

**Human Rights Council**  
**First Forum on Business and Human Rights**  
**United Nations, Geneva, 4-5 December 2012**  
**Closing Session**

**The Way Forward: Opportunities and Priorities for Action by Relevant Actors**

Tansi. I am Chief Wilton Littlechild and I bring you Cree greetings to all your Excellencies. On behalf of my colleagues at the UN Expert Mechanism on the Rights of Indigenous Peoples, thank you for this great honour. Allow me to begin by congratulating and thanking all the members and support staff of the Working Group on Business and Human Rights for a truly historic and successful First Forum. You embarked on a very ambitious workplan and with your tireless efforts, you accomplished your goal. Yes, we have a lot of work yet to do. But I am confident with all the valuable input given by all participants here we have a great start. So, thank you also, to all delegates: 900+ from around 80 countries and all those who followed through information technology.

As Chairperson of the Expert Mechanism on the Rights of Indigenous Peoples, the newest United Nations mechanism for Indigenous peoples; a research based advisory body to the Human Rights Council, it is with gratitude that I offer some priorities for going forward. Before I do, however, please allow me to share with you a couple of highlights. Many years ago, I was Chairperson-Rapporteur of the first UN Expert Seminar on Private Industry, States, Human Rights and Indigenous Peoples. Sadly, not much changed. We called for a code of conduct for development in Indigenous Territories. We've continued to call for our Indigenous Treaties to be honoured and respected. Yesterday, at the opening session we heard about Indigenous men, women and children being killed. We heard, in side events, of ongoing violations and abuses by State governments and/or corporations.

Now a change is possible. There is new opportunity. I am so thankful that the Working Group has decided to focus on Indigenous peoples' issues. For me to see such serious consideration, to see such inclusion of Indigenous peoples in the workplan, gives me great hope. Of particular note was the specific lens put on the experience of Indigenous women and the challenges of implementation for business affecting Indigenous peoples. We also heard an important call for action: "What are we as lawyers, including myself, doing about access to justice." I should briefly mention that we, as the Expert Mechanism, are holding a seminar on this very topic of access to justice.

That leads me to offer some thoughts for the way forward. As a wise Cree elder told us, "You must know where you come from, know where you are today, if you are to know where you are going tomorrow."

1. Having assessed all the Guiding Principles from an Indigenous perspective, we offered a Comment (A/HRC/EMRIP/2012/CRP.1) for consideration. We think going forward, we could work together collaboratively, hopefully including the Working Group on Business and Human Rights, the Special Rapporteur on the Rights of Indigenous Peoples, the Permanent Forum on Indigenous Issues and the Expert Mechanism on the Rights of Indigenous Peoples.
2. Noting there were very few Indigenous business owners present at the first Business and Human Rights session, we should consider a Global Summit on Indigenous Business, to further promote awareness of the "promote, respect and remedy framework" and reconciliation through business.
3. We would respectfully urge consideration of the positive recommendations from the discussions in this session that advance the rights of Indigenous peoples. For example, the central role of national human rights institutions and the legal profession, among others.

4. Consider fully the recommendations of the Indigenous preparatory meeting in Copenhagen from 5-6 November 2012; Indigenous peoples present recommended that within the scope of its mandate, the Working Group:

\* Uses the UN *Declaration on the Rights of Indigenous Peoples* as a framework for implementation of the Guiding Principles and for the work of the Working Group;

\* Builds strong cooperation with other UN bodies and mechanisms on Indigenous peoples' issues, such as the Special Rapporteur, the UN Permanent Forum and the Expert Mechanism on the Rights of Indigenous Peoples;

\* Include Indigenous peoples as a standing agenda item to the meetings of the Working Group or as we heard here, have an informal side event pre-Forum as a review of developments;

\* Builds awareness of the Working Group among Indigenous peoples, thereby contributing to promoting the effective and comprehensive dissemination and implementation of the Guiding Principles;

\* Builds awareness of the rights of Indigenous peoples among States, businesses and other stakeholders and provides guidance on how the Guiding Principles could be implemented with full respect for such rights as those enshrined in the UN *Declaration on the Rights of Indigenous Peoples* as well as ILO Convention No. 169.

\* Requests States develop their domestic legislation and policies to implement the Guiding Principles with the full and effective participation of Indigenous peoples.

Our personal thanks to Working Group member Pavel Sulyandziga for all his work to ensure the inclusion of Indigenous Peoples and indeed all members.

Finally, we are not just vulnerable groups, or stakeholders. We are also business owners. We are “rights holders.” When States protect, when corporations respect, when due diligence is conducted, when remedies are considered – they must include and consider the rights of Indigenous peoples. Then we will have a win-win balance! We are very encouraged that the Working Group plans to present a report to the General Assembly on “Indigenous Peoples and Business”, and pledge you all our continued support.

Hai Hai (thank you).