

UN expert urges aligning development with aspirations of indigenous people



Special Rapporteur James Anaya

18 October 2010 – Indigenous people are entitled to their own institutions and self-governing structures to enable them to manage their own affairs and ensure that the development process is aligned with their own cultural patterns, values and customs, a United Nations independent expert says in a **report**.

“In the light of the extreme disadvantages that indigenous peoples have typically faced across a range of social and economic indicators, there are particular concerns... that must be taken into account with regard to development initiatives that affect them,” James Anaya, the Special Rapporteur on the situation on the freedom of human rights and fundamental freedoms of indigenous people, says in a report to the General Assembly.

He explains that policies and initiatives aimed at the development of the economy or infrastructure, and are purported to benefit citizens as a whole, can have negative effects on indigenous peoples.

“These include, inter alia, development programmes involving the extraction of natural resources and mega-projects such as the construction of dams and transportation facilities on indigenous peoples’ territories.

“Such development programmes and projects, despite their specific effects on indigenous peoples and their territories, are often undertaken without adequate consultation with them or without their free, prior and informed consent,” Mr. Anaya says.

He also noted that development projects targeted specifically at reducing the disadvantages experienced by indigenous people and improving their social and economic well-being often fail to properly incorporate their specific needs to advance their self-determination and their rights to maintain their distinct cultural identities, languages and connections with their traditional lands.

“Within both of these areas of concern, there is a need for governments to decidedly fold into development programmes the goal of increasing indigenous self-determination,” Mr. Anaya writes in his report.

He calls for enhancing indigenous peoples' education and skills to empower them to engage and participate in the various elements of development programmes and projects that affect them.

The independent expert says that the participation of indigenous peoples in the broader public life of the State is often inadequate and not proportional to their numbers, recommending special measures to ensure that they participate on equal footing in public and political life.

"It is evident that throughout the world, indigenous peoples are not adequately consulted, nor is their consent obtained, when decisions affecting their rights or interests are made," the Rapporteur writes.

On indigenous people's participation in decision-making at the international level, Mr. Anaya points out that continued efforts need to be made to ensure their active involvement in the development of all international standards and programmes that concern them.

"Potential reforms within international institutions and platforms of decision-making that affect indigenous peoples' lives should be closely examined, and measures should be taken or strengthened to provide financial and other support to enable indigenous peoples to participate effectively at the international level," Mr. Anaya writes.

He exhorts indigenous peoples to continue to strengthen their capacities to control and manage their own affairs and to participate effectively in all decisions affecting them, in a spirit of cooperation and partnership with government authorities at all levels.

Mr. Anaya welcomes the adoption by the General Assembly of the Declaration on the Rights of Indigenous Peoples, as well as recent statements of support or movement towards support, by the few States that originally voted against the adoption.

"Today, the Declaration serves more as a reminder of how far there is to go in bringing justice and dignity to the lives of indigenous peoples than a reflection of what has actually been achieved on the ground," he says.

Mr. Anaya's is the first of many **reports** to be presented by independent UN experts to the 192-member Assembly over the coming weeks.

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