

**Pacific Indigenous Peoples Preparatory meeting for the
World Conference on Indigenous Peoples
19 - 21 March 2013, Sydney Australia**

Agenda Item: Climate Change

**Paper submitted by the Office of the Aboriginal and Torres Strait Islander
Social Justice Commissioner**

Introduction

Climate change raises distinct challenges for Indigenous peoples, our cultures and our lands and resources. It poses a threat to the health, cultures and livelihoods of Indigenous peoples.

Changing climatic patterns affect the viability of food and water sources which impact directly on the life and health of Indigenous people, and associated intergenerational transfer of knowledge. Cultural heritage and traditional knowledge may also be lost or devalued as a result of climate change.

Indigenous peoples in Australia play a crucial role in climate change mitigation measures. In Australia the Carbon Farming Initiative (CFI) is intended to create financial incentives for reducing emissions or storing carbon.¹

I believe that all efforts to address climate change should:

- seek to maximize opportunities and involvement arising from climate change that are driven and developed by Indigenous communities
- respect for Indigenous cultural knowledge and law in the design of climate change measures
- ensure the full participation of Indigenous peoples in the design and delivery of measures to mitigate the impacts of climate change, so as to ensure that such measures do not contribute to the further dispossession of Indigenous people from our land and resources, or impact adversely on the cultural traditions, languages.²

Recommendations:

As the Social Justice Commissioner, I recommend:

1. That the World Conference on Indigenous Peoples urges all States to formally develop an implementation strategy on the Declaration on the Rights of Indigenous Peoples as a priority to ensure strategies to address climate change uphold Indigenous peoples rights to participation and free, prior and informed consent.

2. The World Conference on Indigenous Peoples consider a mechanism through which States can monitor and report on the impacts of climate change on Indigenous peoples, mindful of our socio-economic limitations, and spiritual attachment to lands and waters.
3. That Indigenous peoples vision and practice of Sustainable Development be a focus of discussion at the WCIP and that the United Nations Conference on Sustainable Development (Rio+20) Indigenous Peoples Declaration on Sustainable Development (Appendix 1) should guide this discussion.
4. That the World Conference on Indigenous Peoples recommend the United Nations Framework Convention on Climate Change (UNFCCC) upholds the right to participation in decision making and free, prior and informed consent on any decisions adopted at the Conference of the Parties, including the following:
 - to develop mechanisms to promote input and participation of Indigenous peoples in the design, development and implementation of the strategies and activities to be financed by the Green Climate Fund
 - action on adaptation of the Convention should be undertaken in a participatory and fully transparent approach, guided as appropriate by traditional and Indigenous knowledge
 - to include Indigenous and traditional knowledge for future technical workshops.³
5. The World Conference on Indigenous Peoples should consider climate change policy, such as carbon markets, guarantees and protects Indigenous peoples' engagement and participation. This should include Indigenous involvement in all aspects of climate change law and policy such as development, implementation, monitoring, assessment and review.⁴

Appendix 1

Rio+20 International Conference of Indigenous Peoples on Self-Determination and Sustainable Development

RIO+20

Official Version (June 20, 2012)

Rio+20 International Conference of Indigenous Peoples on Self-Determination and Sustainable Development, 19 June, 2012, Rio De Janeiro.

Indigenous Peoples from all regions of the world met at the “*Indigenous Peoples International Conference on Sustainable Development and Self Determination,*” from June 17th – 19th 2012 at the Museu da República in Rio de Janeiro, Brazil.

We thank the Indigenous Peoples of Brazil for welcoming us their homelands and express our solidarity for their struggles against imposed development such as the Belo Monte Dam which threaten their homelands and ways of life. We also thank indigenous peoples from all regions of the world for their preparatory activities and engagement in this process.

We affirm with one voice that it is time to assume the historical responsibilities to reverse centuries of predation, pollution, colonialism, the violation of rights and genocide. It is time to assume the responsibilities towards our future generations. It is time to choose life.

1. Culture as a fundamental dimension of Sustainable Development

As Indigenous Peoples, our fundamental cultural belief systems and world views based on our sacred relationships to each other and Mother Earth have sustained our peoples through time. We recognize the contributions and participation of our traditional knowledge holders, indigenous women and youth.

Cultures are ways of being and living with nature, underpinning our values, moral and ethical choices and our actions. Indigenous peoples’ abiding survival is supported by our cultures, providing us with social, material, and spiritual strength. We believe that all societies must foster cultures of sustainability, and that Rio +20 should highlight culture as the most fundamental dimension of sustainable development.

2. Full Exercise of our human and collective rights

We see that Mother Earth and all life is in a serious state of peril. We see the current model of development continues to proceed on the road of peril. As indigenous peoples we have experienced the terrible and negative impacts of this approach. These threats extend to peoples in voluntary isolation.

Sustainable development is realized through the full exercise and fulfillment of human rights. Indigenous Peoples see sustainable development and self-determination as complementary. Progress in various countries has happened to the extent that States have fulfilled their duties to respect, protect and promote our human rights, while conflicts have escalated where governments have imposed top-down development, whether labelled “sustainable”, “pro-poor” or “green”. The UN

Declaration on the Rights of Indigenous Peoples is the standard to be applied in the implementation of sustainable development at all levels, including respect for full participation in decision-making and our Free, Prior, Informed Consent (FPIC) to policies, programmes and projects affecting us.

3. Strengthening diverse local economies and territorial management

For Indigenous Peoples, self-determination is the basis for Buen Vivir/ living well, and this is realised through secure land rights and territorial management and the building of vibrant community economies. These local economies provide sustainable local livelihoods, community solidarity and are critical components of resilient ecosystems.

We will continue to strengthen and defend our economies and rights to our lands, territories and resources, against extractive industries, predatory investments, land-grabbing, forced relocation and unsustainable development projects. These include large scale dams, plantations, large-scale infrastructure, tar sands extraction and other mega-projects, as well as the theft and appropriation of our biodiversity and traditional knowledge.

From the conference emerged many answers to address the global crises, as varied as the many cultures present at the meeting. The greatest wealth is nature's diversity and its associated cultural diversity, both of which are intimately connected and which should be protected in the same way.

Indigenous peoples call upon the world to return to dialogue and harmony with Mother Earth, and to adopt a new paradigm of civilization based on Buen Vivir – Living Well. In the spirit of humanity and our collective survival, dignity and well-being, we respectfully offer our cultural world views as an important foundation to collectively renew our relationships with each other and Mother Earth and to ensure *Buen Vivir/* living well proceeds with integrity.

Based on these affirmations and agreements, we commit to carry out the following actions:

Within and among Indigenous communities, Peoples and Nations

- 1) We will define and implement our own priorities for economic, social and cultural development and environmental protection, based on our traditional cultures, knowledge and practices, and the implementation of our inherent right to Self-determination
- 2) We will revitalize, strengthen and restore our institutions and methods for the transmission of our traditional knowledge and practices focusing on transmission by our women and men elders to the next generations
- 3) We will restore knowledge and trade exchanges, including seed exchanges, among our communities and Peoples reinforcing the genetic integrity of our biodiversity.
- 4) We will stand in firm solidarity with each other's struggles to oppose projects that threaten our lands, forests, waters, cultural practices, food sovereignty, traditional livelihoods, ecosystems, rights and ways of life.

We also stand in solidarity with others whose rights are being violated, including campesinos, fishers and pastoralists.

Regarding Actions of States and Corporations:

- 1) We will continue to reject the dominant neo-liberal concept and practice of development based on colonization, commodification, contamination and exploitation of the natural world, and policies and projects based on this model.
- 2) We insist that States fully implement their commitments under National and International laws and standards which uphold the inherent, inalienable, collective and inter-generational rights of Indigenous Peoples and rights affirmed in Treaties, Agreements and Constructive Arrangements, the UN Declaration on the Rights of Indigenous Peoples and ILO Convention No. 169.
- 3) We will reject and firmly oppose States policies and programs that negatively impact Indigenous Peoples' lands and territories, ecosystems and livelihoods, or which permit corporations or any other third parties to do so.

At the United Nations

- 1) We insist on full and effective participation in all discussions and standard setting activities regarding sustainable development, biodiversity, environment and climate change and for the implementation of the UN Declaration on the Rights of Indigenous Peoples in all these processes.
- 2) We will carry these messages to the UN Conference on Sustainable Development, the World Conference on Indigenous Peoples (WCIP, 2014) and all other International processes where our rights and survival are affected. We propose that Indigenous Peoples vision and practice of Sustainable Development be a focus of discussion at the WCIP.

We adopt this Declaration on the 19th of June, 2012, in Rio affirming our rights and reiterating our sacred responsibilities to future generations.

Adopted by networks, organizations, traditional leaders, spirituals leaders and indigenous peoples from the 7 regions of the world, participants of the Conference. Endorsed by Campamento Terra Livre- Cupula dos Povos.

¹ Australian Government, *Carbon Farming Initiative Consultation Paper Enabling Indigenous participation: native title and land rights land issues* (July 2011), p 2.

² *Joint Statement delivered on behalf of the Indigenous Peoples Organisation Network on Agenda Item 3: Climate Change* (Delivered at the seventh session of the United Nations Permanent Forum on Indigenous Issues, New York 21 April- 2 May 2008). At http://www.humanrights.gov.au/social_justice/PFII/climate_change.html (viewed 8 March 2013).

³ M Gooda, Aboriginal and Torres Strait Islander Social Justice Commissioner, *Native Title Report 2012*, Australian Human Rights Commission (2012), p 48. At http://humanrights.gov.au/social_justice/nt_report/ntreport12/index.html (viewed 8 March 2013).

⁴ T Calma, Aboriginal and Torres Strait Islander Social Justice Commissioner, *Native Title Report 2008*, Australian Human Rights Commission (2009), p 113. At http://www.humanrights.gov.au/social_justice/nt_report/ntreport08/index.html (viewed 8 March 2013).