The International Labour Organization welcomes the opportunity to speak under this agenda item. Given the time limit, this statement will focus on two issues: the draft United Nations Declaration on the Rights of Indigenous Peoples; and ongoing or forthcoming international discussions on development frameworks that are relevant to these peoples.

The ILO has been following carefully the discussions on the draft United Nations Declaration on the Rights of Indigenous Peoples, and hopes they will be completed soon. However, it appears that in a number of areas, proposals for amendments to the Declaration may fall below existing legally binding international standards for the protection of the rights of indigenous peoples, including ILO Convention No. 169. Convention No. 169 was, of course, adopted with the collaboration of the UN system.

The ILO recalls its continuing support for complementary aspirational standards on indigenous issues within the UN system. However, we also strongly recommend to the Commission that this Declaration should take into account the existing minimum standards in international law for the protection of the rights of indigenous peoples, and we highlight the need for the Declaration not to fall below these. As an aspirational standard, and as a matter of international law, the Declaration would express higher goals than existing binding standards, and would not modify the existing standards; but if it fall below them it would create confusion and uncertainty that could be damaging.

Secondly, the ILO wishes to highlight the importance of taking into account issues pertaining to indigenous and tribal peoples in several current international processes that are of relevance to these peoples. These include the forthcoming review by the World Bank and International Monetary Fund of the Poverty Reduction Strategy approach, and the High-level event, due to take place in September 2005, to review the five years of progress since the Millennium Summit.

Recent work by the ILO has shown that without taking into account the human rights situation and cultural specificities of indigenous and tribal peoples, and without their full and effective consultation and participation in the processes that concern them, national development and poverty reduction processes are more likely to have a negative, than a positive impact on these peoples.

Therefore the ILO recommends that specific account be taken of the social, cultural, economic and political marginalization of indigenous and tribal peoples, and of the special measures that need to be considered to ensure that development does not serve simply to exacerbate this marginalization. To this end, ILO Convention No. 169 provides basic guarantees that are essential to any process of equitable development, and can be considered, among other things, as an instrument for ensuring a rights-based approach to development.