



Presentation by His Excellency Archbishop Silvano Tomasi, Permanent Observer of the Holy See to the United Nations and Other International Organizations in Geneva at the 27th Session of the Human Rights Council - Item 3: General Debate
Geneva, 17 September 2014

Mr. President,

The social, personal and spiritual needs of the world's more than 370 million indigenous people in some 90 countries, in all regions of the world¹, have been a long-standing concern of the Holy See.

Shortly, the World Conference on Indigenous Peoples will be held by the United Nations "to share perspectives and best practices on the realization of the rights of indigenous peoples and to pursue the objectives of the *United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)*"². This meeting represents another fundamental step to foster greater interest and respect for these communities and offers a unique opportunity to reaffirm the Declaration on the Rights of Indigenous Peoples, which sets the minimum standards for their survival, dignity, and well-being and promotes their rights, *inter alia*, to self-determination; to land, territories, and resources; and to economic, social, and cultural development.

As we enter the Third International Decade of the World's Indigenous Peoples, the Holy See suggests that all eventual initiatives should be inspired and guided by the principle of respect for their identity and culture, including specific traditions, religious beliefs, and ability to decide their own development in cooperation with national governments.

As noted by the Special Rapporteur and in other United Nations documents, the human rights and fundamental freedoms of indigenous peoples regrettably continue to be violated, including through systemic discrimination and exclusion from political and economic power; lack of adequate access to justice; over-representation among the poorest, the illiterate, and the destitute; displacement by wars and environmental disasters³; and "harassment, persecution, reprisals against, stigmatization and killings of indigenous human rights defenders"⁴. As a result, comprehensive development is delayed, if not denied.

¹<http://www.unric.org/en/indigenous-people/27307-the-sami-of-northern-europe--one-people-four-countries>

² A/RES/65/198 Resolution adopted by the General Assembly on 21 December 2010 available at: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N10/524/42/PDF/N1052442.pdf?OpenElement>

³ UN DESA, "State of the World's Indigenous Peoples, 2009"

⁴ Doc. A/HRC/23/32

A specific case regards the interaction between industrial and trans-national companies and native populations. The Special Rapporteur refers, for example, to negative, even devastating, consequences for Indigenous Peoples that have been caused by the extractive industries. These corporations must overcome a specific focus on short-term economic advantage and adopt models of authentic development which do not violate the rights of indigenous peoples and encourage a responsible use of the environment.

Deserving attention, moreover, is the problem of defining and protecting folklore from becoming a commodity that can be used by anyone without consideration of the interests and rights of the communities within which they originated. Intellectual property and labour laws have created a body of legal and social requirements aimed at defending the rights of individual authors, composers and performers. Until now, however, the negotiations have not sufficiently provided safeguards to protect the rights deriving from folklore creations.

Mr. President, it is expedient for this Council and other United Nations bodies to establish, as an indicator of respect for the rights of Indigenous Peoples, their direct inclusion in the decision-making processes related to the management of natural resources in their own territories. The Holy See Delegation urges the elimination of every attempt to marginalize indigenous peoples. This means, first of all, respecting their territories and the pacts made with them; likewise, efforts must be made to satisfy their legitimate social, health and cultural requirements. Finally, we cannot overlook the need for reconciliation between the indigenous peoples and the societies in which they are living.⁵

Thank you, Mr. President.

⁵ John Paul II, *Ecclesia in America*, par. #64,
http://www.vatican.va/holy_father/john_paul_ii/apost_exhortations/documents/hf_jp-ii_exh_22011999_ecclesia-in-america_en.html