

Strengthening Partnership between Indigenous Peoples and States: treaties, agreements and other constructive arrangements

Geneva, 16-17 July 2012
Palais des Nations, Room XI

Day 1	Monday, 16 July 2012
10.00-10.30	<p>Opening Session Mr. Antti Korkeakivi, <i>Chief, Indigenous Peoples and Minorities Section, OHCHR</i></p> <p>Hon. Justice Joseph Williams, <i>Judge, High Court, New Zealand; former Chairman of the Waitangi Tribunal</i></p>
10.30-10.45	<p>Presentation of the agenda and background information Ms. Samia Slimane, <i>Human Rights Officer, OHCHR</i></p>
10.45-13.00	<p>Session I: International developments relevant to the situation of treaties, agreements and other constructive arrangements</p> <p><i>This session will review the relevant provisions of the UN Declaration on the Rights of Indigenous Peoples and explore the potential and role of the different UN mechanisms with a specific mandate to address the rights of indigenous peoples. A background paper from OHCHR providing an analytical overview of the findings and jurisprudence of human rights treaty bodies and other relevant mechanisms regarding treaties agreements and other constructive arrangements will be made available.</i></p> <p>I.I The significance of the UN Declaration on the Rights of Indigenous Peoples concerning treaties, agreements and other constructive arrangements</p> <p>Chief Wilton Littlechild, <i>Member of the Expert Mechanism on the Rights of Indigenous Peoples</i></p> <p>I.II The review of UN bodies' work relevant to treaties, agreements and other constructive arrangements</p> <ul style="list-style-type: none"> ▪ Chief Edward John, <i>Member of the Permanent Forum on Indigenous Issues</i> ▪ Chief Wilton Littlechild, <i>Member of the Expert Mechanism on the Rights of Indigenous Peoples</i> ▪ Mr. Francisco Cali Tzai, <i>Vice-Chairperson of the Committee on the Elimination of Racial Discrimination</i> ▪ Mr. Jesse McCormick, <i>Senior Indigenous Fellow, OHCHR</i> <p>Open discussion</p>

15.00-18.00

Session II: Highlights on country-level experiences concerning treaties, agreements and other constructive arrangements

This session will focus on case studies from different regions and discuss the processes, principles and other essential elements of the negotiation and elaboration of new agreements or other constructive arrangements as well as the effective recognition of historical treaties.

Panel 1: Experiences in Latin America (16:30– 18:00)

- Indigenous peoples and the Diquís hydroelectric project in Costa Rica,
Mr. Jose Carlos Morales Morales
- Colombia en la negociación y aplicación de convenios internacionales. El caso del Convenio 169 de OIT y el Convenio sobre diversidad biológica,
Mr. Gabriel Muyuy Jacanamejoy
- Treaty-Making in Latin-America: Where To Go From Here,
Ms. Isabelle Schulte-Tenckhoff
- Agreements in Mexico, *Mr. Saul Vicente Vazquez*

Open discussion

Panel 2: Experiences in Africa

- The case of South Africa, with examples from Republic of Congo, Burundi, Botswana, Cameroon and DRC
Ms. Adèle Wildschut
- The Hoodia case, South Africa
Mr. Roger Chennells
- Constructive Arrangements: Ogiek in the Conservation of the Mau forest and Indigenous Peoples in National REDD+ processes in Kenya, Africa, *Mr. Kanyinke Sena*

Open discussion

Day 2	Tuesday, 17 July 2012
10.00-13.00	<p>Session II ctd.: Highlights on country-level experiences concerning treaties, agreements and other constructive arrangements</p> <p>Panel 3: Experiences in Asia-Pacific</p> <ul style="list-style-type: none"> ▪ Promoting Partnerships in Implementing Intra-State Autonomy Agreements: Lessons from the Chittagong Hill Tracts, Bangladesh, <i>Mr. Devasish Roy</i> ▪ The Nouméa Accord in New-Caledonia, <i>Mr. Raphaël Mapou</i> <p>Open discussion</p> <p>Panel 4: Experiences in North America</p> <ul style="list-style-type: none"> ▪ American Indian Treaties: The Consultation mandate; USA <i>Mr. Gabriel Galanda</i> ▪ The James Bay and Northern Quebec Agreement and the Paix-des-Braves Agreement, Canada <i>Ms. Marie-Ève Lachapelle Bordeleau</i> ▪ Managing Government/Aboriginal Relationship: The Canadian Experience <i>Mr. Jean-François Tremblay</i> <p>Open discussion</p> <p>Session III: Implementation plans and mechanisms: practical experiences and ways forward</p> <p><i>This session will explore participatory and reconciliation models to support the implementation of treaties, agreements and other constructive arrangements. Such models also include implementation plans, arbitration mechanisms, and access to courts</i></p> <ul style="list-style-type: none"> ▪ The Waitangi Tribunal, New Zealand <i>Mr. Carwyn Jones</i> ▪ The Specific Claims Tribunal, Canada, <i>Chief Wilton Littlechild</i> <p>Open discussion</p>
15.00 -18.00	Session IV: Discussion on conclusions and recommendations