

September 13, 2010

The Honorable
Hillary Rodham Clinton
Secretary of State
U.S. Department of State
2201 C Street NW.
Washington, D.C. 20520

RE: United Nations Declaration on the Rights of Indigenous Peoples

Dear Madam Secretary:

We, the undersigned, strongly encourage the United States to endorse the United Nations Declaration on the Rights of Indigenous Peoples as adopted by the United Nations on September 13, 2007 in New York. By endorsing the UN Declaration on the Rights of Indigenous Peoples, the United States will affirm to the world that indigenous peoples have a right to exist as distinct peoples and cultures, the right to be free from discrimination and forced assimilation, and the right of self-determination. We ask that the United States continue its record as a leader in human rights through the support of this important Declaration.

As a network of non-governmental organizations who closely monitor the multilateral development banks (MDBs) for social and environmental justice and sustainability, we view endorsement of this Declaration as an essential step for the United States to maintain leadership and credibility when advocating for improved standards of human rights at these institutions. These banks have enormous influence in the developing world; too often their projects result in environmental damage and human rights abuses that harm indigenous peoples. Stemming these impacts requires the recognition of indigenous peoples' legal rights within the development agenda.

As the largest shareholder at the World Bank, the U.S. has often used its influence to push for important social and environmental reforms at the institution, and in our experience, few reforms take place at the MDBs in the absence of strong U.S. leadership. However, by failing to endorse the UN Declaration, the U.S. undermines its ability to advocate effectively at the MDBs on behalf of indigenous peoples' rights.

Among the important protections provided by the UN Declaration is the right of "free, prior and informed consent" (FPIC) for indigenous peoples regarding decisions affecting their lands, resources, and livelihoods. The European Bank for Reconstruction and Development (EBRD) currently recognizes FPIC as defined by the UN Declaration. We believe the other MDBs can and must follow EBRD's lead, and there are opportunities to promote reform. For example, the World Bank Group's International Finance Corporation (IFC) is currently revising its Policy on Social and Environmental Sustainability, Performance Standards, and Disclosure Policy for the

first time since they were adopted in 2006, and FPIC is one of the important topics under review. Strong and effective U.S. leadership in support of FPIC can make the difference between achievement of significant reform that helps the IFC become a more effective development institution, or a lost opportunity.

Similarly, indigenous peoples' rights play an integral role in the various MDB and UN climate protection mechanisms, such as the World Bank's Forest Carbon Partnership Facility and Forest Investment Program, and the United Nations Collaborative Program on Reducing Emissions from Deforestation and Forest Degradation in Developing Countries. While these programs are designed to reduce carbon emissions by halting tropical deforestation, questions remain as how to ensure that indigenous peoples who maintain the forests are appropriately consulted, and that the programs appropriately benefit them instead of resulting in widespread land loss. At stake is the cultural and physical survival of forest-dwelling indigenous peoples, as well as the preservation of the forests that indigenous peoples have managed sustainably for millennia. Again, there is an urgent need for principled and effective U.S. leadership.

The United States' endorsement of the Declaration will strengthen its ability to provide effective leadership on sustainable development issues within the MDBs and other international fora. The Declaration contains critical legal principles relating to the improvement of the lives of indigenous peoples that are now almost universally accepted. By incorporating the principles from the Declaration into its strategy on multilateral development banks, the United States will bring its bank policies in line with current international standards, as mandated by the United States International Banking Environmental Protection Act of 1989. Moreover, by standing up for the rights of indigenous peoples, the poorest of the poor, the United States will better aid the multilateral development banks in their efforts for the alleviation of poverty in the developing world.

In closing, we ask that the United Nations Declaration on the Rights of Indigenous Peoples be part of the United States' commitment to bring real and lasting change for indigenous peoples in the United States and around the world.

Sincerely,

A handwritten signature in black ink, appearing to read 'Chad Dobson', with a stylized, cursive script.

Chad Dobson
Executive Director, Bank Information Center

On behalf of:

Accountability Counsel, USA

Conservation International

Environmental Defense Fund

Friends of the Earth US

Gender Action

Global Witness

Government Accountability Project

Greenpeace USA

International Accountability Project

International Rivers

Maryknoll Office for Global Concerns

National Tribal Environmental Council

National Wildlife Federation

Natural Resources Defense Council

Oxfam America

Rainforest Foundation US

Sierra Club

David Shaman, Author, *The World Bank Unveiled*

Erich Vogt, American University

cc: The Honorable Timothy F. Geithner, Secretary of the Treasury

Ms. Reta Jo Lewis, Special Representative for Global Intergovernmental Affairs,
U.S. Department of State

The Honorable Patrick Leahy, United States Senate

The Honorable Barney Frank, United States House of Representatives