I thank you Mr. President for the opportunity to address the Parties of the Convention and other delegates present. In the name of the International Indigenous Forum on Biodiversity, we want the reiterate our will to continue working together with Parties to achieve the objectives of the Convention. Considering that most of the world’s biological diversity is in our lands and waters, the need for a just implementation of this Convention is urgent, and requires greater participation of the actors directly involved in the conservation and sustainable use of biodiversity. As rights holders, we hope we will continue building just frameworks for collaboration and working together.

Mr. President, the work of the International Indigenous Forum on Biodiversity within the CBD process has a clear spirit of cooperation. However, to make this collaboration effective the full recognition of our rights as Indigenous Peoples is essential. We believe that recognition is an essential prerequisite to working together, reducing biodiversity loss and fostering sustainable development to achieve the millennium development goals.

States, in the responsible exercise of their national sovereignty, must fully recognize and respect the inherent right of Indigenous peoples. Recognition and respect for our rights must be included in all the programs of work of the Convention. We followed with great concern the attempt by New Zealand to delete text that specifically recognizes the land and water rights of Indigenous Peoples – particularly in light of the obligations of the Treaty of Waitangi. This attempt was not acceptable in a United Nations forum that should protect the human and political rights of Indigenous Peoples. On the other hand we want to express our gratitude to the Parties who have shown respect for their obligations and commitments to Indigenous Peoples.

Indigenous Peoples remain deeply concerned about the proposed international regime on access and benefit sharing. Indigenous peoples are rights holders with inherent, proprietary, and inalienable rights to our Indigenous knowledge and biological resources. Genetic resources and traditional knowledge are inextricably linked. We have consistently stated that – and we are not participating in these discussions to facilitate access to our traditional knowledge nor the genetic resources in our territories. Rather, we participate to ensure our rights are recognized and respected by the Parties in the development of the proposed regime. Further, the international regime must be considered consistent with international human rights laws and standards.

We reaffirm that current intellectual property rights regimes are inadequate and inappropriate to protect our collective knowledge and resources because such regimes are monopolistic and favour the privatization of our biocultural resources by transnational companies and only protect indivual intellectual property rights. During the last few years we have witnessed the expropriation of our collective resources, and
the loss of locally sustainable opportunities due to the increase of biopiracy. Our
demand that our rights over our knowledge, practices and resources be upheld is
based on our desire to use this knowledge in favour of autonomous development of
our communities. Therefore, indigenous customary law must be the fundamental
element of any *sui generis* regime for the protection of traditional knowledge.

Mr President, we request that the parties ensure the continuation of the Ad Hoc Open-ended Working Group on Article 8(j) and related provisions. The continuity of this working group is fundamental not only to guarantee the full and effective participation of indigenous peoples in the work of this convention, but also to resolve the issues that directly affect our peoples, such as the CBD Guidelines on Biodiversity and Tourism Development, amongst others. In relation to the guidelines, we especially request that these be reviewed by the Working Group on Article 8(j) in its next meeting, taking into account the recommendations of the International Indigenous Leadership Gathering on Sustainable Tourism, which will be held in September 2005 in British Columbia, Canada.

Indigenous peoples territories have been traditionally managed according to the principles of conservation and the sustainable use of biodiversity. The establishment of regional, sub-regional and national protected areas systems and ecological networks should not result in forced resettlement, extinguishment or breach of our rights to our territories. Protected areas must be established in accordance with the principle of free prior informed consent.

We would also like to note that marine and coastal protected areas have damaged the lives and territories of indigenous peoples. Most coastal areas are, or have been in the past, managed under indigenous peoples’ traditional marine tenure regimes, with management systems based on indigenous peoples’ knowledge and authorities.

All of the CBD work programmes must guarantee the full and effective participation of indigenous peoples, especially indigenous women, with due attention to the recognition, protection and strengthening of our rights and customary use relating to resource management in dry and arid lands, marine and coastal waters, inland waters, forests, mountains and islands.

To conclude, Mr President, we reaffirm our fundamental rights of self-determination and will carry out our peoples’ historical mandate to care for, conserve and preserve our Mother Earth. Parties must uphold our land rights and the right to control access to, and use of, our resources and knowledge. All of us, Parties, Indigenous Peoples and future generations will only survive if we are able to halt the excessive exploitation of the world’s biodiversity resources.

Thank you very much.