

## **Speaking Notes for**

### **DPI/NGO Annual Conference Schedule**

**Tuesday, 9 September 2003**

#### **Afternoon Session**

3 p.m. – 5:30 p.m.

#### **Conference Room 4**

##### **Introduction**

1. For the last five hundred years for most of the World's indigenous peoples, "Human Security and Dignity" has only been a dream. The endless killings, rapes, tortures, the poverty, illnesses and poor health, have made many of us lose hope of whether living in security could be an achievable goal and whether our dreams of living in dignity are only a mere fleeting illusion. I am here today, because I believe that your freedom is tied up with mine, and what we do to each other, we ultimately do to ourselves.

2. Numbering some 370 million and spread throughout all inhabitable continents and some 70 States, indigenous peoples interface with today's world, while maintaining our rich cultures and identities. Our peoples are among the world's most marginalized, among the poorest, with health risks disproportionately higher than the rest of the population, with poor formal education and high unemployment. Besides facing social exclusion, indigenous peoples are affected by internal conflict, killed, enslaved, further impoverished, internally displaced or fleeing as refugees, or simply migrating in large numbers within or across borders due to economic hardship.

##### **Human Security**

3. The traditional concept of security, viewed in national and military terms, is tied more to relations between States than among peoples. However, true human security – as recently defined by the report of the Commission on Human Security – requires meeting basic human needs and ensuring vital freedoms. With our experiences over many centuries, I would challenge the traditional concept of security, because for indigenous peoples, the concept of security is viewed as the relationship between us, as "peoples" or Indigenous Nations and the State or States that have grown up on and around our traditional territories. So security for us becomes an issue of the relations, not between States but between a State and its Indigenous peoples and/or nation/s. In many cases, the State has been the most serious threat to our families, children, women and men.

5. During colonial period indigenous peoples came increasingly in contact with colonizing powers and our territories and resources became subjects for annexation. In the not too distant past, Social Darwinism and notions of racial superiority doomed us to lives as second-class citizens if we were considered human, at all. Many indigenous peoples were the victims of genocide, forced removals from traditional territories and many other atrocities including the forced removal and institutionalisation of our children. Even our human

remains became the subject of international trade and to this very day their return to us remains contentious. Some indigenous peoples still grapple with these problems and the on-going intergenerational effects of previous and on-going government policies. Many of us struggle with the negative effects of a new form of colonization (this time by multi-nationals) referred to as globalization. Indigenous peoples remain the most impoverished and often suffer gross and systemic human rights violations like those we have seen happen recently in Africa and other places.

### **The Quest for Empowerment**

6. Unfortunately, the marginalization that I have mentioned also included the international community. Indigenous peoples first attempted to liaise with the international community through the League of Nations back as far as 1923 when Cayuga Chief Deskaheh of the Haudenosaunee (the oldest League of Nations still in existence), travelled to Geneva with the hope of addressing the international community regarding their broken treaties. His efforts were met with “cruel indifference” and he was not allowed to speak. In 1925, Tahupotiki Wiremu Ratana a spiritual leader of the Maori people of New Zealand/Aotearoa, who hoped to bring the Maori treaty violations to the international community, was also denied access to the League of Nations. Internally, within each modern nation possessing indigenous peoples, similar kinds of action has been taken and alliances have been built. It has been also necessary for non-violent social actions such as protest rallies and hunger strikes, etc. in the non-violent spirit of Ghandi.

7. In 1949 Chief Deskaheh’s people helped to build the United Nations here in New York but they were not allowed inside. Finally in 1977 the doors of the international community through the United Nations creaked open to allow in over 150 indigenous peoples (including Chief Deskaheh’s people) to participate in a conference on discrimination against indigenous peoples (held in Geneva).

8. So, as you can see the issue is not new to the United Nations. Already in 1957 the International Labour Organization adopted the Convention 107 on tribal peoples. Born out of the anti-discrimination agenda, under the larger umbrella of human rights, the United Nations’ concern stems from the early 1970’s. The anti-colonial movement, the civil rights movement, which in turn sparked off the indigenous movement, as well as an increased openness of the United Nations to civil society, brought to the table the realities of gross and systematic violations of human rights against indigenous communities. This led to the launch, in 1972, of a study on the subject, the Martinez Cobo study, by the Sub-Commission on Prevention of Discrimination and Protection of Minorities. In 1982, the Working Group on Indigenous Populations began its work, with the mandate to review recent developments regarding indigenous peoples, and to develop international standards on indigenous rights. The Working Group set the important precedent of allowing the participation of indigenous representatives at its meetings, thus bringing indigenous voices directly to the United Nations. A Draft Declaration on the Rights of Indigenous Peoples completed by the Working Group in 1993 is now under consideration by a working group of the Commission on Human Rights. The drafting of the Declaration was indeed an empowering process, however it is only through the realization of our collective rights and our pre-eminent rights of self-determination and the recognition of our traditional territories that will ultimately empower us to control of our destinies. In the meantime, in 1989, the ILO adopted Convention No. 169 on Indigenous and Tribal Peoples.

9. An International Year of the World’s Indigenous Peoples was proclaimed in 1993 and an International Decade a year later (1995-2004). A Special Rapporteur to monitor the

situation of human rights and fundamental freedoms of indigenous people was established by the Commission on Human Rights in 2000.

5. During the 1990s, indigenous peoples were also becoming more active throughout the United Nations system. The Convention on Biological Diversity and other international processes regarding environment, climate change, cultural diversity, intangible cultural heritage, sacred sites and the protection of traditional knowledge and indigenous intellectual property, were targeted by indigenous peoples who sought to increase our involvement in these areas of crucial importance to us. The Rio Declaration (Agenda 21, Ch, 26) in 1992 was a significant step in this process. In turn, the responsible agencies began opening up to indigenous peoples in tandem with the broader United Nations agenda of increasing the involvement of civil society.

6. The year 2000 signalled a turning point on indigenous issues at the United Nations with the establishment of the Permanent Forum on Indigenous Issues – a permanent high-level body attached (as a subsidiary) to the Economic and Social Council. The Forum has a broad mandate to discuss indigenous issues [within the mandate of the Economic and Social Council] relating to economic and social development, culture, the environment, education, health and human rights, to provide expert advice to the Council and UN agencies, raise awareness of indigenous issues and disseminate information on indigenous issues.

### **Conclusion**

7. Indigenous peoples have learnt that to be heard, we have to be, as, if not more, politically and legally sophisticated than the Nation States. Through participation in international forums and through the limited formal educations that some of us could access, we built our capacity to negotiate. We became familiar with the UN system and its protocols and we insisted on being heard. We insisted on being taken into account in the relevant international negotiations of Member States.

8. Indigenous peoples have empowered ourselves by accumulating information and experience about each others situations and about the United Nations, over many years. This information has created better understanding and has become knowledge about the international system. Indigenous peoples have also learnt the importance of friends. We have built alliances with our friends in the environmental movement, the human rights movement and with our NGO communities. This comradeship has created solidarity between like-minded peoples for a more just world. We have learnt that the doors of the establishment will seldom open to the polite knock of a good idea. Sometimes a harder knock is needed. At the same time, indigenous leaders have remained true to the non-violent philosophy, which is the foundations of true civilization.

9. Our international struggle that allowed us to come together as brothers and sisters also helped us to gain greater access to rights in our home countries. We have become empowered by knowledge of our rights and through the articulation of our collective rights through such mechanisms as the draft Declaration on the Rights of Indigenous Peoples. Our strength comes from our collective struggle – and through the diversity and commonality of the World's Indigenous Peoples. None of us could have achieved alone the things we have achieved together.

9. Governments have often limited themselves to considering the condition of indigenous peoples as being primarily a matter of welfare. Social justice, which is based on the day-by-

day enjoyment of human rights by Indigenous peoples offers an enrichment of all our lives. Human rights derive from the inherent dignity of all human beings and the rights of peoples. In this perspective, our cause, as the Indigenous peoples, is everyone's cause.

10. We have been guided by our Elders in our thinking and in our work and I could quote their words. Instead, I will on this occasion refer to western thinkers and in particular a primary representative of the liberal tradition, John Locke, who formulated the rights of all citizens in this way:

*The Inhabitants of any Country, who are descended, and derive a title to their Estates from those, who are subdued, and had a Government forced upon them against their free consents, retain a Right to the Possessions of their Ancestors...*

*If God has taken away all means of seeking remedy, there is nothing left but patience. But my Son, when able, may seek the Relief of the Law, which I am denied: He or his son may renew his Appeal, till he recover his Right... If it be objected this would cause endless trouble: I answer, No more than Justice does, where she lies open to all that appeal to her.<sup>1</sup>*

11. Human security, stripped down to its essential core, is a question of whether governments and people/s will reaffirm their core values and belief in Justice. When can our children, sisters, brothers, mothers and fathers go to sleep in the feeling that they will wake up, have food to eat, water to drink, air to breathe. And even more: That their deepest hopes, wishes and dreams have a chance to become a reality, if not tomorrow then in the not too distant future? Only this could be true "*Human Security and Dignity*" and only this would be "*Fulfilling the Promise of the United Nations.*"

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<sup>1</sup> Locke, J., *Two Treatises of Government*, Cambridge 1988, pp. 386, 394. .