Interview with Victoria Tauli-Corpuz, Recently Appointed Special Rapporteur on the Rights of Indigenous Peoples

After the 13th session of the UN Permanent Forum on Indigenous Issues, UN-NGLS interviewed Victoria Tauli-Corpuz, the recently appointed Special Rapporteur on the Rights of Indigenous Peoples, on her priorities as Special Rapporteur and her reflections on the outcomes of the Permanent Forum.

UN-NGLS: As Special Rapporteur on the Rights of Indigenous Peoples, what are some of the main challenges you will face? What are some of your top priorities?

My top priorities include looking at the economic, social and cultural rights of indigenous peoples. This means investigating and understanding what the obstacles are to their enjoyment of these rights and making recommendations on what can be done by nation-states, and also by third parties like corporations. I would also like to monitor how environmental conventions like the UN Framework Convention on Climate Change (UNFCCC) and the Convention on Biological Diversity (CBD) are respecting and promoting the decisions made which are directly relevant to indigenous peoples. For example, how REDD+ safeguards contained in Decision 1/CP.16 of the UNFCCC Conference of Parties held in Cancun, are being addressed and reported; and for the CBD, to monitor the implementation of Article 8J on Traditional Knowledge, Innovations and Practices and other related articles, as well as progress on the Aichi Biodiversity Targets and associated indicators on traditional knowledge. I believe that economic empowerment of indigenous peoples is necessary for their political empowerment and for as long as they are kept in impoverished situations, their lives will not improve, even with all the policies and laws at global and national levels on indigenous peoples’ rights.

UN-NGLS: What is needed to ensure States more effectively implement the UN Declaration on the Rights of Indigenous Peoples, and respect, protect and fulfil all human rights?

Indigenous peoples should be able to monitor and report effectively on how their rights are not being protected, respected and fulfilled. They should be provided technical, political and financial resources to monitor how States and corporations are performing in this area. UN mechanisms and Treaty Bodies, as well as other multilateral initiatives to monitor respect for indigenous peoples’ human rights should be popularized; information should be disseminated widely about what they do and how indigenous peoples can use them to get their rights respected. UN agencies, programmes and funds, human rights NGOs and academics, as well as other civil society organizations should work closely with indigenous peoples to support them in their struggle for their rights, enshrined in the UN Declaration on the Rights of Indigenous Peoples. They should also be supported to get redress for the injustices they suffer through provision of pro-bono legal support, among other measures.
UN-NGLS: What is your evaluation of UN system engagement with indigenous peoples thus far in the processes to define the post-2015 sustainable development agenda? What are your recommendations for strengthening this engagement?

I think there is still a long way to go to get the post-2015 development agenda to integrate the issues of indigenous peoples. My organization, Tebtebba (Indigenous Peoples' International Centre for Policy Research and Education) has actively been working on a daily basis to bring the proposals of indigenous peoples to the Open Working Group on Sustainable Development Goals (OWG on SDGs) and we are very disappointed with the Outcome Documents that have come out so far. Instead of recognizing indigenous peoples as distinct peoples who have something to contribute to sustainable development, we are being lumped in with marginalized and vulnerable groups. There are even attempts to retreat back in labeling us as “indigenous and local communities.” If we do not mobilize to stop this, we are back into being identified as such. We fought long and hard to get the United Nations to recognize us as “indigenous peoples” so we cannot accept this trend we see in the post-2015 agenda and the OWG on SDGs where we become marginalized and vulnerable groups. We are not denying that many of us are also marginalized and vulnerable but we are peoples with distinct identities, cultures and rights recognized by the UN Declaration on the Rights of Indigenous Peoples. The World Summit on Sustainable Development (WSSD) Johannesburg Political Declaration, which was adopted by Heads of States, clearly says “indigenous peoples.” So there is no reason for some States not to recognize this. I think this is a violation of our basic rights to identify who we are and claim our rights contained in international human rights law.

UN-NGLS: How will your work address the intersections between human rights and sustainable development?

Human rights are universal, indivisible and inalienable. Rights to water, to food, to development, to culture and identity, among others are also our rights. For us the intersections between human rights and sustainable development are very clear. Thus, as a Special Rapporteur I will try my best to connect human rights with sustainable development and to look at the most important processes that are defining the next global development agenda. When the Millennium Development Goals were made, there was no reference to indigenous peoples, even though Agenda 21 (adopted at the UN Conference on Environment and Development in Rio, 1992) and the WSSD Program of Action, among others, already included us. Indigenous peoples are the focus of Chapter 26 of Agenda 21, and the Rio Declaration and Johannesburg Political Declaration mentioned us as key actors in contributing to sustainable development. States and the UN bodies, agencies, programmes and funds need to make more conscious efforts to play their roles in promoting indigenous peoples’ rights and contributions to sustainable development. I think it is also crucial that all of us continue to remind States that the human rights approach to development has to be implemented if we want sustainable development to be realized.
UN-NGLS: Good governance was the special theme of this year’s session of the UN Permanent Forum on Indigenous Issues. What were some of the key recommendations for ensuring that indigenous peoples can maintain and improve their individual and collective well-being? What are your reflections on the outcomes of the Permanent Forum?

The work of indigenous peoples to define goals, targets and indicators for indigenous peoples’ well-being, and for development with culture and identity, should be recognized and integrated in the post-2015 development agenda, as well as in other decisions taken by human rights bodies and environment and development bodies. Good governance is a key area that can promote the individual and collective well-being of indigenous peoples. It can ensure better protection and promotion of the rights and operationalization of development with culture and identity of indigenous peoples. We, within Tebtebba and our partners from various parts of the world, call this Indigenous Peoples’ Sustainable, Self-Determined Development.

Good governance for us means ensuring our full and effective participation in decision-making and implementation processes at the local, national, regional and global levels. It means obtaining our free, prior and informed consent when any development project is planned and implemented in our territories. It means respecting our customary laws and governance systems, which are consistent with international human rights standards. It also means leveling the playing field in electoral politics so that there will be a chance for indigenous representatives to become government officials and members of parliament.

Good governance also means States and corporations are accountable and transparent in terms of what they are deciding about and doing in indigenous peoples’ territories. Good governance means States are complying with their human rights obligations and obligations to environmental conventions, especially those which directly relate to indigenous peoples. Good governance means supporting work of indigenous women to empower themselves and also youth to learn more about their peoples’ values, cultures and visions. The role of elders in governance systems should also be respected.

In relation to the outcomes of the recent session of the Permanent Forum on Indigenous Issues, I think they were able to come up with recommendations which will further strengthen the possibilities for indigenous peoples to pursue their economic, social, cultural and civil and political rights at the country level. There were clear recommendations for some UN agencies, programmes and funds on how they can enhance further their work to support indigenous peoples. For instance, the International Fund for Agricultural Development’s (IFAD) practice of allowing for better indigenous peoples’ participation was highlighted (such as their establishment of the Indigenous Peoples’ Forum), and other UN agencies and funds are encouraged to follow suit.

I was disappointed, though, when the members of the Forum just noted the Expert Group Meeting on Sexual and Reproductive Health. I think they can do better than that.
They should welcome this report, as it is their own Expert Group Meeting, and support fully the recommendations that emerged from this process. Violence against indigenous women and girls, discrimination against indigenous women, high rates of maternal mortality, poor access to health services, especially reproductive health services, still remain as major problems for indigenous women. These are the things addressed in that workshop and it is an imperative that the members of the Forum accept all these and support it.

Better coordination and complementarity between the three mechanisms in the UN dealing with indigenous peoples also has to be ensured. The decision to hold meetings to talk about this is good.

Ms. Tauli-Corpuz is an indigenous activist and Founder and Executive Director of Tebtebba Foundation (Indigenous Peoples’ International Centre for Policy Research and Education). She has extensive experience working with governments, civil society actors and in multilateral bodies, including participating in the drafting of the United Nations Declaration on the Rights of Indigenous Peoples. She has lectured and provided training on international human rights law, indigenous peoples’ rights, women’s rights and climate change, and convened various global and regional networks on these subjects. She served as the Chair of the United Nations Permanent Forum on Indigenous Issues (2005-2010) and chair of the Board of Trustees for the United Nations Voluntary Fund for Indigenous Populations (1995-2005).

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