



OPINION n°2007-17

**« THE NEED FOR EQUITY IN THE RELATIONSHIP
BETWEEN RESEARCHERS AND INDIGENOUS
PEOPLES »**

Approved at plenary session of mars 2007



SUMMARY

This Opinion addresses the sensitive issue of the recognised rights of local or indigenous peoples during research conducted with their support, in developed or developing countries¹.

Many fields of research in the human, biological or Earth sciences involve these populations in one way or another. Sometimes they themselves are test subjects (e.g. DNA sampling of the Guaymi Indians of Panama by a team of biologists and doctors). Sometimes it is their rituals or culture that are studied (anthropological or linguistic studies, for example). They also contribute to numerous research projects by providing various goods (such as medicinal plants) and knowledge (in ethnobotany, zoology, observation of the consequences of climate change, etc.).

Whatever the exact methods and procedures used, this research raises the crucial issue of fairness in the relationship established between the researchers and these indigenous peoples.

Strictly speaking, this is not a new issue. It points to that of archaeological digs (we are aware that the problem of the repatriation of works of art and other collections "borrowed" from indigenous peoples persists to this day) or the trade in numerous plants (think of the old political tensions created by the trading of rubber trees brought back from Brazil). Nevertheless, it today appears in a significantly renewed light both in terms of its formulation (I) and the challenges involved (II). It calls for the drafting of codes of conduct for researchers (III).

¹ We will not enter here into the issue of how to define "indigenous peoples" because no single definition is internationally accepted (the terms "aboriginal", "indigenous", "native" or "tribal" are used interchangeably to designate indigenous populations yet refer to distinct realities. On this point, see the report of the Special Rapporteur for the United Nations' Commission on Human Rights 2002). However, two points are worth noting. On the one hand, it is necessary to point out that indigenous peoples are not only from developing countries but also from North America, Australia, New Zealand, Scandinavia or France (French Guiana, Polynesia, New Caledonia, etc.). On the other hand, everyone at least agrees that indigenous peoples have a "historical continuity with pre-invasion and pre-colonial societies that developed on their territories and consider themselves distinct from other sectors of the societies now prevailing in those territories... [and] exhibit a determination to preserve, develop, and transmit to future generations their ancestral territories, and their ethnic identity, as the basis of their continued existence as peoples, in accordance with their own cultural patterns, social institutions, and legal systems." (UN Working Group on Indigenous Populations).