

Indigenous Peoples Major Group

Recommendations for Action – Input Paper for the 13th Session of the Commission on Sustainable Development (CSD)

Four Key Points

1. Indigenous peoples interests on water and customary uses must be recognized by governments by ensuring that indigenous rights are enshrined in national legislation and policy.
2. Improved services for better water management means: improved water governance which ensures effective use of existing resources and the active participation of indigenous peoples and all stakeholders; a substantial increase in financing water infrastructure and targeted financing schemes; and mechanisms for empowerment and capacity building.
3. Effective development and management of water resources, efficient and equitable provision of water supply and sanitation services are essential for poverty reduction, ecosystem protection and sustainable growth.
4. Indigenous peoples and local communities must be active participants in the implementation of the Joint Plan of Implementation (JPOI) targets, the Millennium Development Goals (MDG) and planning and implementation of the Integrated Water Resource Management (IWRM) plans, the Integrated River Basin Management (IRBM) initiative and Poverty Reduction Strategy Papers (PRSPs).

Human Right to Water

5. Governments should acknowledge the basic human right to water that the UN Committee on Economic, Social and Cultural Rights (ECOSOC) affirmed in November 2002. Recognition of this right in national policy-making and legislation is critical to bring about fundamental approach to poverty eradication.
6. Human rights and environmental obligations of States must be complied with by the World Trade Organization (WTO), the General Agreement on Trade Services (GATS) and other regional and bilateral trade agreements.

Integrated Water Resource Management (IWRM)

7. All countries should have IWRM processes completed or near completion by 2005.
8. Governments to recognize within many indigenous cultures, the women are often the caretakers and users of traditional water resource systems requiring the need for mainstreaming gender in IWRM planning, implementation and monitoring.

9. Implement an ecological approach that incorporates Indigenous Traditional Ecological Knowledge (TEK) principles of water management.
10. Integrate indigenous TEK principles of the sacred nature of water.

Human Settlement

11. Human settlement issues within urban areas and the needs of rural human settlements both deserve equitable attention.
12. Development of action plans on human settlements and implementation of integrated land use planning and IWRM plans must be strengthened to provide security of tenure and legal protection of indigenous peoples lands and territories.
13. Legal protection for indigenous peoples rights in development processes, planning and implementation of accessible water, sanitation, labor, and other infrastructure projects for human settlements are some of the outstanding obstacles that must be addressed.
14. Safeguards must be put in place to protect vulnerable and poor communities impacted by human settlement and involuntary resettlement, those whose well-being is closely linked to biodiversity and natural world integrity.

Water and Sanitation

15. Develop regional and global goals into realistic and measurable local and national targets for improved water supply, sanitation and hygiene services.
16. Adopt strategies that explore alternatives to large-scale private sector systems and technologies by seeking innovations in formal or informal small-scale water system providers, intermediate technologies, indigenous knowledge and community-based approaches.
17. Developing and developed countries with indigenous tribal populations must develop and strengthen clear policies, targets, financing mechanisms and institutional frameworks to improve sanitation services and assure access to safe and adequate water supply to indigenous communities.
18. Water and sanitation services must be demand-responsive and people-oriented which requires the public sector and local government to plan, implement, maintain and own the system. Governments must commit to public sector delivery of water services.
19. In areas of Indigenous communities, mechanisms for the option for Indigenous peoples to control and manage their own water and sanitation systems must be provided.

Governance

20. Developing countries need to take primary responsibility for establishing good water governance and water management plans, and need to ensure that water is integrated into national poverty reduction strategies.

21. Governments must enhance the participation and mutual partnership of indigenous peoples, in all aspects of agricultural water use, development and management of water resources, development of water and sanitation services and to recognize indigenous peoples interests on water use, allocation and customary uses.
22. Governments, private sector, donors, financial institutions, NGOs and intergovernmental organizations must implement policies that require Indigenous peoples' free prior and informed consent and consultation by cultural appropriate means in all decision-making activities and all matters, including partnerships. In many indigenous communities, collective decision-making enhances indigenous peoples' self-development.

Financing and Investments

23. Financial contributions need to be increased from all main sources, such as, national governments, donors, multilateral financing institutions, commercial lenders, private investors, voluntary donations and other sources, and made available to reach countries most in need for water supply and sanitation.
24. National and international capital should be available to local levels, sub-sovereigns and Indigenous peoples to finance small-scale appropriate technology water infrastructures and sanitation services.
25. International and domestic systems of restoration, financing, investments and compensation to be established in partnership with Indigenous peoples to restore the integrity of damaged watersheds and ecosystems.

Privatisation and Commodification of Water

26. Water and water services must be kept out of the General Agreement on Trade Services (GATS), the World Trade Organization (WTO) and other multi-lateral and regional trade agreements.
27. The World Bank, the International Monetary Fund (IMF), regional banks like the Asian Development Bank, African Development Bank and the Inter-American Development Bank must stop the imposition of water privatisation or 'full cost recovery' as a condition for new loans and renewal of loans of developing countries.
28. Indigenous interests and rights must be respected by international agreements on trade and investment.

Capacity Building

29. Capacity development is a main focus of water policies that needs to be amplified with more action and targets with particular emphasis on building capacities in indigenous and local communities.
30. Capacity building and appropriate technological transfer initiatives must be implemented that recognize indigenous traditional practices of water management which are

dynamically regulated systems. Capacity building includes developing education programs on Indigenous TEK of water systems.

31. The importance of cultural diversity of water should be the guiding principles for the development of educational and capacity building initiatives and designing assessment and monitoring methods.

Government and Corporate Accountability

32. Political, technical and legal mechanisms on the national and international level be developed so that the States, private sector and international financial institutions could be held accountable for their actions or inactions that threaten the integrity of water systems.

Cross-Cutting Issues Related to Energy, Climate Change and Mineral Extraction

33. Governments, international financial institutions, bi-lateral donors, and the private sector should cease to promote water mega-projects without reference to international agreements and must always incorporate the recommendations of the World Commission on Dams (WCD) into water and energy planning processes, including reparations.

34. It is imperative for States to fulfill the mandates of the United Nations Framework Convention on Climate Change (UNFCCC) and the Kyoto Protocol. Because:

- 34.1. Weather changes are causing droughts, forest fires, flooding of lands and coastal areas and small island States, and the lost of snow cover, glaciers and ice conditions within the polar, arctic and mountain regions that comprise the biological integrity of the river systems, water basins and oceans.

35. Governments must call upon the World Bank Group to take the findings of its own World Bank Extractive Industries Review (EIR) very seriously and implement all the recommendations. A failure to implement the EIR recommendations will be regarded as a failure of the World Bank to act in good faith with indigenous peoples, local communities, civil society, local authorities and all stakeholders. Because:

- 35.1. Mining and mineral extractive activities consume vast amounts of water resources, from aquifers, groundwater and surface water systems. Mining activities affect human and ecological health via water contamination from methods of extraction.