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of indigenous peoples' rights

Global Perspectives of Indigenous Peoples

*Forest Governance in the 21st Century:
22-25 Oct. 2012, Sta. Fe, New Mexico*

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International Centre for Policy Research
and Education**



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OUTLINE

- Situation of Indigenous Peoples: issues and gains
- Recent Global Developments
- Challenges for Indigenous Peoples
- Challenges to Forestry Agencies/Governments





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ISSUES AND GAINS

- Population: 400 M in 70 countries
- Almost 60 M wholly dependent on forest
- Those highly reliant on forests usually are in hills and tropical forests and usually outside dominant national culture





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- Overlapping claims to forests by IPs, States, agro-industrial, timber and mining concessions and developers- leads to conflicts and violence
- Lack of effective mechanisms for managing such conflicts, for instituting tenure reform
- Legal ownership/land tenure insecurity

Forest Tenure: Regional Differences

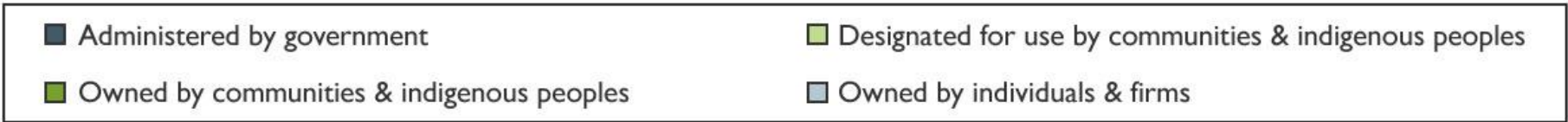
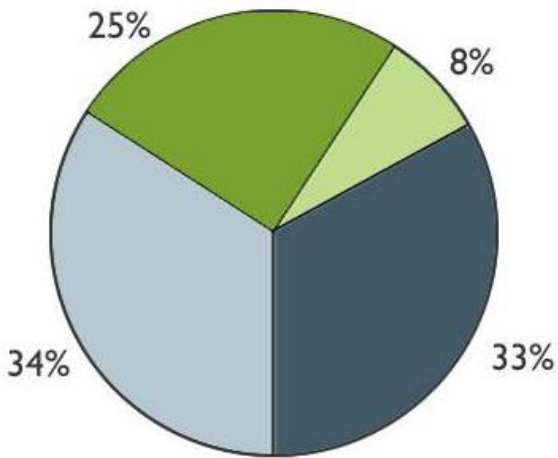
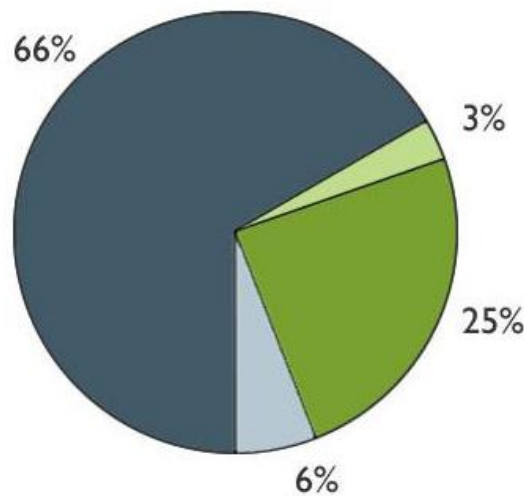


Fig. 1: Latin America



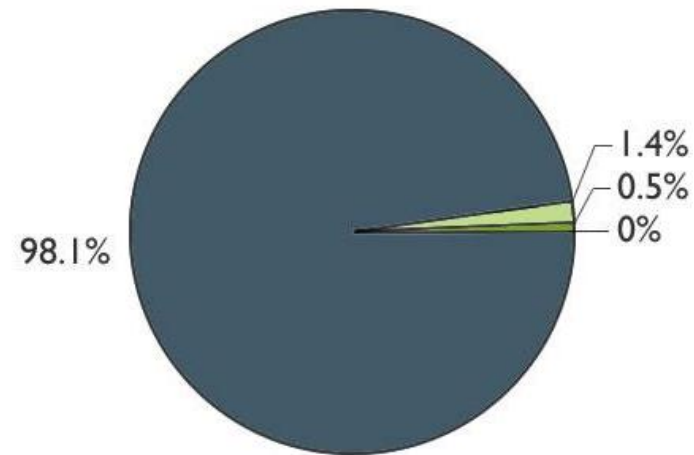
(Bolivia, Brazil, Colombia & Venezuela; accounts for 78% of Latin American forests.)

Fig. 2: Asia



(China, Australia, Indonesia, India, Myanmar, PNG & Japan; accounts for 78% of Asian forests.)

Fig. 3: Africa



(DRC, Sudan, Angola, Zambia, Tanzania, CAR, Congo, Gabon & Cameroon; accounts for 67% of African forests.)



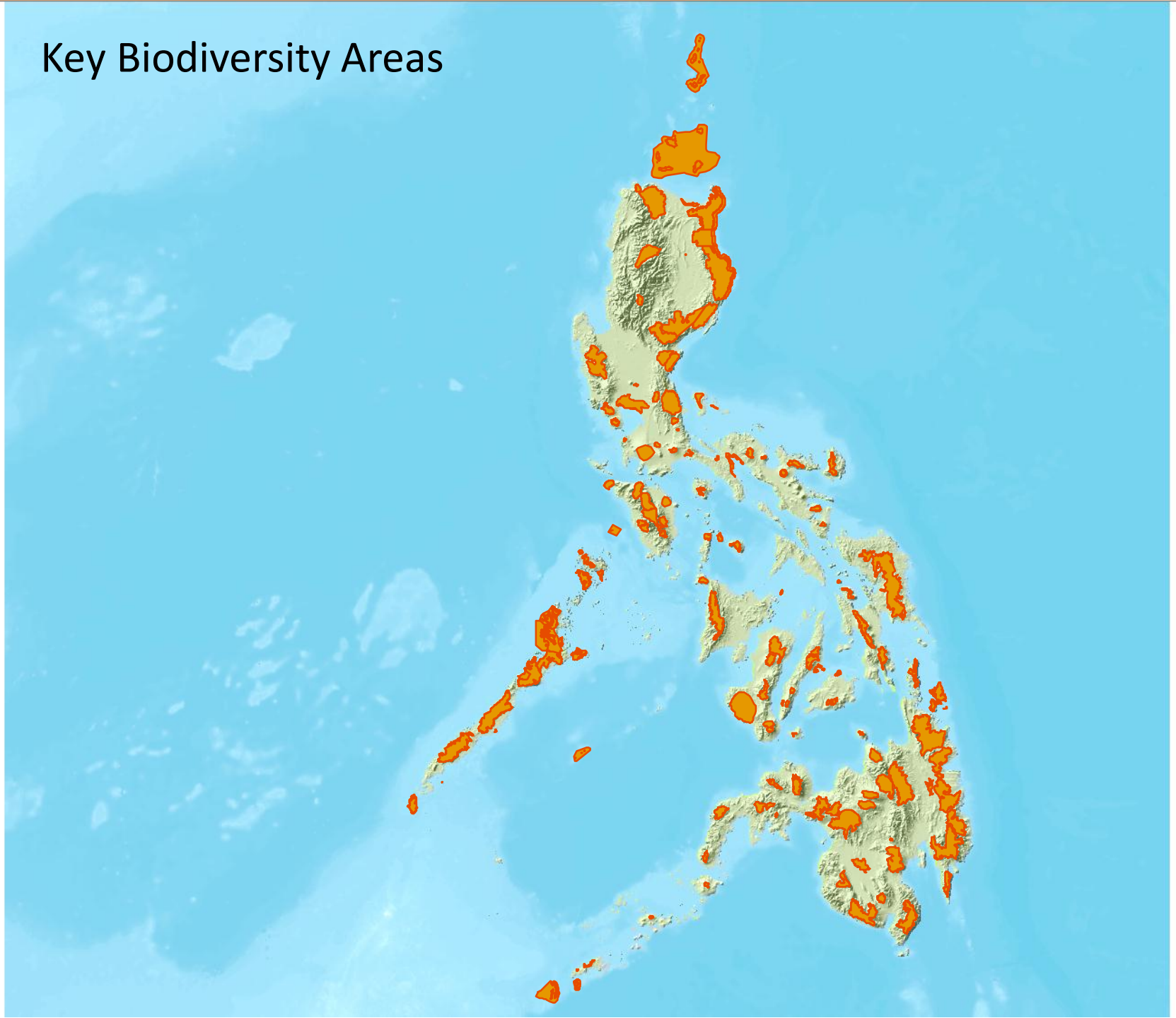
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ISSUES AND GAINS

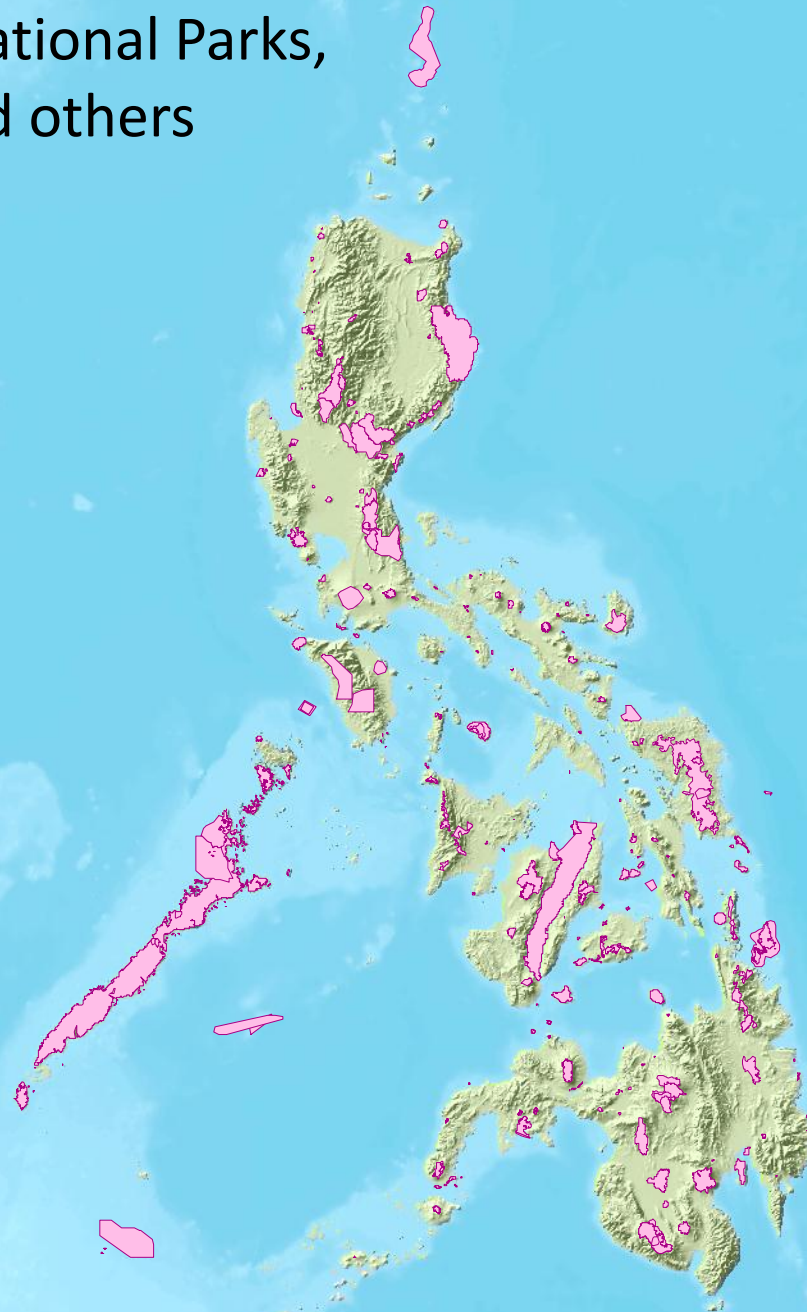


- Highest biological and cultural diversity and many of world's remaining relatively intact ecosystems are in Indigenous Peoples' traditional territories
- Wealth of indigenous knowledge systems on forest ecology, forest and agroforestry management practices, nutritional, medicinal and other properties of diverse forest products.

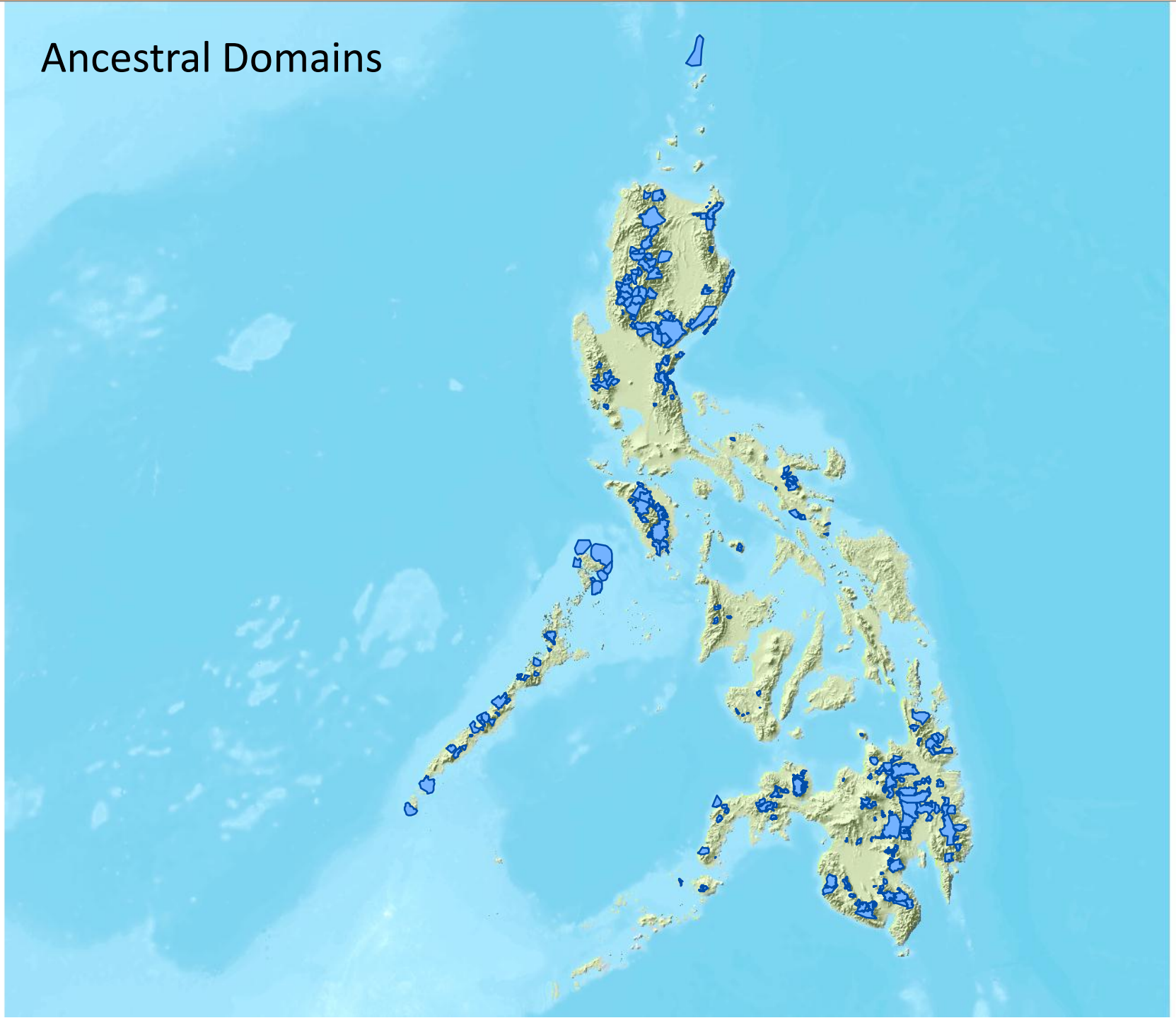
Key Biodiversity Areas



Protected Areas, National Parks, Forest Reserves and others

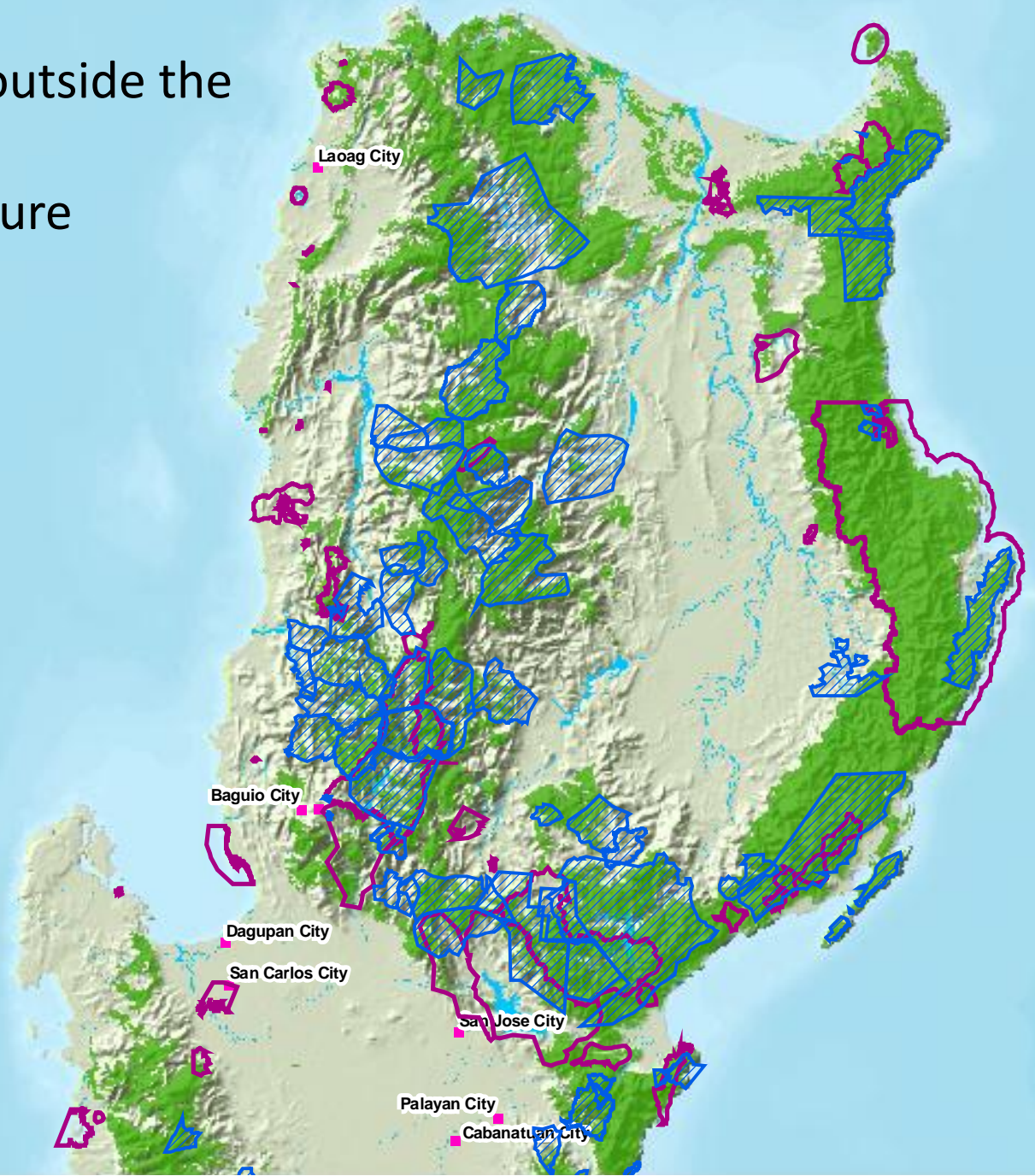


Ancestral Domains



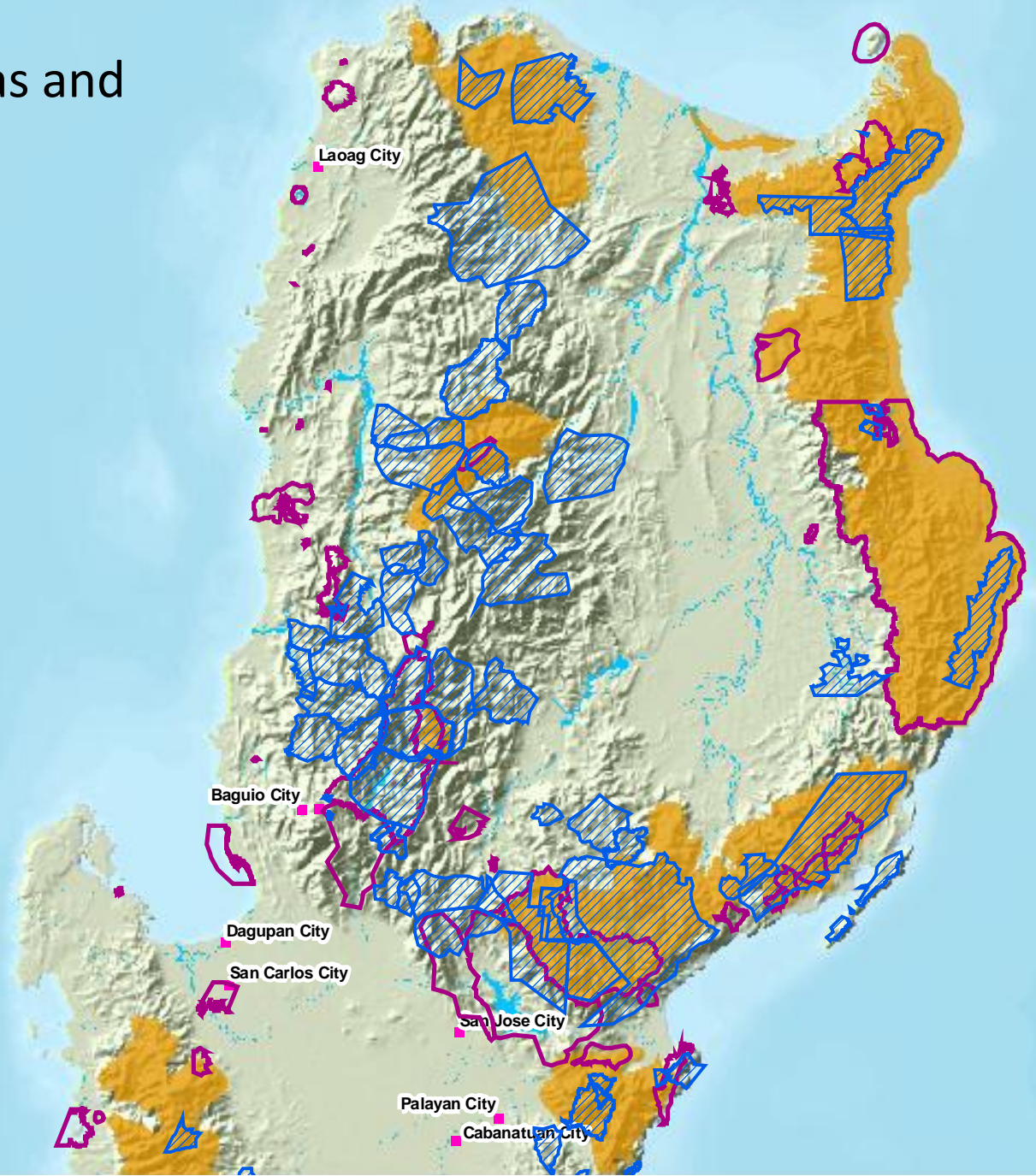
Forest

- Large forest areas are outside the protected areas system
- Ancestral domains feature extensive forest areas



Key Biodiversity Areas

-Support protected areas and
ancestral domains





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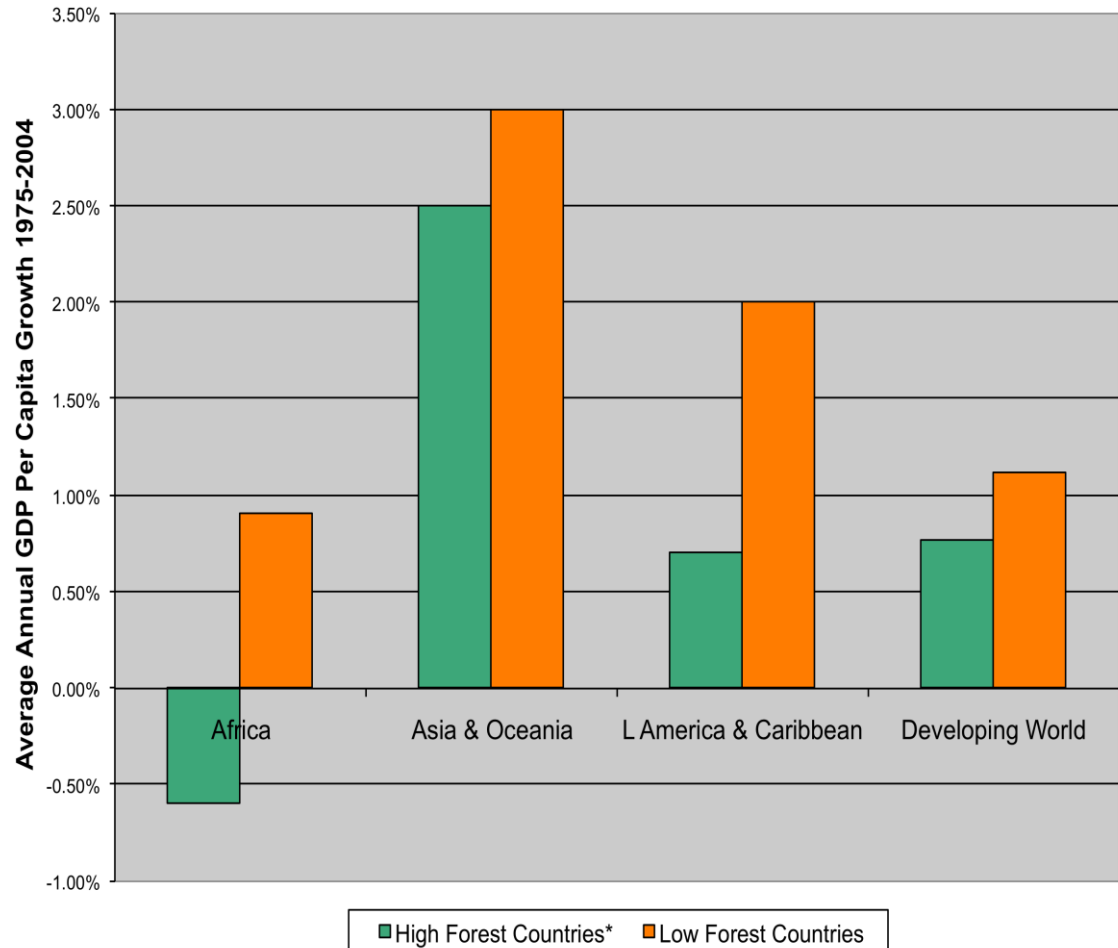
- Still marginalized and excluded in decision-making processes related to their lands, territories and resources.
- Disproportionately represented among the world's poor: 5% of world's population but represent 15% of the poorest people
- Increased conflicts over lands and human rights violations



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Where is Extensive Poverty and Slow or No Economic Growth?

- Extensive, chronic, poverty in forest areas (highest “rates”, across the world)
- “Growth” located in urban, coastal areas
- “Forest rich” countries, and forest regions doing significantly worse
- ITTO producer countries doing even worse (poverty too is a function of privileged business model)





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Where Human Rights are violated and State of Governance?

*Forest areas: about 30% of global
land area, over 1 billion of world's
poorest: socially and politically
disenfranchised*

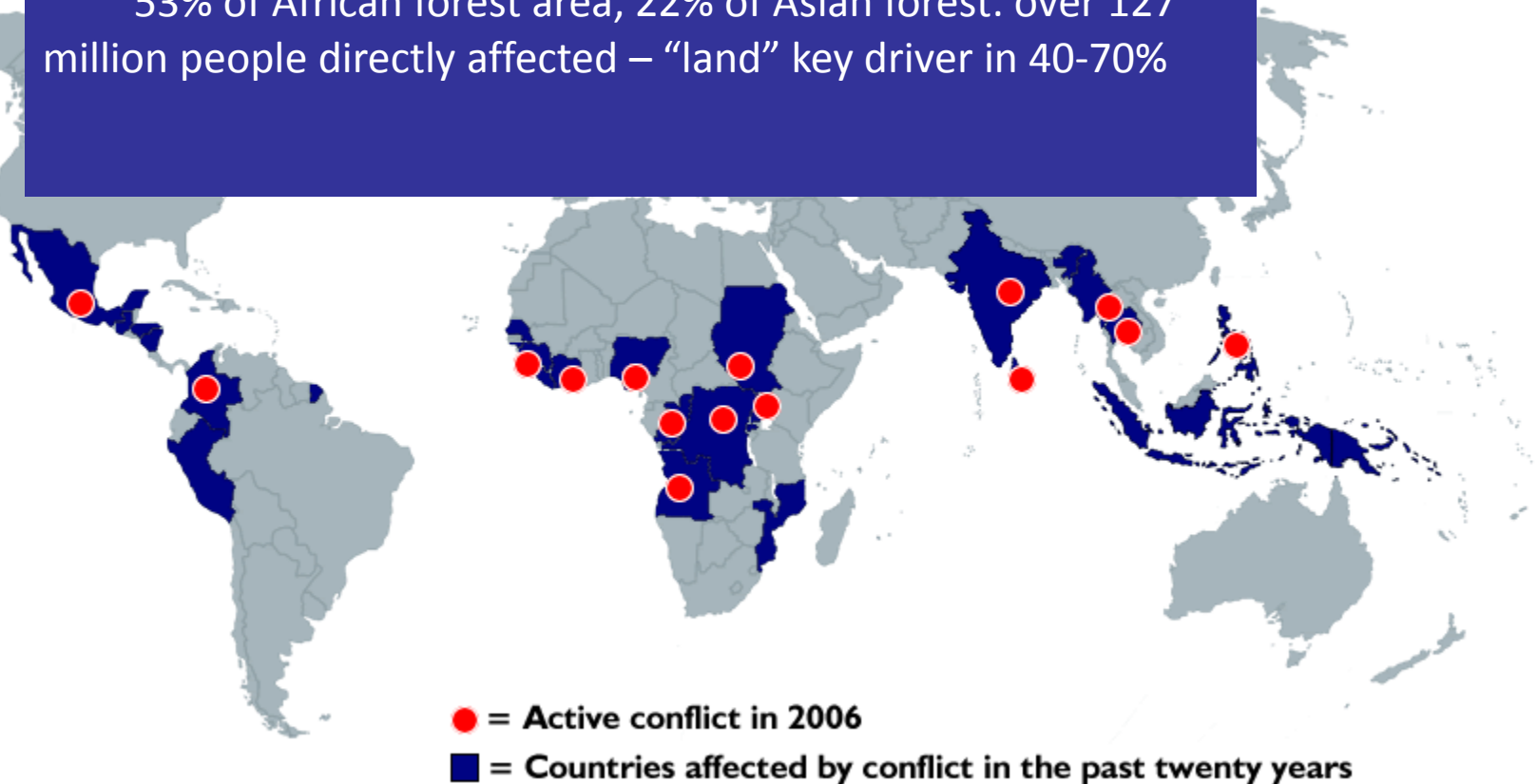


- At least 15 million people lack citizenship recognition – including hill tribes of SE Asia, most Pygmies of Congo Basin
- Lack of respect for property rights; when governments claim 75% of world's forests – “myth of empty forests” prevails resulting in illegal conservation, concessions to non-owners, dispossession and refugees
- Women disproportionately disadvantaged, politically, legally, economically and culturally – not a “boutique” or “luxury” issue
- Corruption, limited rule of law, limited accountability, judicial redress
- Lack of basic public services, forests as “hinterland”, exploited by distant elite

Where is Conflict Taking Place?

In the past twenty years 30 countries in the tropical regions of the world have experienced significant conflict between armed groups in forest areas.

53% of African forest area, 22% of Asian forest: over 127 million people directly affected – “land” key driver in 40-70%





GAINS OF INDIGENOUS PEOPLES:

- Strengthened local, national, global organizing and movement building
- more active and effective engagement, advocacy/lobbying at global and national levels
- Adoption of the UN Declaration on the Rights of Indigenous Peoples (UNDRIP, 2007)



- Establishment of bodies, procedures, and mechanisms, in the UN addressing Indigenous peoples' issues
- UN Permanent Forum on Indigenous Issues (UNPFII, 2000)
- UN Special Rapporteur on Indigenous Peoples' Rights (UNSRIP, 2001)
- UN Expert Mechanism on Rights of Indigenous Peoples (EMRIP, 2007)



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TENURE REFORM

- Since 1992 more forested countries legislated community tenure regimes favorable for indigenous peoples and Local communities
- 58 out of 61 countries studied by RRI
- 8 Asian countries – 35% of forests under community tenure regime (mainly China)
- 6 Latin American countries – 28%
- 8 African countries – 5%



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- UN agencies and funds and other multilateral bodies developed their policies and guidelines on Indigenous Peoples (UNDP, IFAD, FAO, UNEP, WB, IFC, ADB, IADB, EBRD, UNDG)
- Used by IPs to monitor how projects in IP territories supported by these bodies adhere to their policies
- Awareness raising activities for govts. and the private sector on UNDRIP and these policies being done



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- Indigenous peoples influenced the CBD, UNFCCC and Rio+20 to recognize UNDRIP and integrate some of their concerns and issues.
- Aichi Targets of CBD included indicators pushed by IPs to monitor implementation of targets: (e.g. status of indigenous languages, traditional knowledge, traditional livelihoods)
- UNFCCC – (inclusion of Human Rights, REDD+ Safeguards, UNDRIP)



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- Increasing use of community participatory 3-D mapping, digitization and resource inventory to show customary land use, customary ownership, ecological features, biodiversity and indigenous knowledge and for regular monitoring of changes



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Community Participatory 3-D

Mapping

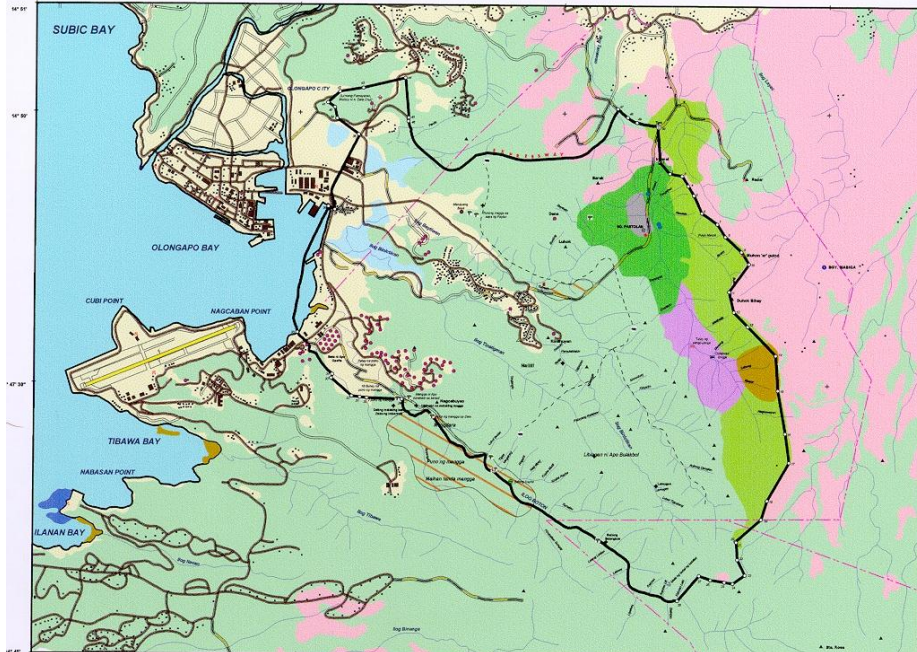


- active participation of indigenous women in community-mapping processes

3D Models...

- **Contain geo-referenced data w/c can be linked to a GIS**

PAMAYANANG MAPA NG LUPAING NINUNO NG KATUTUBONG AETA SA PASTOLAN



**data can be extracted
by simple means**



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Recent global developments

- Growing recognition of the need to respect social, governance and environmental safeguards in REDD+
- Increasing recognition that safeguard implementation and tenure reform will ensure success of REDD+ and ecosystem management
- Worsening conflicts over land ownership and use between indigenous peoples and states and private sector



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Recent global developments

- Global environmental, trade and human rights negotiations increasingly becoming difficult
- Big implementation gaps
- REDD+ negotiations slowing down
- Increasing lack of confidence in a global forest carbon market
- Worsening multiple economic, environmental, social and cultural crises



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Challenges for indigenous peoples

- Enhance local organizing and planning and implementation of indigenous peoples' sustainable, self-determined development (IPSSDD): Integration of HRBA, Ecosystem approach, culture/knowledge-based approach
- Increasing capacities to do community participatory monitoring of how UNDRIP and national laws on IPs, REDD+ safeguards and biodiversity targets are being implemented



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Challenges for indigenous peoples

- Tebtebba engagement with 14 indigenous peoples' organizations in 11 countries in Asia, Africa and Latin America for the implementation of IPSSDD to be further strengthened and expanded.
- Countries: Philippines, Indonesia , Nepal, Vietnam, Cameroon, DRC, Kenya, Nicaragua, Peru, Mexico, Brazil



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Challenges for indigenous peoples

- Work with other NGOs to achieve more policy reforms for land tenure and resource rights.
- Understand better national laws and policies and analyse coherence of these with international human rights and environmental law and instruments (UNDRIP, ILO 169, CBD, UNFCCC, UNCCD, etc)
- Use and development of indicators of IPs well-being and sustainability



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Challenges for IPs

- Sustained assertion of right to FPIC and full and effective participation in decision making processes and monitoring how these are operationalized.
- Use initiatives to promote transparency and governance on forests including; FLEGT, FSC, Report Card of Global Witness, Governance of Forests Initiatives (WRI), PROFOR (WB), etc.



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Challenges to IPs

- Awareness raising and training on use of multilateral and bilateral policies on indigenous peoples and forests
- Training on how to use grievance or complaints mechanisms: e.g. WB Inspection Panel, IFC CAO (Ombudsman), ADB Inspection Panel, IADB, UN Treaty Bodies
- Capacity building campaigning and documenting and communicating cases of HR violations, good practices,



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Challenges to IPs

- Increasing access to finance and markets – right to market forest goods and services
- Need to increase more exchanges of experiences and knowledge between indigenous peoples and between them and others: more learning exchange visits.
- Need to engage in more substantial dialogues with governments and private sector for;



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Challenges for

Governments

- Conflict management and resolution
- Joint engagement forest and ecosystem protection, conservation and restoration.
- Conscious efforts to change discriminatory and racist mindsets and behaviours which regard and treat indigenous peoples as backward and obstacles to development to one which regards them as partners for transformation.



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Challenges for

Governments

- Develop enabling conditions to promote local entrepreneurship, community-company partnerships and forest-related initiatives for small and medium-forest based enterprises.
- Better understanding and support for indigenous knowledge systems and practices and enhance capacities of indigenous peoples to adapt and mitigate climate change.



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DAKKEL AY IYAMAN!

MARAMING SALAMAT!

THANK YOU!

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