

Global Indigenous Preparatory Conference for the High Level Plenary Meeting
of the General Assembly to be known as the World Conference on Indigenous Peoples
10 – 12 June 2013, Alta

DRAFT ALTA OUTCOME DOCUMENT

Introduction

Indigenous Peoples and Nations representing the 7 global geo-political regions including representatives of the women's caucus and the youth caucus have gathered in the traditional territories and lands of the Sami peoples at Alta, Norway. Their purpose was to exchange views and proposals and develop collective recommendations on the High Level Plenary Meeting of the General Assembly to be known as the World Conference on Indigenous Peoples, which will convene in New York, 22 – 23 September 2014. This document sets forth their recommendations.

Preamble

For centuries, we Indigenous Peoples and Nations have faced and continue to face the effects of the colonization of our lands, territories, and resources. This has resulted in patterns of domination, exploitation and subjugation of our Peoples and Nations. Such patterns can be traced to claims of discovery and conquest, papal bulls, royal charters and other erroneous doctrines.

These claims have manifested in colonial strategies, policies, and actions designed to destroy Indigenous Peoples and Nations thereby resulting in the ongoing usurpation of Indigenous Peoples' lands, territories and resources; extensive destruction of Indigenous Peoples' political and legal institutions; discriminatory practices of colonizing forces aimed at destroying Indigenous Peoples' cultures; failure to honour Treaties, agreements and other constructive arrangements with Indigenous Nations; genocide, crimes against humanity, war crimes and the militarization of Indigenous Peoples and their lands; corporatization and commodification of Indigenous Peoples; and the imposition of "development" models that are destroying the life-giving capacities of Mother Earth and producing a range of detrimental impacts of which climate change could prove to be the most destructive.

The United Nations Declaration on the Rights of Indigenous Peoples denounces all doctrines, policies and practices based on or advocating superiority of peoples or individuals on the basis of national origin or racial, religious, ethnic or cultural differences and further states that these doctrines, policies and practices are racist, scientifically false, legally invalid, morally condemnable and socially unjust.

We reaffirm that Indigenous Peoples are equal to all other peoples, while recognizing the right of all peoples to be different, to consider themselves different, and to be respected as such. In the exercise of our rights Indigenous Peoples shall be free from discrimination of any kind, in particular discrimination that is based on our indigenous origin or identity; and for Indigenous women, the right to be free from discrimination that is based on gender.

The members of the United Nations must uphold their solemn obligations under the United Nations Charter to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, to achieve international cooperation in solving international problems of an economic, social, cultural, or humanitarian character, and to promote and encourage respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion; and in particular in the specific cultural context of Indigenous Peoples and the standards recognized by the United Nations Declaration on the Rights of Indigenous Peoples.

Furthermore, nation-states individually and collectively, must uphold their obligations in relation to peremptory norms of international law, including equality, non discrimination, the absolute prohibition of racial discrimination and genocide as well as existing state obligations under customary international law principles concerning the right of self-determination of all peoples, including Indigenous Peoples, and our rights to lands, territories and resources; redress and reparations; free, prior, and informed consent; and our distinct economic, social, cultural and political rights.

We affirm that the inherent and inalienable right of self-determination is preeminent and is a prerequisite for the realization of all rights.

We have identified four overarching themes that encapsulate those issues that are of greatest importance to us as Indigenous Peoples and Nations. We recommend that each overarching theme be the respective theme for each of the three round tables and the one interactive dialogue that make up the High Level Plenary Meeting of the General Assembly to be known as the World Conference on Indigenous Peoples. Each of the four themes are accompanied by specific and concrete recommendations for inclusion in the final outcome document of the High Level Plenary Meeting of the General Assembly to be known as the World Conference on Indigenous Peoples.

Theme 1: Indigenous Peoples' lands, territories and resources

1. *All* peoples, including Indigenous Peoples and Nations, have the right of self determination over their lands, territories and resources, including water¹. We recommend that States implement this right, including through the allocation of sufficient financial resources, consistent with their obligations under international law, the United Nations Charter, and Nation-to-Nation Treaties concluded with Indigenous Peoples and Nations;
2. *Recommend* that States affirm and recognize the rights of Indigenous Peoples and Nations to their lands, territories and natural resources and take action to legally recognize and otherwise fully implement these rights, including the right to restitution as well as the protection and preservation of sacred places and cultural landscapes. Further that States establish mechanisms that can effectively promote the implementation of these rights including through the allocation of sufficient financial resources;
3. *Recommend* the establishment of mechanisms to ensure that States obtain the free, prior, and informed consent of Indigenous Peoples and Nations before entering their lands and territories

¹ A/RES/64/292.

or relocating them. Past relocations require just and fair compensation and, where possible, the option of return. In such instances where Indigenous Peoples have been forcibly evicted from their ancestral lands and territories, that States provide immediate redress including compensation and humanitarian assistance as required;

4. *Recommend* that States uphold and respect the self determination of Indigenous Peoples and Nations who do not want resource extraction in their lands and territories and that where resource extraction is already occurring that States with the full, equal and effective participation of Indigenous Peoples develop a comprehensive long term strategy, for sustainable and equitable resource extraction, to end and prevent uncontrolled and unsustainable industrial contamination and extraction and that such a strategy address the need to urgently transition away from fossil fuel dependence to clean, renewable and/or free energy based systems and infrastructure. Further, that such a strategy incorporates strengthening the capacity of Indigenous youth in relation to sustainable development practices based on traditional knowledge and the relationship with the land as well as the protection and promotion of the important role of Indigenous women as traditional knowledge holders.

Theme 2: United Nations system action for the implementation of the rights of Indigenous Peoples

1. *Recommend* the creation of a United Nations body with a mandate to promote, monitor and review the implementation of the rights of Indigenous Peoples, including but not limited to those affirmed in the United Nations Declaration on the Rights of Indigenous Peoples, and that such a body be established with the full, equal and effective participation of Indigenous Peoples;
2. *Recommend* that the General Assembly call for the establishment of an international mechanism to provide oversight, redress, restitution and the implementation of Treaties, agreements and other constructive arrangements between Indigenous Nations and States and successor States;
3. *Recommend* that the General Assembly appoint an Under-Secretary General for Indigenous Peoples, in order to strengthen the United Nations capacity and efforts towards ensuring the full realization of the rights of Indigenous Peoples as well as the inclusion and reflection of these rights in all activities of the United Nations;
4. *Recommend* that all United Nations agencies, programs and funds engaging in activities impacting on Indigenous Peoples appoint an officer, or establish a team of officers, with particular responsibility to ensure that all such activities are responsive to and adapted for the particular situation of Indigenous Peoples. That efforts be made to ensure that recruitment of Indigenous personnel within these agencies and programs is increased;
5. *Recommend* that a review be undertaken of the nomination processes for United Nations mandated positions relating to Indigenous Peoples' rights to ensure that the processes are consistent with the United Nations Declaration on the Rights of Indigenous Peoples, and that Indigenous Peoples with expertise on Indigenous Peoples' rights be appointed to treaty monitoring bodies to enable more effective monitoring of Indigenous Peoples' rights and states parties compliance with their treaty obligations.
6. *Recommends* the organization of an official UN World Conference on Indigenous Peoples.

Theme 3: Implementation of the Rights of Indigenous Peoples

1. *Self-determination* includes, *inter alia*, the right and power of Indigenous Peoples to negotiate on an equal basis with States the standards and mechanisms that will govern relationships between them. We therefore recommend that States recognize that the implementation of the existing right of self-determination in international law in this regard will make a significant contribution to avoiding and/or resolving conflicts and alleviating adverse social and economic conditions;
2. *Recommend* that States, with the full, equal and effective participation of Indigenous Peoples, including Indigenous women, youth, and persons with disabilities develop processes to ensure that local, provincial and national laws, policies and procedures comply with international standards including human rights treaties and the United Nations Declaration on the Rights of Indigenous Peoples and further recommend that national human rights institutions develop specific programmes and monitoring mechanisms that focus upon and address the effective implementation of the United Nations Declaration on the Rights of Indigenous Peoples;
3. *Recommend* that States enter into new treaties, agreements and other constructive arrangements with Indigenous Peoples as a way to effectively implement their rights and to resolve violent conflicts and disputes and that the implementation of all treaties, agreements and other constructive arrangements be ongoing and effective;
4. *Recommend* that States uphold and implement the rights of indigenous women as well as strengthen the protection of indigenous women through the formulation and implementation of effective laws, policies and strategies; and that States with the full, equal and effective participation of Indigenous women take immediate action to review and monitor the situation of indigenous women and provide comprehensive reports on violence against indigenous women and girls, particularly sexual violence and violence in the context of armed conflict;
5. *Recommend* that States refrain from further militarizing the lands and territories of Indigenous Peoples and Nations and that the security of all Indigenous Peoples be upheld with special measures being taken to ensure the protection of Indigenous women and children;
6. *Recommend* that States consult with Indigenous Peoples and Nations on the establishment and development of national commissions of inquiry or other independent, impartial and otherwise effective investigative mechanisms to document matters of impunity and other human rights concerns of Indigenous Peoples and to ensure that recommendations to governments to end impunity for violations of Indigenous Peoples' rights are effectively implemented;
7. *Recommend* that States work collaboratively with and actively assist Indigenous Peoples to repatriate sacred and culturally significant items and ancestral remains.

Theme 4: Indigenous Peoples' priorities for development (Free, prior and informed consent)

1. *Indigenous Peoples'* priorities for development are predicated on the full and effective recognition of their rights to lands, territories and natural resources and the connection between customs, belief systems, values and traditional knowledge. We therefore recommend that culture be integrated as a pillar into strategies that relate to development including the Millennium Development Goals and the post 2015 UN Development Agenda;

2. *Recommend* that States uphold and respect Indigenous Peoples' and Nations right of free, prior and informed consent before any activities are carried out in the lands and territories of Indigenous Peoples;
3. *Recommend* that States take a strategic approach to crime and justice with Indigenous Peoples which is informed by standardised and disaggregated data collection and which is focused on prevention and diversion as well as protection and rehabilitation;
4. *Recommend* that States facilitate high quality and culturally appropriate education and health policies, programs and services by Indigenous Peoples for Indigenous Peoples, which incorporate Indigenous Peoples' needs, histories, identities, values, beliefs, cultures, languages and knowledge. Such policies, programs and services must include the distinct perspectives of Indigenous women, youth and persons with disabilities and they must be allocated sufficient financial resources;
5. *Recommend* that States collect, analyze and disaggregate data on the status of Indigenous women and girls in order to draft and implement public policy and legislation that better addresses the situation of Indigenous women and girls;
6. *Call on* States to reaffirm the rights of Indigenous Peoples to their economic, social and cultural development with due regard to their freedom and identity and the recognition that the right to development is both procedural and substantive, obliging States to ensure that development is equitable, non-discriminatory, participatory, accountable, and transparent, with equality and choice as important over-arching themes.