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**Special Rapporteur
on the rights of indigenous peoples,
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Mr. Chairperson,
Distinguished delegates,
Ladies and gentlemen,

It is my honor to once again present my report to the Third Committee of the General Assembly. This is my final report to the General Assembly, as I will be ending my mandate as Special Rapporteur on the rights of indigenous peoples in April 2014.

I devoted the first part of my final written report to describing the activities carried out since the beginning of my mandate, while reflecting upon my work methods and lessons learned, as well as positive experiences and challenges. In the second part of my report, I address factors that in my opinion debilitate commitment to and action by States and other actors to the human rights standards embodied in the Declaration on the Rights of Indigenous Peoples, drawing upon my experiences over the past years. The objective of this discussion is to advance thinking that will help to overcome these debilitating factors in favour of concrete measures of implementation.

Throughout my two three-year terms as Special Rapporteur, I have devoted significant attention to refining my work methods within the framework of my mandate provided by the Human Rights Council. I have tried to develop work methods oriented towards building a constructive dialogue with Governments, indigenous peoples, non-governmental organizations, United Nations agencies and others in order to address challenging issues and situations and build on advances already made.

In accordance with my mandate, my activities fall within four interrelated work areas: promoting good practices; country reports; cases of alleged human rights violations and thematic studies. Within each of my work areas, I have built upon established work methods generally employed by Human Rights Council special procedure mandate holders, while also developing new ones, especially in relation to the promotion of good practices and addressing cases of alleged human rights violations through the communications procedure.

In my view, the innovation in work methods has contributed to greater responsiveness to the human rights concerns of indigenous peoples and to assisting States and other actors to address those concerns. I hope that the future work of the mandate will be able to focus more on moving beyond reacting to denouncements of alleged human rights violations, to helping to assist indigenous peoples and States to develop concrete proposals and programmes of action for advancing the rights of indigenous peoples.

Throughout the course of the second term of my mandate, I have devoted special attention to examining the issue of extractive industries that operate within or near indigenous territories. I have found that indigenous peoples around the world have suffered negative, even devastating consequences from extractive industries. I have also found that, despite such negative experiences, looking towards the future it must not be assumed that the interests of extractive industries and indigenous peoples are entirely or always at odds with each other. In my work I have found that in many cases indigenous peoples are open to discussions about extraction of natural resources from their territories in ways beneficial to them and respectful of their rights.

For the most part, however, there is a need for greater understanding by States and industry actors about the content and implications of indigenous peoples' rights in this context, and for the development of new business models for resource extraction that are

respectful of indigenous peoples' rights and conducive to development opportunities that are genuinely beneficial to them. In my final report presented to the Human Rights Council in September, I seek to deepen understanding about the relevant international standards, including with regard to indigenous peoples rights to lands and resources, and principles of consultation and free, prior and informed consent. Further, I identify in broad strokes the minimum conditions that need to be in place if extractive industries are to take place within indigenous territories in a manner that is sustainable and beneficial to indigenous peoples.

Mr. Chairperson,

Central to all of my work has been advocacy to advance commitment to, and operationalization of, the Declaration on the Rights of Indigenous Peoples. My appointment as Special Rapporteur came just a few months after the United Nations General Assembly adopted the Declaration in September of 2007. The adoption of this instrument marked a historical moment of recognition of the existence of indigenous peoples who are characterized by distinct cultural identities, and who have suffered and in many ways continue to suffer, widespread and systematic deprivation of their human rights.

At the same time the Declaration paints a vision that is an alternative to this widespread deprivation of human rights, a vision of a world in which indigenous peoples' individual collective rights are affirmed and respected. Throughout my tenure as Special Rapporteur, I have witnessed indigenous peoples striving to make this alternative vision a reality, amid daunting challenges, and I have also seen some progress to that end as States and multiple international institutions have moved to develop policies and programs to advance respect for indigenous peoples' rights.

But despite expressions of commitment on the part of States to the Declaration on the Rights of Indigenous Peoples and significant positive developments worldwide, a great deal remains to be done to see the objectives of the Declaration become a reality in the everyday lives of indigenous peoples of the world. It has become apparent to me that, among many States and other important actors, commitment to the Declaration is weakened by certain ambiguities and positions about the status and content of the Declaration.

I have noticed throughout my work that debilitating to the Declaration are repeated assertions that the Declaration is non-binding, characterizations of the Declaration as granting privileges to indigenous peoples over others, and the position advanced by some States that the right to self-determination affirmed in the Declaration is different from self-determination in international law. These assertions and positions are each flawed, as I explain in detail in my written report; they only serve to weaken the force of the broad consensus underlying the Declaration and of its role as an instrument of human rights and restorative justice.

There is also an urgent need for greater awareness about the human rights values and concerns represented by the Declaration and about the standards that are articulated in the Declaration to address those concerns. Greater efforts must be put in place to achieve such broad awareness among governmental and other influential actors, the international system, and the general public. Without broad understanding about the reasons for the Declaration and the path forward that it marks, that path will be difficult, if not impossible to implement. In this regard, I would like to urge States and others to recall why the Declaration exists in the first place — that is to improve the human rights conditions of the world's indigenous

peoples — and to renew a commitment to that end.

Mr. Chairperson,

Although I am encouraged by positive developments in many places, I remain concerned about the reality of ongoing struggles and of violations of indigenous peoples' rights throughout the world. Through the remainder of my term as Special Rapporteur, which will come to an end in a few months, I will continue to do my utmost to contribute to practical solutions to these pressing problems with full respect for the rights of indigenous peoples.

I will continue to stress the need for resolve and decided action to make reality the vision of human rights and fundamental freedoms represented by the Declaration on the Rights of Indigenous Peoples. And in doing so I will continue to share in the optimism that has motivated indigenous peoples as they have made strides toward recognition of their rights at the international level and in domestic settings, an optimism inspired by the call for respect for human rights that is at the foundation of the United Nations system.

I would like to conclude by expressing my deep gratitude to the indigenous peoples, States, non-governmental organizations and others that have supported my work during my two consecutive terms as Special Rapporteur on the rights of indigenous peoples. My time on the mandate has been highly gratifying me personally, although not without many challenges. I look forward to welcoming my successor and will follow with great interest the mandate holder's work in the future.

I thank you Mr. Chairperson, and all those present, for your kind attention. I look forward to our interactive dialogue.