

**13<sup>th</sup> United Nations Commission on Sustainable Development  
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**Major Group Closing Statements  
Indigenous Peoples Caucus (Major Group) Closing Statement**

Presented by:

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on behalf of the CSD 13 Indigenous Peoples Caucus (Major Group)  
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Mr. Chairman, many Indigenous Peoples have been and continue to be denied their water rights, and therefore their rights to life and to development. Many States have agreements with Indigenous Nations, some by decree and some by constitution. However, many States have violated their agreements by allowing the construction of dams and water diversion projects upstream from Indigenous Peoples' lands. As a result, little or no safe water reaches these communities, which have depended on agriculture as their means of subsistence since time immemorial. The lack of full and effective participation of Indigenous Peoples in decisions that affect our communities has resulted in increasing poverty and malnutrition.

The International Covenant on Economic, Social and Cultural Rights, in article 12 (1) (2) states that State Parties recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health. It states further that the steps to be taken by the State Parties to achieve the full realization of this right shall include "*the improvement of all aspects of environmental and industrial hygiene*".

Principle 22 of Rio Declaration on Environment and Development states "*Indigenous peoples and their communities and other local communities have a vital role in environmental management and development because of their knowledge and traditional practices. States should recognize and duly support their identity, culture and interests and enable their effective participation in the achievement of sustainable development*". The full and effective participation of Indigenous Peoples is vital for all discussions relevant to their communities and interests.

For Indigenous Peoples water is central to our cultures, and to our relationship to our lands and territories. In fact we are guided by our respect for Mother Earth when we practice our traditional knowledge and sciences.

To maintain our spiritual relationship to our waters, we must have the right to make decisions at all levels about water when the outcomes of those decisions affects our communities. Governments, corporations and intergovernmental organizations must, under international human rights standards, obtain the free, prior and informed consent of Indigenous Peoples through consultation, by culturally appropriate means, in all decision-making activities that affect us regarding water, sanitation and human settlement.

Mr. Chairman, Indigenous Peoples' access to water, human settlement and sanitation services needs to be better reflected in the text. The lack of recognition of Indigenous Peoples rights, including our right to full and effective participation in decision-making, puts at risk our reaching MDG 7.

Indigenous Peoples fear that culturally insensitive implementation of the market based approach could lead to our further impoverishment and marginalization. The building of large dams often results in involuntary displacement. In like manner, mining operations have devastating impact on water quality, resulting in disease and the destruction of our communities.

The Indigenous Peoples' full and effective participation in the planning, development and implementation of policies on water, sanitation and human settlement, first requires the recognition, and support of traditional Indigenous institutions by the States. Access to basic human needs is part of our exercise of self-determination. To the Indigenous Peoples this means our ability to maintain and use our own institutions and to pursue our own development path according to our own culture, values, philosophy and world-view. A rights-based approach to water must be adopted, so that the most marginalized indigenous communities can achieve equity and implement sustainable development in their communities.

It is well known that 80% of the world's biodiversity is found on lands that are under the care of Indigenous Peoples. Mr. Chairman, we will continue with our responsibilities as stewards of the natural world and its biodiversity for all peoples and future generations.