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# IPS Update

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## **After Johannesburg: Engagement or Isolation?**

One lesson came through very clearly at the World Summit on Sustainable Development and at the International Indigenous Peoples' Summit in South Africa. It is a lesson familiar to those who live and work in the Arctic.

Simply put, regional problems require global solutions.

It's easy to lose sight of this perspective in the avalanche of analysis and comment coming out of Johannesburg. Some people have mused that the days of big summits may be over.

Are they? Was Johannesburg a "bust" as some have stated? While it is true that not much is new in the Johannesburg Plan of Implementation, it is also a compromise document and as such is pretty much guaranteed to disappoint. It is important to look at the big picture.

Recently, the International Institute for Sustainable Development (IISD) listed 10 successes and 10 failures since the Earth Summit in Rio in 1992. This list has a direct bearing on the situation in the Arctic and is worth quoting:

The 10 successes include:

- The ozone layer is beginning to recover. International co-operation to eliminate ozone-depleting chemicals has been successful.
- Even though international progress since Rio has been slow, thousands of practical projects at a grassroots level have borne fruit.
- Experts, interest groups and ordinary people have made inroads into the policy-making process.
- Business is beginning to recognize its wider responsibility towards people, communities and the environment.
- Electronic communications are making information more widely available and decision-making more transparent.
- Major advances have been made in the way we understand natural systems, and in the development of sustainable technologies.
- The development of more accurate indicators and accounting practices gives us a better picture of our progress toward -- or our movement away from -- sustainability.
- The Kyoto Protocol represents a crucial milestone on the road to a stable atmosphere.

- In several countries, the principles of sustainable development have begun to infiltrate the machinery of governance.
- Environmental agreements like the Biosafety Protocol and the Stockholm Convention on Persistent Organic Pollutants offer new safeguards for communities and the environment, provided that they are matched by strong leadership.

The 10 failures include the “collapse of leadership and a failure of the rich countries to deliver” on the promises made in Rio. Poverty is increasing. We continue to consume way more than we can sustain. Marine ecosystems are in a desperate situation. Economic considerations are given more weight than the environment. Armed conflict is increasing. Climate change and water scarcity is a recipe for conflict. AIDS devastates many countries, especially in Africa. And “despite the good intentions of the Biodiversity Convention, thousands of species a year are disappearing from the face of the planet.”

By the time you get to the end of this list, you might be tempted to think that maybe we should just deal with the problems in our own backyards.

But from an Arctic perspective, isolationism is not the answer. The regional problems of the Arctic, reflected in this list, are global problems. We only have to look at the Stockholm POPs Convention for a model of how a regional problem can be successfully tackled at a global level.

We need more global engagement, but more *focused* global engagement. Gatherings like the recent one in Johannesburg perhaps do too little by trying to do too much. We need to think of other more practical processes and efforts. The commitment by Russia, China, India and Canada to ratify the Kyoto Protocol is a good example of a practical global process that will affect the Arctic.

So is the UNEP Mercury Assessment, which was requested in the Arctic Council’s Barrow Declaration. The assessment should get underway next year. Once more, the Arctic will have an opportunity to demonstrate the importance of thinking locally while acting globally.

## **From a Reuter’s article assessing who won and who lost at the WSSD**

### *Winners - Sandton restaurant owners*

Restaurant owners in the up-market, cordoned-off shopping mall surrounding the conference centre watched contentedly as foreign delegates with fat allowances swilled wine and scoffed steaks - a bargain for many because of South Africa's weak currency.

### **Losers - Sandton hawkers**

Hawkers who eke out a meagre living selling fruit, snacks, cigarettes and cheap shoe-shines outside the convention centre were hustled off the streets before the summit began - "for their own safety", according to Johannesburg's police chief.



Chief Evon Peter, Gwich'in Council International (R) and David Roddick, Arctic Athabaskan Council.

## Indigenous Peoples Make Key Gain at the World Summit

It took intense last minute lobbying – literally as South African President Thabo Mbeki was preparing to lower the gavel to close the Summit – but Indigenous Peoples succeeded in getting a key phrase included in the final Political Declaration:

“We reaffirm the vital role of indigenous peoples in sustainable development”.

The fact that there is an “s” on peoples is significant and represents the first time the term “indigenous peoples” was unconditionally adopted in an official UN document. This is important because it recognizes and affirms that there is more than one ‘people’, that Indigenous Peoples form distinct and coherent societies. As many of the world’s Indigenous Peoples are reasserting their rights to govern themselves, this is a crucial distinction.

“We think the UN has made a vital step towards respecting Indigenous Peoples equal to other peoples of the world,” says Vicky Tauli-Corpus of the Phillipines-based Tebtebba Foundation, “This is a significant step in defining the rights of Indigenous Peoples.”

Indigenous Peoples called for a World Summit on Indigenous Peoples as a follow up to the WSSD. This was part of the Indigenous Peoples’ Political Declaration. They also released a 10-page Indigenous Peoples Plan of Implementation on Sustainable Development which covers issues such as mining, energy, climate change, children and youth, women, land rights, and biodiversity.

The introduction states that the implementation plan is, “part of our contribution for achieving human and environmental sustainability in the world” and “reflects the heart and mind of Indigenous Peoples as traditional caretakers of Mother Earth who, for many millennia, have developed and refined our sustainable societies.”<sup>1</sup>

The plan is meant to guide sustainable development of Indigenous Peoples in their territories, and lay down some ground rules for how governments, NGOs, business and other bodies should behave when working with Indigenous Peoples in their territories.

The plan of implementation reinforced the statements in the Indigenous Peoples’ Political Declaration. Representatives of Indigenous organizations from more than 50 countries met for four days in Kimberley prior to the World Summit. They heard reports from the different indigenous regions, discussed common concerns and problems, the role of different international institutions, and developed a political statement for release at the Johannesburg Summit.

Delegates from the Arctic, South America, Asia, and Africa met in the homeland of the Khoi-San people. The Khoi-San, the original inhabitants of South Africa, are struggling for recognition as a distinct people within their country. They are also fighting for the return of their lands, which were taken away during the colonial and apartheid periods.

Besides calling for an Indigenous Peoples' Summit, the Indigenous political declaration states that:

- Indigenous Peoples reaffirm their right to self-determination and to control and manage their lands and resources;
- Indigenous Peoples have a right to set their own sustainable development priorities, and free and informed prior consent must be obtained before any development project takes place in their territories;
- traditional knowledge systems must be respected and use of traditional knowledge must have the knowledge holders' consent. "Unauthorized use and misappropriation of traditional knowledge is theft";
- Indigenous Peoples rights to "our sacred and ceremonial sites and ancestral remains" must be respected;
- globalization and unsustainable resource extraction practices are obstacles to the recognition of indigenous rights;
- Indigenous Peoples are willing to enter into partnerships with governments, international agencies and the private sector provided that they are based on principles of honest and good faith, and that indigenous rights are recognized; and
- the United Nations should secure all the necessary political, institutional and financial support to ensure the effective operation of the UN Permanent Forum on Indigenous Issues.

The Arctic was represented at the Indigenous Summit by the Saami Council, Inuit Circumpolar Conference, the Russian Association of Indigenous Peoples of the North, and the Aleut International Association. The Indigenous Peoples' Secretariat assisted with fundraising, logistics and other work.



### **Now, the Legacy: The World Summit on Sustainable Development from an Arctic Perspective**

What will be the legacy of the World Summit on Sustainable Development? This question was asked thousands of times by the thousands of people who convened in Johannesburg for the largest gathering in UN history.

Few of the thousands assembled were thinking of the Arctic specifically, but the results of the Summit have the capacity to profoundly affect our region.

At this point, it is difficult to tell what the Summit's legacy will be, for the world or the Arctic. The final Johannesburg Plan of Implementation is a lengthy document that can be read any number of ways. For many government leaders, it is a "triumph" – years of complicated negotiations, a series of preparatory meetings on three continents, much behind the scenes wrangling in the pressure cooker of opulent Sandton led to something that all countries could agree upon. Many called it a roadmap to sustainable development in the coming decade. At the same time, these leaders admitted that there has been a collective failure over the past decade to implement many of the promises made at the Earth Summit in Rio de Janeiro in 1992.

Many NGOs are concerned that the Johannesburg Action Plan is the prelude to ten more years of government inaction on sustainable development. They see the lack of concrete targets and time limits in the Plan of Implementation as evidence of a lack of commitment. There were many accusations that the Summit was dominated by business and that many of the partnerships being developed were designed to benefit corporations, not people.

But what of the Arctic? Despite the support of the Arctic states and the Permanent Participants to try to have the Plan of Implementation refer to the Arctic as an "indicator region of environmental health", there are only two references to the Arctic in the final document. Paragraph 36 (h)(i) – "Change in the Earth's climate and its adverse effects are a common concern of humankind" – refers to the need to "enhance the implementation of national, regional and international strategies to monitor the Earth's atmosphere, land and oceans...." Part (i) indicates support for initiatives in the Arctic:

"Support initiatives to assess the consequences of climate change, such as the Arctic Council initiative, including the environmental, economic and social impacts on local and indigenous communities."

Paragraph 74 makes a passing reference to the Iqaluit Declaration of the Arctic Council in the context of supporting a number of regional initiatives.

Nevertheless, there were a number of "Arctic successes" in South Africa.

### **ACIA Side Event**

One of the best-attended and received side events at the Summit was a presentation on the Arctic Climate Impact Assessment (ACIA), sponsored by the Arctic Council. It featured speeches by Robert Correl, Chair of the ACIA steering committee, Sheila Watt-Cloutier, Chair of the Inuit Circumpolar Conference, Jouni Backman, Minister of the Environment, Finland, and representatives of the Northern Forum (which co-sponsored the event), the Conference of the Parliamentarians of the Arctic Region, the Saami Council, and the United Nations Environment Program (UNEP).

### **The Arctic 101**

While Arctic organizations may not have been able to shape the agenda, the Summit was an excellent place to educate decision-makers and lobby groups from around the world. The Indigenous Peoples' Secretariat worked to ensure that thousands of copies of a brochure entitled "Shaping Change, Adapting to Change: Indigenous Peoples and the Arctic Council" were put into the hands of delegates from government, business, and the NGO community.

There is a lesson here. That is, despite the efforts of the Permanent Participants and Arctic States, despite the success of the Arctic and Indigenous Peoples being singled out for special concern in the Stockholm POPs Convention, the region still has a way to go before it is recognized as an indicator region of global health.

### **Sustainable Development Needs a Healthy Environment**

The Johannesburg Plan of Implementation contains a number of elements that should assist the work of the Arctic Council and the Permanent Participants, both regionally and internationally. The Plan of Implementation recognizes there have been new developments since Rio in 1992. Two of these are important to the Arctic:

“First, there is a separate section on globalization - a phenomenon which had barely registered on political agendas in 1992. Another development is in the treatment of issues such as poverty. Unlike Agenda 21, the Plan of Implementation recognizes poverty as a running theme, linked to its multiple dimensions, from access to energy, water and sanitation, to the equitable sharing of the benefits of biodiversity. This reflects a shift from an uni-dimensional income focus on poverty to a multidimensional approach that embraces a vision of “sustainable livelihoods.”<sup>i</sup> (*emphasis added*)

The approach of the Summit, which was to integrate the social, economic and environmental elements of sustainable development, has its echoes in work now underway at the Arctic Council. That sustainable development is not possible without a healthy environment is a message well known in the Arctic. The WSSD provided a platform for a similar message to the world. Said Claus Töpfer, Executive Director of UNEP:

“Just as unsustainable patterns of development result in environmental degradation, negative environmental trends impact most severely on the poor, on those most poorly equipped to deal with them and often those who have the least responsibility for causing them. We recognize the integral relationship between environment and development.”<sup>ii</sup>

### **Climate Change**

Despite the efforts of some states, it was impossible to keep climate change off the WSSD agenda. The Implementation Plan calls on states to ratify the Kyoto Protocol<sup>iii</sup>, but gives no deadline. But announcements at the Summit that Canada, Russia, China and India would ratify the accord gave a boost to the meetings and signalled that some countries at least understand the link between development and environment. While these states gave no dates for final ratification, there is now hope that the protocol will come into force in early 2003.

### **Arctic Indigenous Voices**

Finally, Arctic Indigenous Peoples worked with their counterparts from other parts of the world both at the Indigenous Peoples International Summit in Kimberley and at the WSSD. The attendance of the Saami Council, the Russian Association of Indigenous Peoples of the North (RAIPON), the Inuit Circumpolar Conference, and the Aleut International Association were important to the Indigenous Summit held in Kimberley the week before the WSSD. The Arctic peoples brought an important message to that gathering – that it is possible to work in partnership with states, through institutions such as the Arctic Council. The Kimberley Declaration recognizes the unique model of co-operation found in the Arctic.<sup>iv</sup> As well, Arctic Peoples’ representatives were involved in the day-to-day strategizing by the Indigenous Peoples’ Caucus and in last minute efforts to ensure that the Johannesburg Political Declaration included the key phrase: “We reaffirm the vital role of indigenous peoples in sustainable development.”

The World Summit is over. The delegates have returned home, taking with them a better understanding of the interconnections between peoples and issues. From South Africa, “the cradle of humanity”, it is not that far to the Arctic. The struggle for sustainable development unites all peoples. UN Secretary General Kofi Annan said in his final address:

“Johannesburg is meant to find another way, a path that improves standards of living while protecting the environment, a path that works for all peoples, today and tomorrow. That relationship -- between human society and the natural environment -- is the core concern of Johannesburg, and is what sets Johannesburg apart from other United Nations conferences and summits.”

The next couple of years will be a crucial test of whether these words will be put into action.

<sup>I</sup> IISD Earth Negotiations Bulletin, Vol. 22, No. 51, pg. 17.

<http://www.iisd.ca/linkages/download/pdf/enb2251e.pdf>

<sup>II</sup> Statement by Klaus Töpfer, Executive Director, United Nations Environment Programme at the World Summit on Sustainable Development, 26 August 2002, Johannesburg, South Africa

<http://www.un.org/events/wssd/statements/unepE.htm>.

<sup>III</sup> To come into force, the 1997 Kyoto Protocol requires ratification by countries accounting for 55% of atmospheric CO<sub>2</sub> emissions based on 1990 levels. The goal is to complete these reductions by 2010.

<sup>IV</sup> We support the sustainable development models presented by the Arctic Council, which incorporate principles of genuine partnership between States and Indigenous Peoples, ecosystem approaches, collaboration between traditional and scientific knowledge and local, national and regional implementation plans. *Indigenous Peoples Plan of Implementation on Sustainable Development*, Paragraph 91.



Saami Council delegate Aile Javo and friends from South America, South Africa and the Sudan

## Indigenous Rights and Sustainable Development: A new partnership

Greenland and Denmark will take the lead in developing a new partnership on Indigenous Rights and Sustainable Development. The two-year plan was announced in Johannesburg during the World Summit on Sustainable Development by Edward Geisler, Greenland's Minister for Health and the Environment, and Carsten Stauer, the head of the Danish delegation.

The goal of the partnership is to:

- promote knowledge of indigenous peoples' rights and priorities to development agencies and national governments;
- exchange experiences of good practice; and
- enhance the capacity of indigenous peoples to influence policy processes and decision-making regarding sustainable development.

“By engaging in this partnership, we are reaffirming to ourselves and the world at large that Indigenous Peoples indeed have a vital role in sustainable development,” Geisler said.

Since 1992 a number of governments (including Denmark) and international organizations (including the World Bank, European Union and the United Nations Development Program) have developed policies and guidelines for the support of indigenous peoples facing development issues. A number of studies, however, have also indicated that these policies often do not give indigenous peoples the results they want. This is the case in various types of development endeavors. Threats to sustainable management of natural resources are a particular concern of indigenous peoples, as they threaten not just livelihoods, but entire cultures.

“We need to address issues of rights as part of the good governance agenda,” Stauer said. “Indigenous Peoples in many parts of the world are victims of development processes over which they have no control.”

The partnership will be launched at a seminar in Copenhagen in early 2003. It will focus on lessons learned regarding implementation of development policies on indigenous peoples, and propose specific actions that can be implemented by the partnership. It will also establish and develop a network of partners interested in promoting the rights of indigenous peoples, educate development agency staff members, NGOs and private sector representatives on indigenous peoples' issues, support indigenous organizations' research capacities, and assist them in influencing key global policy processes.

### **The Kimberley Declaration: International Indigenous Peoples Summit on Sustainable Development**

Khoi-San Territory, Kimberley, South Africa, 20-23 August 2002

*We, the Indigenous Peoples, walk to the future in the footprints of our ancestors.*

*Kari-Oca Declaration, Brazil, 30 May 1992*

We the Indigenous Peoples of the World assembled here reaffirm the Kari-Oca Declaration and the Indigenous Peoples' Earth Charter. We again reaffirm our previous declarations on human and environmental sustainability.\*

Since 1992 the ecosystems of the earth have been compounding in change. We are in crisis. We are in an accelerating spiral of climate change that will not abide unsustainable greed.

Today we reaffirm our relationship to Mother Earth and our responsibility to coming generations to uphold peace, equity and justice. We continue to pursue the commitments made at Earth Summit as reflected in this political declaration and the accompanying plan of action. The commitments which were made to Indigenous Peoples in Agenda 21, including our full and effective participation, have not been implemented due to the lack of political will.

As peoples, we reaffirm our rights to self-determination and to own, control and manage our ancestral lands and territories, waters and other resources. Our lands and territories are at the core of our existence – we are the land and the land is us; we have a distinct spiritual and material relationship with our lands and territories and they are inextricably linked to our survival and to the preservation and further development of our knowledge systems and cultures, conservation and sustainable use of biodiversity and ecosystem management.

We have the right to determine and establish priorities and strategies for our self-development and for the use of our lands, territories and other resources. Free, prior and informed consent must be obtained before the approval of any project affecting our lands, territories and other resources.

We are the original peoples tied to the land by our umbilical cords and the dust of our ancestors. Our special places are sacred and demand the highest respect. Disturbing the remains of our families and elders is desecration of the greatest magnitude and constitutes a grave violation of our human rights. We call for the full and immediate repatriation of all Khoi-San human remains currently held in museums and other institutions throughout the world, as well as all the human remains of all other Indigenous Peoples. We maintain the rights to our sacred and ceremonial sites and ancestral remains, including access to burial, archaeological and historic sites.

The national, regional and international acceptance and recognition of Indigenous Peoples is central to the achievement of human and environmental sustainability. Our traditional knowledge systems must be respected, promoted and protected; our collective intellectual property rights must be guaranteed and ensured. Without traditional knowledge holders' free, prior and informed consent, traditional knowledge is not in the public domain and is protected cultural and intellectual property under customary law. Unauthorized use and misappropriation of traditional knowledge is theft.

Economic globalization constitutes one of the main obstacles for the recognition of the rights of Indigenous Peoples. Transnational corporations and industrialized countries impose their global agenda on the negotiations and agreements of the United Nations system, the World Bank, the International Monetary Fund, the World Trade Organization and other bodies which reduce the rights enshrined in national constitutions and in international conventions and agreements. Unsustainable extraction, harvesting, production and consumption patterns lead to climate change, widespread pollution and environmental destruction, evicting us from our lands and creating immense levels of poverty and disease.

We are deeply concerned that the activities of multinational mining corporations on Indigenous lands have led to the loss and desecration of our lands, as exemplified here on Khoi-San territory. These activities have caused immense health problems, interfered with access to, and occupation of our sacred sites, destroyed and depleted Mother Earth, and undermined our cultures.

We are responsible for defending Indigenous lands and communities against exploitation by governments, development agencies, private enterprise, NGOs, and individuals. Indigenous Peoples are not objects of tourism development. We are active participants with rights and responsibilities to our territories, including the process of planning, implementation, and the evaluation of tourism.

Recognizing the vital role that pastoralism and hunting-gathering play in the livelihoods of many Indigenous Peoples, we urge governments to recognize, accept, support and invest in pastoralism and hunting-gathering as viable and sustainable economic systems.

We reaffirm the rights of our peoples, nations and communities, our women, men, elders and youth to physical, mental, social, and spiritual well-being.

We are determined to ensure the equal participation of all Indigenous Peoples throughout the world in all aspects of planning for a sustainable future with the inclusion of women, men, elders and youth. Equal access to resources is required to achieve this participation.

We urge the United Nations to promote respect for the recognition, observance and enforcement of treaties, agreements and other constructive arrangements concluded between Indigenous Peoples and States, or their successors, according to their original spirit and intent, and to have States honor and respect such treaties, agreements and other constructive arrangements.

Language is the voice of our ancestors from the beginning of time. The preservation, securing and development of our languages is a matter of extreme urgency. Language is part of the soul of our nations, our being and the pathway to the future.

We are willing to enter into partnerships with international agencies, governments, private sector and corporations in order to achieve human and environmental sustainability, provided that the partnerships are established according to the following principles: honesty, openness and good faith; free, prior and informed consent of the people affected; respect and recognition of our cultures, languages and spiritual beliefs; and our rights to land and self-determination.

We welcome the establishment of the United Nations Permanent Forum on Indigenous Issues and urge the UN to secure all the necessary political, institutional and financial support so that it can function effectively according to its mandate as contained in ECOSOC Resolution E/2000/22. We support the continuation of the United Nations Working Group on Indigenous Populations based on the importance of its mandate to set international standards on the rights of Indigenous Peoples.

We call for a World Conference on Indigenous Peoples and Sustainable Development as a culmination of the United Nations International Decade for the World's Indigenous Peoples (1995-2004) and as a concrete follow-up to the World Summit on Sustainable Development.

We continue to meet in the spirit of unity inspired by the Khoi-San people and their hospitality. We reaffirm our mutual solidarity as Indigenous Peoples of the world in our struggle for social and environmental justice.

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<sup>1</sup>Indigenous Peoples' Plan of Implementation on Sustainable Development, Johannesburg, South Africa, 2002, pg. 1.

\* Including the Draft Declaration on the Rights of Indigenous Peoples; the Charter of the International Alliance of Indigenous and Tribal Peoples of the Tropical Forests; the Mataatua Declaration; the Santa Cruz Declaration on Intellectual Property; the Leticia Declaration of Indigenous Peoples and Other Forest Dependent Peoples on the Sustainable Use and Management of All Types of Forests; the Charter of Indigenous Peoples of the Arctic and the Far East Siberia; the Bali Indigenous Peoples Political Declaration; and, the Declaration of the Indigenous Peoples of Eastern Africa in the Regional WSSD Preparatory Meeting.

**WSSD by the numbers** (based on UN information):

- Number of participants: 21,000
- Number of delegates: 9,000
- Number of NGOs: 4,000
- Media representatives: 4,000
- Heads of State: 104
- Number and value of partnerships identified during Summit: 220; \$235 million (US) in resources
- Number of pages in final WSSD implementation plan: 54
- Number of times water is mentioned: 77
- References to the Arctic: 2

**Major Commitments**

- Water and sanitation -- countries agreed to commit themselves to halve the proportion of people who lack clean water and proper sanitation by 2015.
- Energy -- countries committed themselves to expanding access to the two billion people that do not have access to modern energy services. While countries did not agree on a target for phasing in renewable energy, they did commit to green energy and the phase out of subsidies for types of energy that are not consistent with sustainable development.
- Health -- in addition to actions to fight HIV/AIDS and reduce water borne diseases, and the health risks due to pollution, countries agreed to phase out, by 2020, the use and production of chemicals that harm human health and the environment.
- Proposals for the Global Environment Facility to fund implementation of the Convention to Combat Desertification have already been adopted, and will have a major impact on improving agricultural practices in the drylands.
- There were many commitments made to protect biodiversity and improve ecosystem management, including:
  - Reducing biodiversity loss by 2010
  - restoring fisheries to their maximum sustainable yields by 2015
  - establishing a representative network of marine protected areas by 2012
  - improving developing countries' access to environmentally-sound alternatives to ozone depleting chemicals by 2010