

**Opening Statement of the Indigenous Peoples Caucus
at the XII Meeting of Negotiations in the Quest for Points of Consensus of
the Working Group to Prepare the Draft American Declaration on the Rights
of Indigenous Peoples**

**Washington D.C.
November 30 to December 2, 2009**

Ambassador Jose E. Pinelo, Dr. Luis Toro of the Department of International Law, Maria Juliana Ruiz, Committee Secretary, Isabel Madariaga of the Inter-American Commission on Human Rights, distinguished representatives of States of the Organization of American States, and my Indigenous brothers and sisters.

My name is Aloema-Tokoe Josien, I am Kariña and represent the Organization of Indigenous Peoples in Suriname.

On behalf of the Indigenous Peoples Caucus, I would like to express the Caucus' appreciation to the Department of International Law for providing the facilities and making the arrangements necessary for the Indigenous Peoples' delegations to participate in this meeting. We also appreciate the support of the Specific Fund, especially the government of Spain.

On the occasion of this Twelfth Meeting of the Working Group, the Caucus would also like to note our firm support of the General Assembly for renewing the mandate of the Working Group to prepare the Draft American Declaration on the Rights of Indigenous Peoples.

We would also like to recognize the efforts of Presidents of the Americas for the constructive dialogue with the Indigenous Peoples of the United States, and we hope this is an indication that the United States will reconsider its position on the U.N. Declaration on the Rights of Indigenous Peoples, followed by Canada.

The Indigenous Peoples Caucus would like to recognize supportive States for their ongoing positive contributions to the drafting of our American Declaration. Through our work, we are forging a new partnership between states and the Indigenous Peoples of the Americas. We are showing the world that the Americas are ready to right the wrongs of the colonial past, to embrace and reflect the diversity of Indigenous Peoples' cultures, and to utilize this diversity to solve the challenges that lay ahead.

We live in a time of global crisis, mega projects, TLC's, and climate Changes. Indigenous Peoples still suffer the physical, social, economic and cultural effects of colonization. From the Arctic to Tierra Del Fuego Indigenous Peoples face widespread violations of fundamental human rights: food sovereignty, water, clothing, shelter, education and health care, and continuing negation of their dignity, humanity, identity and rights of self-determination and security.

Ongoing colonization and the remnants of slavery continue today through violations of the right to life; infant death from malnutrition; child hunger, criminalization of political activities; invasion, encroachment, expropriation and militarization of ancestral lands; theft of natural resources; forced displacement of our Peoples by mega-projects; non-recognition of land rights and rights of Indigenous Peoples in voluntary isolation; loss of sacred sites, and destruction of the environment and bio-diversity.

For Indigenous women, gender-based violence is shaped by discrimination, but also by militarism, racism, social exclusion, poverty-inducing economic policies, and, most importantly, the systemic violation of our collective rights as Indigenous Peoples,

As a consequence of all the above and the practice of ethnocide and genocide, Indigenous Peoples are at risk of total extinction.

In a clear double standard, many of the same States which continue to perpetrate these acts have adopted the U.N. Declaration and, before that, the ILO Convention 169. We believe that States which have endorsed or ratified these human rights instruments must fully honor their commitments in reaching agreement on the American Declaration.

As we struggle with the current challenges, even more difficult challenges of the future face us. Since we last met, we have seen the continuation of global economic, climate, environmental and health impacts, as well as energy crises, all of which have hit Indigenous Peoples with particular harshness. Yet Indigenous Peoples have, for the most part, been excluded from dialogue on these issues.

We therefore call upon the States to engage Indigenous Peoples in the global discussion that will define the future of life on earth. With Our knowledge and our ways of being in this hemisphere, we are confident that we will make valuable contributions to this discussion. We challenge the States to generate, together with us, new paradigms of living together in peace and social harmony, respecting diversity beginning here and now, with a strong American Declaration. Today we are aware that one state has adopted the United Nations Declaration on the Rights of Indigenous Peoples as national law.

In 2007, the Chair's Report on the meeting of reflection documented that the "majority of States and all of the indigenous representatives supported the use of the UN Declaration as the baseline for negotiations and indicated that this represented a minimum standard for the OAS Declaration." The Chair also noted that "the OAS Declaration should expand on the general concepts of the United Nations Declaration by addressing the particular characteristics of the indigenous peoples of the Americas, while at the same time filling in any gaps or regulatory lacunae in those areas that were insufficiently addressed in the United Nations Declaration." (GT/DADIN/doc.321/07)

In keeping with this consensus, at the Special Meeting of the Working Group in December 2008, a list of distinctive topics was proposed by the Chair and the Indigenous Peoples' Caucus, and it was generally agreed that these topics

would be the subject of future discussion for possible inclusion in the Draft American Declaration.-(GT/DADIN/doc.360/08 rev.1).

It is critical to our success that thorough discussions of these items take place. Climate change is already having and will have an increasingly devastating impact on Indigenous Peoples, depleting traditional food sources, causing environmental degradation and natural disasters, and increasing the numbers of displaced Indigenous peoples. The Indigenous Peoples Caucus fully expects that the commitment to give the American Declaration regional focus will be realized through the discussion and possible inclusion in the Declaration of these and other topics, as agreed by the States and the Indigenous Peoples Caucus.

We look forward to a productive session and progress toward the achievement of a strong American Declaration on the Rights of Indigenous Peoples.

Thank you.