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Permanent Forum on Indigenous Issues
Fourth Session
11th Meeting (PM)

IMPACT OF VIOLENCE ON RIGHTS, PLIGHT OF INDIGENOUS WOMEN AMONG ISSUES

ADDRESSED BY REPRESENTATIVES IN PERMANENT FORUM

The impact of violence on the rights of indigenous peoples, and the plight of indigenous women were among the issues addressed by representatives of indigenous organizations this afternoon during the fourth session of the Permanent Forum on Indigenous Peoples.

The representative of the South Asia Indigenous Women's Forum said that as a result of the war on terrorism, indigenous peoples in her region had been hampered in their expression of democratic rights. Under that label, indigenous activists were arrested, tortured and killed, and elders were criminalized. In addition, national human rights commissions were being politicized. She requested that the Forum study the situation of indigenous peoples in Nepal and Bangladesh. The Forum should also request military withdrawal from indigenous lands.

The representative of the Nepal Federation of Indigenous Nationalities said indigenous women in her country were disproportionately victimized by armed conflict. They were raped and tortured. They were also being forced to take sides in the war and were targeted for recruitment by the army. The Government of Nepal and the international community should recognize that rape and torture as a tool of war was a violation of international law. She urged that the Special Rapporteur visit Nepal and submit a report.

The representative of the Latin American Caucus expressed concern at the constant violations of the collective human rights of indigenous peoples, especially indigenous women, by armed groups. The penetration of international extractive companies had provoked a genocide of indigenous peoples. Women suffered from multiple forms of discrimination and from forced displacement.

A representative of Colombia, claiming that her country had been a pioneer in protecting indigenous peoples, said that, unfortunately, some indigenous peoples had been killed by illegal armed groups, but the Government was not guilty of genocide, as some had suggested. Colombia had enacted a law protecting indigenous peoples from armed forces and the Indian genocide had decreased by 45 per cent by 2004. The Government supported peaceful civilian resistance by indigenous peoples and indigenous community activities, and was paying increased attention to displaced Indian peoples.

The representative of Caucus Inmigración desplazamientos de los pueblos indígenas expressed concern at the constant violations of human rights of the migrant indigenous people, in particular women, who had left their lands because of political violence. In the countries they had fled to, they were told they were not welcome. Discriminatory laws had been adopted that denied them their right to education, work and freedom of movement. She hoped that the United Nations could establish regulations on migration that included family reunion, protection of human rights and just labour laws.

The representative of Khmers Kampuchea Krom Federation recommended that the United Nations and the international community send missions to the Kampuchea Krom region in Viet Nam, and that a team of doctors and human rights specialists study the health situation of the Krom people. She asked that a Special Rapporteur be appointed to study violations of human rights. Furthermore, international donors must stop aid to Viet Nam until the violations stopped. She recommended that United Nations agencies establish a base in the Kampuchea Krom area and that they work directly with the Krom. She also requested that the Kampuchea Krom area be reinscribed on the list of Non-Self-Governing Territories.

The representative of Viet Nam said that, during the current session of the Forum, a handful of individuals had abused the Forum by giving fabricated information on Viet Nam. Viet Nam had been pursuing a policy of equality and mutual assistance towards ethnic groups, while prohibiting any form of discrimination. Many projects had been dedicated to the development of remote mountainous areas. The right of every citizen to practise his or her beliefs was fully guaranteed by the Constitution. The Forum's deliberations should be based on accurate information. Unfortunately, some organizations had not provided such information, and had no right to speak at the Forum.

Another item addressed by the Forum today was data collection and the disaggregation of data on indigenous peoples [disaggregated data are data separate from national and other statistics]. The representative of Australia said in that regard that the collection of data on indigenous peoples was a tool for advancing the interests of indigenous peoples. In Australia, indigenous peoples had been identified separately, as there was a need for standardized data on them that were consistent over time. Those data also needed to be made relevant to indigenous peoples' needs. Australia had published regular reports documenting the status of indigenous peoples and focusing on key issues. The latest report differed from past reports, as it aimed to direct attention to root causes of indigenous disadvantages. The report was a fundamental device for measuring and improving Government response and holding the Government accountable.

The representatives of Canada, Bangladesh, Nepal and Indonesia also spoke.

Statements were made by representatives of Natives Women's Association of Canada/ENLACE/Rights and Democracy, Yaaku Peoples Association, Consultaria de los Pueblos Indígenas en el Norte de Mexico, Armenian Sisters, Consejo de Todas las Tierras, Proyecto de la Memoria Histórica, Indigenous Peoples Caucus of the Greater Caribbean, Consejo Indio de Sud America, Asociación para la Nutrición, el Desarrollo, Educación y Salud Andes Peru, Movement for the Survival of the Ogoni People, Comisión Jurídica para el Autodesarrollo de los Pueblos Originarios Andinos, Taypi Ceqe and Ka Lahui Hawai'i Caucus.

In addition, speakers included representatives of Brazilian Indigenous Institute, Sami Council, Ainu Association of Hokkaido/Shimin Gaikou Centre, Southern Chiefs Organisation, Congress of Aboriginal Peoples, Inuit Circumpolar Youth Council, Peace Campaign Group, Asian Indigenous Peoples Pact, United Confederation of Taino Peoples, Defensora de los Pueblos Indígenas en America, and Movimiento Indígena de Peru.

The Forum will meet again at 10 a.m. tomorrow, Wednesday, 25 May, to consider the future work of the Forum and discuss the Second Decade of the World's Indigenous Peoples.

Background

The Permanent Forum on Indigenous Issues met today to conclude its discussion on human rights, data collection, free, prior and informed consent (on development projects, for example), and the previous Forum themes of indigenous children and youth and indigenous women. (For background information, see Press Release HR/4836 of 13 May.)

Discussion

The representative of Canada noted that the Forum's special themes of indigenous children and women during the second and third sessions had pointed out ways the United Nations, Member States and indigenous communities could ensure that children were equipped for the future, and how women's energy and creativity could be made integral to the development of their societies and economies.

In following up the Forum's previous themes, he said, Canada had participated in several recent expert seminars and sessions, including an international workshop on disaggregation of data, an international expert seminar on indigenous peoples and education, and a workshop on free, prior and informed consent. Adding that the country had also hosted an official World Summit on the Information Society conference on indigenous themes, he encouraged the Forum to reaffirm its central role in ensuring that indigenous perspectives were incorporated in the outcomes of the second phase of that Summit.

A representative of the Native Women's Association of Canada/ENLACE/Rights and Democracy noted the critical need to raise women's priorities during the newly inaugurated Second International Decade on the World's Indigenous Peoples. Among other suggestions, she recommended that the Economic and Social Council make indigenous women's issues a priority during the Second Decade; ensure the full participation of indigenous women throughout Decade activities; dedicate the year 2006 to indigenous women and girls; mainstream gender equity and equality into practices throughout the Decade; and create a mechanism with the full participation of indigenous women to monitor implementation of the Decade's goals and activities.

The representative of Australia said the collection of data on indigenous peoples was a tool for advancing their interests. In Australia, indigenous peoples had been identified separately, as there was a need for standardized data that was consistent over time. Moreover, such data needed to be made relevant to indigenous peoples' needs. As for a consistent indigenous identifier, there could be no international standard, because indigenous peoples around the world had different ways of identifying themselves. The effective use of data was also necessary. Australia had published regular reports documenting the status of indigenous peoples and focused on key issues. The report differed from past reports, as it aimed to direct attention to the root causes of indigenous disadvantages. The report also had a set of indicators on areas where intervention might have direct impact. Indicators were a fundamental tool for measuring and improving government response and holding government accountable.

The representative of South Asia Indigenous Women's Forum said peace and security were at the basis of the Millennium Development Goals. Violence had an adverse impact on indigenous women and children. As a result of the war on terrorism, indigenous peoples had been hampered in their expression of democratic rights. Indigenous activists were arrested, tortured and killed, and elders were criminalized. Indigenous peoples were still discriminated against and their culture was in jeopardy. In addition, national human rights commissions were being politicized. She requested the Forum to study the situation of indigenous peoples in Nepal and Bangladesh. The Forum should also request military withdrawal from indigenous lands. She recommended that the Commission on Human Rights include women at all levels, and requested the Committee on the Elimination of Racial Discrimination to pay attention to the situation of indigenous peoples.

The representative of Bangladesh stressed the importance of distinguishing between indigenous and tribal peoples. Indigenous peoples were the original inhabitants of territories or countries, while tribal peoples were simply members of distinct ethnic entities. Bangladesh had some distinct groups who were not indigenous but tribal, descendants of peoples inhabiting a region east of Bangladesh a few centuries ago. In protecting tribal peoples, Bangladesh had ensured they had freedom of religion, expression, movement and association, as well as fiscal, educational and social benefits to assist them in attaining sustainable development. Due to special educational programmes for tribal peoples, the literacy rate of the largest tribe had grown higher than the national average. Adding that some 2 million tribal peoples lived in Bangladesh, she said the Government intended to continue ensuring their social, economic and political rights.

A representative of the Yaaku Peoples Association said indigenous women in East Africa were faced with several obstacles hindering them from developing their social and economic identities. Those included cultural exploitation; harmful ritual practices, including female genital mutilation; and duties in their households, such as cooking, cleaning, childrearing and, in some cases, pastoral hunting to provide food.

Neither their governments or societies involved indigenous women in decision and policy-making processes, she said, recommending that the United Nations engage in affirmative action to promote the participation of indigenous women in all international institutions and policy-making; improve their access to education as well as social and health benefits; and ensure that indigenous women were protected from exploitation at all levels. Further, the World Bank and other financial institutions should support indigenous women to implement Millennium Goals through access to finance for entrepreneurship and education, and assist with the establishment of scholarships for indigenous girls and women within their communities.

The representative of Nepal said that, in his country, each community had the right to preserve and promote its language, script and culture, and everyone had the freedom to practice his or her religion. Also, gender balance was taken into account in the Constitution. His Government was considering allocating special quotas for representation of the vulnerable sectors of society. The National Foundation for Development of Indigenous Nationalities had been vigorously pursuing the interests of indigenous nationalities. However, Nepal had been facing daunting challenges to peace and development, due to violence and terrorist activities. Nevertheless, the Government was fully committed to protecting the life and property of the people.

The representative of Consultaria de los Pueblos Indígenas en el Norte de Mexico said that an international committee had been set up last year in her region for the promotion of the culture of indigenous women, since indigenous women had taken care of the transmission of culture from one generation to the next. The committee, whose goal was to promote and exchange cultural information, was organizing the first indigenous women's handicraft fair. She requested that the Forum welcome the activities of the committee, which today consisted of 36 organizations.

The representative of Viet Nam said that, during the current session of the Forum, a handful of individuals had abused the Forum by giving fabricated information on Viet Nam. Viet Nam was a multi-ethnic and multi-religious territory, with some 60 ethnic groups living side by side. Those groups had developed a strong tradition of patriotism and mutual assistance. His country pursued a comprehensive approach to all human rights. Special attention was paid to economic, social and cultural rights.

Viet Nam, he continued, had been pursuing a policy of equality and mutual assistance towards ethnic groups, while prohibiting any form of discrimination. Many projects had been dedicated to the development of remote mountainous areas. The right of every citizen to practice his or her beliefs was fully guaranteed by the Constitution. The Forum's deliberations should be based on accurate information. Unfortunately, organizations such as the Montagnard Foundation had not provided such information, and had no right to speak at the Forum. His country had registered protests in that regard.

A representative of Colombia said her country had been a pioneer in protecting indigenous peoples, allowing them to send delegates to its National Assembly. Unfortunately, some indigenous peoples had been killed by illegal armed groups, but the Government was not guilty of genocide, as some had suggested. Among other benefits, over 5,000 indigenous peoples received health-care benefits and some 4,000 had formed associations with companies located within their communities.

Colombia had enacted a law protecting indigenous peoples from armed forces, she said, and the Indian genocide had decreased by 45 per cent by 2004. The Government supported peaceful civilian resistance by indigenous peoples and indigenous community activities, and was paying increased attention

to displaced Indian peoples, in coordination with the Office of the United Nations High Commissioner for Refugees (UNHCR) and the Organization for Migration.

The representative of Indonesia said his country was driven by a desire to correct past mistakes and injustices by promoting human rights as a top priority, enacting human rights legislation, and strengthening the National Human Rights Commission. It had taken measures to guarantee the traditional rights of peoples to land, focusing attention on that issue at the central and local government levels. Under the current system of administration, local governments were addressing specific rural issues, with people truly taking their destinies into their own hands.

Last year, he recalled, Indonesians had directly elected their President and Vice-President for the first time in peaceful, democratic national elections. The ballot had converted the country into the third largest democracy, and it should no longer be judged in its previous context. With the continued cooperation and solidarity of the international community, Indonesia was moving forward in combating insurgency, and efforts had been made to grant human rights to all.

A representative of the Armenian Sisters said her people were being killed by mines and snipers in the continuing conflict with Azerbaijan. How could indigenous Armenians get reparation for seized homes and lands, as well as attempts to exterminate their people? Few Armenians had remained in the ancient part of their homeland, and data was difficult to obtain on atrocities committed. The Turks had denied any part in the genocide, and Armenian archaeologists were not allowed access to sites to collect evidence of its violent history. She called on the international community to protest the blockade on her country.

The representative of Consejo de Todas las Tierras said the Special Rapporteur had visited Chile in 2003 and provided recommendations. It had been proposed to organize a follow-up dialogue to identify ways in which the United Nations could assist in implementing those recommendations. However, more than a year had elapsed and there had been no dialogue. On the contrary, the relations between the indigenous peoples and the Government had worsened. Non-compliance should be of major concern to all organizations that dedicated themselves to human rights. The Forum could transmit relevant information to organizations that protected human rights. The organization also recommended that the Forum provide follow-up to the recommendations of the Special Rapporteur and that it obtain information on compliance with those recommendations. It was further recommended that the Forum send a mission to Chile to bring about a dialogue on the Special Rapporteur's recommendations.

The representative of Nepal Federation of Indigenous Nationalities said the Federation represented 10 million indigenous people in Nepal. Indigenous women were facing multiple discrimination, including racial, linguistic and gender discrimination. They were deprived from primary education in their mother tongue. The indigenous women were disproportionately victims of armed conflicts and of rape and murder. They were also being forced to take sides in the war and were targeted for recruitment in the army. The Government of Nepal and the international community should recognize the discrimination against indigenous women and recognize that rape and torture as a tool of war was a violation of international law. She urged that the Special Rapporteur visit Nepal and submit a report.

The representative of Proyecto de la Memoria Histórica said her organization, together with others, had convened a seminar on indigenous human rights in Chile aimed at drawing attention to the situation of the Mapuche people. That group of people had been repressed during the Pinochet regime, when they were demanding ancestral territorial rights, at a time when international companies were seeking to deforest their lands. Her organization repudiated violence by the Chilean authorities. Also, she asked the Government to recognize the genocide that had taken place, and asked the Forum to formulate a mechanism for reconciliation.

The representative of Indigenous Peoples Caucus of the Greater Caribbean called for the adoption of a strong declaration by the Forum. Numerous reports and expert studies had been carried out on indigenous issues, but now it was time for implementation of the many recommendations. She

recommended that the Caribbean Community (CARICOM) and the Association of Caribbean States focus on the Millennium Development Goals, which should be achieved with the participation of indigenous organizations. She asked that the Government of Guyana adopt recommendations made by the indigenous peoples' organizations of Guyana.

She also requested that other governments in the region respect indigenous peoples' right to self-determination, their right to freedom of movement in their territories, and that they ensure equitable representation of indigenous people in relevant government institutions. Adequate mechanisms should also be created to facilitate border crossings.

A representative of the Consejo Indio de Sud America recommended that a study be carried out on human rights violations in indigenous societies. Stressing the need to protect the freedom of the media, he said increased awareness of such violations would allow social organizations to assist those who had suffered. There was also a need to study national and international aspects of human rights violations, especially acts by military groups that had been carried out across national borders.

A representative of the Asociación para la Nutrición, el Desarrollo, Educación y Salud AndesPeru said developing countries had paid 50 times more to their creditors than the United States had paid to Europe after the Second World War. How could such nations live if \$6 billion in mining revenues could not be distributed to their populations, who remained in a state of chronic underdevelopment? People could no longer tolerate such a situation, and were rising up to reclaim rights taken from them by colonizers.

A representative of the Movement for the Survival of the Ogoni People and the National Youth Council of the Ogoni People noted that trees, animals and water resources were still being lost through violations of fundamental human rights. The military in Nigeria had continued to violate human rights, and mangrove trees were still being threatened by flares from the oil companies. While the United Nations sent a mission to Nigeria some 10 years ago, recommending assistance to approve the economic situation of the Ogoni people, nothing had been done. Could the Forum stay silent in the face of the continued repression of the Ogoni people? He demanded that the Forum request the Nigerian Government to respect the human rights of the Ogoni people.

The representative of Comisión Jurídica para el Autodesarrollo de los Pueblos Originarios Andino said that the organization, together with others, had organized a seminar in Spain in 2003, and had formulated recommendations that should be implemented promptly. During the seminar, discrimination and the legal systems of indigenous peoples had been discussed. He requested that the Forum recommend that all United Nations agencies assist governments in incorporating recommendations of the seminar into their legal systems. He also asked the Forum to invite the High Commissioner for Human Rights to promote training programmes for professionals on indigenous law. He invited the Working Group on Indigenous Matters to include administrative justice for indigenous peoples as a topic on its agenda.

The representative of Taypi Ceqe said there were two aspects of human rights: individual rights and the collective rights of peoples. Both aspects should be taken into account when addressing the human rights of indigenous peoples. In Colombia, the Minister on Indigenous Matters had repressed indigenous peoples, viewing them as foreigners on their own lands. Collective rights to health and education were violated. Indigenous people in Colombia suffered from a poverty rate as high as 70 per cent. Collective human rights should be included in national and international legal instruments. The United Nations should address impartially the collective human rights of indigenous peoples, which were for the most part denounced by countries that had indigenous populations.

The representative of Khmers Kampuchea Krom Federation recommended that the United Nations and the international community send missions to the Kampuchea Krom region in Viet Nam, and that a team of doctors and human rights specialists study the health situation of the Krom people. She asked that a Special Rapporteur be appointed to study violations of human rights. Furthermore, international donors must stop aid to Viet Nam until the violations stopped. She recommended that United Nations agencies

establish a base in the Kampuchea Krom area and that they worked directly with the Krom. She also requested that the Kampuchea Krom area be reinscribed on the list of Non-Self-Governing Territories.

The representative of Latin American Caucus expressed concern at the constant violations of collective human rights of indigenous peoples, especially indigenous women, by armed groups. The penetration of international extractive companies had provoked a genocide of indigenous peoples. Women suffered from multiple forms of discrimination and from forced displacement. She recommended, among other things, that the Forum coordinate its activities more and asked the Special Rapporteur to monitor implementation of recommendations. She also recommended that Agenda 21 be discussed during the next session of the Forum.

A representative of the Ka Lahui Hawai'i Caucus, supporting the statement of the Pacific Caucus, recommended that the Forum call for the immediate adoption of the declaration on the rights of indigenous peoples, and advise the United Nations Decolonization Committee to place several Pacific indigenous communities on the list of Non-Self-Governing Territories. He lamented the continued expansion of military activities on Hawaiian islands, which had led to the destruction of indigenous lands and resources, and recommended that the Forum urge the United States to withdraw its military from Hawaii. He added that some 45 per cent of native Hawaiians received temporary assistance, a situation that needed to be redressed.

A representative of the Brazilian Indigenous Institute expressed disappointment that indigenous peoples' rights had still not been acknowledged at the international level. Over the First International Decade on the World's Indigenous Peoples, important progress had been made, but violations of rights already acknowledged by States had continued to occur. Indigenous peoples wanted acknowledgement of collective and individual rights in international instruments. She recommended that the Special Rapporteur review the effectiveness of mechanisms for the protection of indigenous rights.

A representative of the Sami Council said negotiations had now concluded between the Norwegian Government and the Sami people on resource management in Sami territories. She invited the Forum to study that process as a successful example of free, prior and informed consent for activity on indigenous land.

Currently, she continued, the Sami were negotiating with the Finnish, Swedish and Norwegian Governments a legally binding convention outlining the rights of the Sami people that those Governments would be bound to respect. Although the Sami could not formally be party to the convention, it could not enter into force without Sami approval. Unfortunately, the Sami people were not yet negotiating a similar agreement with the Russian Federation.

A representative of the Ainu Association of Hokkaido/Shimin Gaikou Centre said many people in his organization occupied the lowest strata of Japanese society, due to the continual denial of their collective rights to their land and resources. Indigenous social and educational rights were also being ignored in one of the world's most prosperous economies. He recommended that United Nations agencies adopt the draft declaration on the rights of indigenous peoples as soon as possible; mainstream indigenous issues into the United Nations system; and establish national monitoring systems for indigenous rights.

The representative of Southern Chiefs Organization said the original people of the lands in Canada and America were sovereign nations according to God's plan. He called for justice for the indigenous peoples and an end to the occupation of their lands and to have their sovereignty recognized. He said the original people had never left their homelands, as the colonizers had done, but had reserved parts of their lands in treaties. In the distant past, the Creator had given them their lands and no human could take away what the Creator had given. Treaty rights should be acknowledged, so that the original people could be sovereign. They had land, population, language and culture and they were not Canadian or American.

The representative of Caucus Inmigración desplazamientos de los pueblos indígenas expressed concern at the constant violations of human rights of the migrant indigenous people, in particular women, who had left their lands because of political violence. In the countries they had fled to, they were told they were not welcome. Discriminatory laws had been adopted that denied them their right to education, work and freedom of movement. She hoped that the United Nations could establish regulations on migration that included family reunion, protection of human rights and just labour laws. She asked that the Forum demand, among other things, recovery of community land for displaced populations. She also demanded reparations for families that had suffered because of disappearance, rape and killings.

The representative of Congress of Aboriginal Peoples drew attention to the situation of “non-status” Indians that were living off Canadian reservations. He said the Special Rapporteur had noted that the status of aboriginal people living off reservations was more serious than those that lived on reservations. They were more likely to have food concerns. Most aboriginal people in Canada were not recognized as status Indians and did not fall under the Indian Act, and 50 per cent of them lived in urban areas. They were the lost people, and there were nearly 400,000 of them. Federal policies had separated families and separated communities.

A representative of the Inuit Circumpolar Youth Council recommended that United Nations agencies analyse the environmental and social impacts of military activities in the Arctic. Noting that other indigenous peoples had similar problems, she recommended that the United Nations set up a commission to study the consequences of military activities.

A representative of the Peace Campaign Group said the statement by Bangladesh’s representative had failed to reflect the true situation of indigenous peoples in that country. Religious extremists had become powerful policy-makers; opposition leaders had been killed for political reasons; the media had been suppressed; human rights had been violated; and ethnic cleansing had occurred among indigenous populations. He recommended that the United Nations immediately send a peacekeeping force to protect indigenous peoples in Bangladesh; investigate the situation of indigenous human rights; and impose economic sanctions on the country for its failure to respect indigenous rights.

A representative of the Asian Indigenous Peoples Pact said his people had been the original inhabitants of their territories before colonizers had started arriving in the seventeenth century. They had signed peace treaties with the colonial regimes, who had recognized them as indigenous peoples, as well as title-holders to their lands and resources. Current governments, however, were refusing to recognize them, and exercising policies of cultural genocide and racial discrimination. He recommended that governments recognize indigenous people and restore their rights; and that the United Nations implement urgent action plans to protect indigenous cultures and languages.

A representative of the United Confederation of Taino Peoples said that no progress had been made to improve the situation of the Taino peoples in Puerto Rico. He noted that many States had sought to exclude indigenous peoples from the decolonization issue, and expressed hope that a decolonization caucus could be created within the Forum, and that additional areas of advocacy for decolonization could be created. Among other recommendations, he suggested that the Taino peoples’ situation be included in the Secretary-General’s review on decolonization.

A representative of the Defensora de los Pueblos Indígenas en America recommended that indigenous peoples from Latin America take action within the United Nations to preserve indigenous culture and self-determination in their region. The United Nations must assist indigenous peoples to change policies that affected them in attempting to eradicate poverty and hunger.

A representative of the Movimiento Indígena de Peru said the Peruvian Government was enacting laws against indigenous communities, despite the tremendous diversity of culture in the Amazon. They were losing traditional land, people were being killed, and a free trade agreement was being negotiated

without their approval. That treaty should not be approved because indigenous producers could not compete with international companies.

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