacity-building for indigenous leaders in the Andean region of South America. It also includes a grants facility that provides grants to indigenous organizations worldwide for a range of development-related activities. The World Bank plans to mobilize internal resources

and seek external resources to support grant-making for the second and third years of the grants facility. The Bank intends to transfer the grants facility to an appropriate organization after the third year. It should be noted that administrative difficulties have caused the promise of financial support for the Permanent Forum to be withdrawn.

Proposed voluntary funds

37. As the United Nations system continues to open up to indigenous peoples' organizations and representatives, there is a growing need on the part of the various components of the system to find support for the participation of indigenous peoples in meetings and events relevant to them. The secretariat of the Convention on Biological Diversity and the World Intellectual Property Organization (WIPO) have both proposed, among other strategies, the possible establishment of voluntary funds for such a purpose and these proposals are currently under discussion.

Inter-Agency Support Group

38. In addition to the various mechanisms and voluntary funding mechanisms mentioned above, organizations of the United Nations system have taken steps to increase their activities in support of indigenous peoples. The measures taken by the United Nations system were outlined in the report submitted to the Economic and Social Council in 2003, and supplemented with the additional information included in this report. The United Nations system has also taken steps to improve the coordination of its activities for the benefit of indigenous peoples. It will be recalled that an Inter-Agency Support Group was originally established by the Office of the United Nations High Commissioner for Human Rights in 2001, with the purpose of bringing the efforts of the United Nations system together so as to facilitate the first session of the Permanent Forum.

39. The Support Group is a useful mechanism for inter-agency cooperation on indigenous issues in relation to the Permanent Forum and for mainstreaming of indigenous issues throughout the United Nations system. It has a rotating chairperson and has been successively hosted by the World Bank, WIPO, and the United Nations Development Programme. Its membership has been growing and it is now composed of 18 United Nations system entities. The Support Group is composed of focal points/units or representatives identified by heads of the departments or organizations of the United Nations system whose work is relevant to indigenous issues. It meets at least once a year for a substantive meeting, with follow-up meetings as necessary.

Rationalizing activities, avoiding duplication and overlap and promoting effectiveness

40. Currently there are four mechanisms within the United Nations system that deal specifically with indigenous issues. They include the Working Group on Indigenous Populations, a Special Rapporteur on the situation of the human rights and fundamental freedoms of indigenous people, the Working Group on the draft declaration on the rights of indigenous peoples, and the United Nations Permanent Forum on Indigenous Issues.

41. The two Working Groups, the Special Rapporteur and the Permanent Forum each has a unique and specific mandate within the United Nations system. However,

it is also evident that in accomplishing its mandate one mechanism could touch upon subject matters that might be the primary concern of another mechanism. This in itself should not be characterized as an overlap of mandates, but rather as an acknowledgement and reinforcement of the interrelated nature of the many issues facing indigenous peoples. Should any rationalization or streamlining of indigenous mechanisms take place, the unique and specific activities undertaken by each mechanism should be taken into account.

42. The views on the various mechanisms submitted in response to the request by the United Nations in 2003 and 2004 indicated a diversity of positions. There was strong support for the continuation of the Working Group on Indigenous Populations from most indigenous organizations and some Member States. Many Member States advocated greater rationalization and coordination of all indigenous mechanisms to facilitate efficiency and reduce duplication. A few Member States suggested that the Working Group had provided a valuable service in the past but that it should now be brought to an end.

43. The role of the Special Rapporteur received strong support. Many Governments and indigenous peoples organizations expressed their hope that the Special Rapporteur would work more closely with the Permanent Forum, and several replies identified the need for increased coordination and cooperation between existing indigenous mechanisms and various other component parts of the United Nations system. Such coordination and cooperation would be in accordance with and would facilitate the Special Rapporteur's mandate.

44. Some replies from both Member States and indigenous organizations identified the Permanent Forum as the focal point for indigenous issues within the United Nations system and considered that recognition of that status would facilitate the Forum's mandate to promote coordination relating to indigenous issues within the United Nations system. The mainstreaming of indigenous issues and coordination and cooperation in this area lies at the heart of the Permanent Forum's mandate.

45. Although examined under a different mandate, similar themes are being considered by both the Working Group and the Permanent Forum. The themes of Working Group meetings of the last four years have been reflected in substance in the reports and recommendations emerging for the Forum during its first three sessions. As human rights is one of the mandated areas of the Permanent Forum, it has become the practice of indigenous delegates attending the Permanent Forum since the first session to set their suggested recommendations in context by providing a review of developments from the various indigenous regions and their homelands. Coordination of the themes of the Working Group, the Special Rapporteur and the Permanent Forum would seem desirable, in order to avoid duplication and to promote effectiveness.

46. An analysis of the recent attendance and participation records of both the Working Group and the Permanent Forum indicate that many of the more than 1,000 indigenous representatives attend both annual meetings. These meetings are held in different locations and at different times of the year. As the United Nations system increases the programmes and activities focused on indigenous peoples, the representatives of indigenous peoples and organizations have an understandable and justified desire to participate in the relevant forums. This increasing engagement of indigenous peoples across the United Nations system, which currently peaks at the meetings of the Working Group and the Permanent Forum, may suggest a need,

particularly on the part of the representatives of the indigenous peoples, to plan their coverage of the different meetings and events, balancing effective coverage with the need to maximize the efficient use of scarce resources.

47. While the various indigenous mechanisms have their specific mandates and roles to play, it was suggested by some Member States that the demands of multiple meetings and venues on national indigenous and non-governmental organization delegations, as well as the United Nations system and Member States, should be examined. However, the ability to better coordinate these meetings may be hampered by broader arrangements. The Working Group has to report to the Subcommission on the Promotion and Protection of Human Rights in Geneva in August of each year, while the Permanent Forum meets in time to submit its report to the Economic and Social Council at its annual session in July.

48. Member States have noted that resources for indigenous issues were both scarce and thinly spread. They recommended that the available resources should be utilized with better coordination and should be streamlined to improve their effectiveness. A major reason for the proliferation of voluntary funds is the increasing participation of indigenous representatives in relevant and expanding United Nations system forums and the inability of the mandates of existing funds to adequately meet this growing need of indigenous peoples. Some Member States have emphasized that, in line with the United Nations reform agenda, existing voluntary funds should be rationalized to ensure that they adequately meet the evolving needs of indigenous peoples. The creation of a simpler arrangement would also reduce administrative time and costs and save both human and financial resources.

49. The Voluntary Fund on Indigenous Populations currently provides funds for limited indigenous participation in the Working Group on Indigenous Populations, the Working Group on the draft declaration and the Permanent Forum. This year the Voluntary Fund received 546 admissible applications to participate in these three meetings and some 106 indigenous representatives were funded to attend the Working Group on Indigenous Populations (47), the Working Group on the draft declaration (13) and the Permanent Forum (46). However, more than 10 United Nations agencies have indicated the crucial need for indigenous representation and participation at their various meetings. Some agencies, such as the Convention on Biological Diversity and the World Intellectual Property Organization, are currently considering the creation of their own new voluntary funds to support the participation of indigenous representatives. As the Voluntary Fund on Indigenous Populations now also assists the participation of indigenous representatives attending the Permanent Forum, it may be appropriate that the Chairperson of the Forum be part of the consultative mechanism for the appointment of the Board of Trustees.

VI. Conclusions

50. While there may be differing views on the various mechanisms, it is clear that every effort must be made to ensure coordination among them, while recognizing the specific tasks that each is mandated to perform. It is also crucial that the scarce resources of indigenous peoples and their organizations, as well as voluntary contributions made by Member States, are utilized with

the maximum level of efficiency and effectiveness. The increased attention being given to indigenous issues within organizations of the United Nations system is a welcome development. The United Nations should continue to mainstream indigenous issues and to expand its programmes and activities for the benefit of indigenous peoples in a coordinated manner.

51. The Economic and Social Council, which decided to postpone the consideration of the review mandated by its decision 2002/286 to its substantive session in 2004, should play a lead role in ensuring greater coherence and improved coordination and effectiveness in the various mechanisms concerning indigenous issues. The United Nations efforts in this area should be in line with the broader reform objectives endorsed by the General Assembly in its resolution 57/300.

52. The Working Group on the draft declaration will meet twice this year to work on the text of the draft declaration on the rights of indigenous peoples: to date, only two of the 45 articles have been adopted. Indigenous peoples remain hopeful that consensus will be reached in this the final year of the Decade. There is also currently before the Council a draft decision of the Permanent Forum requesting consideration of a second decade. Hence, a number of factors have combined to underline the importance of this particular time in history for the world's indigenous peoples.

53. Indigenous peoples are often among the most disadvantaged of peoples in the world, and this is a pivotal year in their struggle to end marginalization. They have set their hopes on the full support of the United Nations in efforts for the betterment of their lives and in having their legitimate rights and aspirations respected and protected. We should all do our utmost to respond to their expectations.
