



لتظلّ الشعلة وهّاجة - 保持火焰永不熄灭

Entretenons la flamme - Keep the flame alive - Не дать огню погаснуть

Que no se apague la llama

11th plenary meeting, 18th of June 1993

World Conference on Human Rights

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Agenda Item 8. Commemoration of the International Year of the World's Indigenous Peoples.

MOCK, Alois (President):

I now declare open the eleventh plenary meeting of the World Conference on Human Rights. I apologize to the delegates of the plenary meeting for this delay because the discussions in the General Committee lasted too long.

On our agenda this morning is item 8, Commemoration of the International Year of the World's Indigenous Peoples. In a spirit of unity and concord and in a commitment to the universality of human rights and at the request of the indigenous peoples let me invite all of us to join with indigenous delegates here present in a few moments of reflection.

I invite Mr. Tetiarahi Labi to lead us in this solemn moment.

[Spiritual invocation]

LABI, Tetiarahi (Tahiti), spoke in French:

Keywords: INDIGENOUS PEOPLES - SOLIDARITY

Mr. President, ladies and gentlemen, distinguished representatives of the governments of the world,

I should like, before our various rapporteurs take the floor on behalf of indigenous peoples who watch over this planet, our mother planet Earth, to tell you how happy the indigenous peoples are with the decision you took to dedicate an entire day to this important part of humanity. I should also like to tell you that this day would be dedicated to the solidarity, to the fraternity.

It is important over the next ten years to learn to become brothers again with the indigenous peoples of the world. They have been scattered from the north to the south, from the east to the west throughout the planet Earth. They have not forgotten that culture is a system of representation of symbols that allows them to differentiate themselves from other peoples and, in particular, non-indigenous peoples. Being indigenous does not mean that we think that we are superior to non-indigenous peoples. Today we enter a new period that will enshrine economic and cultural rights and social rights of indigenous peoples, this component part of humanity with whom one must cooperate, with whom one must collaborate and with whom one must fraternize differently.

I do wish to all of you an excellent working day, and I should like once again to thank you, Mr. President, for having given us an opportunity to take the floor and invite you to feel the solidarity with us on our planet Earth, the Mother of us all.

Thank you.

MOCK, Alois (President):

Keywords: INDIGENOUS PEOPLES - HUMAN RIGHTS

Thank you, Mr. Labi.

Today we acknowledge the situation of a special but neglected group of people who live in many nations and many of whose traditional lands are located in some of the most remote and harsh environments of the world. Indigenous lands are found in the ice-bound areas of the circumpolar regions, in the burning deserts, in mountainous wildernesses and in the depths of the rainforest. Indeed, indigenous territories are rarely to be found neatly within the confinements of modern state borders. Today indigenous peoples are found in every walk of life in modern society. We know how the indigenous peoples occupying the most delicate and fragile environments of our globe hold within their collective repository of ancestral wisdom the key to the future sustainability of life on Earth.

Today in this session, we acknowledge those whom we now know to be guardians of our planet. Yet, to our distress the indigenous peoples have not been treated with respect and dignity. Their ways of life have been subjected to severe interference. They have been pushed aside and marginalized. Their languages lost. Their cultures threatened. The lands laid waste. All in the name of progress. How can we defend a progress that harms our fellow human beings?

We are all inhabitants of this one world, indeed. All members of the one family. When the human rights of any one member of our family are threatened or denied then we are all diminished. As delegates to this Conference, we are committed to the universality of human rights. We are committed to ensuring that no one is excluded from the protection of the international standards designed to protect the rights of all peoples. There are, of course, Member States where indigenous peoples do not live. However, this does not mean that these states should not join with the others in a common endeavor to address the concerns of the indigenous peoples and to strive for the universal human rights standards for all the peoples of the world.

I would like to take this opportunity to encourage all Member States to join me today in acknowledging the rights of the indigenous members of our world family to be recognized as indigenous peoples in their own right, with their own distinct cultures, religions, languages and traditions and their own sophisticated systems of legal, political and social organization.

May I recall the words of the Secretary-General at the inauguration of the International Year for the World's Indigenous Peoples in the General Assembly on the 10th December 1992. He said, it is time to recognize that diversity can be the foundation of greater unity. This I suggest could be within the new partnership proclaimed by the General Assembly.

I now call upon the Coordinator of the Year, Mr. Ibrahima Fall, to take the floor. Mr. Ibrahima Fall, the floor is to you.

FALL, Ibrahima (Coordinator of the International Year for the World's Indigenous Peoples), spoke in French:

Keywords: INDIGENOUS PEOPLES - HUMAN RIGHTS VIOLATIONS - INTERNATIONAL YEARS - INFORMATION DISSEMINATION - TECHNICAL COOPERATION

Thank you very much, Mr. President.

Mr. President, Your Excellencies, distinguished Ministers, Heads of delegations, members of intergovernmental organizations, representatives of indigenous peoples, representatives of non-governmental organizations, ladies and gentlemen,

This morning agenda item 8 invites us to commemorate the International Year for the World's Indigenous Peoples. In a very short time, the Chairman of the Working Group on Indigenous Peoples, Ms. Erica-Irene Daes, will be taking the floor. I would like to take this opportunity to congratulate her warmly for the work that she has done over a period of over ten years in this Working Group because her devotion, her discernment has done a lot to guide the deliberations of the Working Group responsible for monitoring the human rights situation of indigenous peoples and for developing international standards to ensure their protection.

It is also my pleasure to welcome the special guest of the Secretary-General Boutros Boutros-Ghali, Mrs. Rigoberta Menchú, the Nobel Peace Prize winner in 1992 and the itinerant ambassador for the Year of the Indigenous Peoples. I do not think that we need to introduce Mrs. Menchú. For over 10 years, she has been a familiar figure in the corridors of the United Nations where at all meetings she was the spokesperson for the indigenous peoples, whether talking for her own people in her country or for other peoples throughout the world. It is a great honor for us to have her for this important day on the calendar of the World Conference.

Finally, Mr. President, allow me to welcome the representatives of the indigenous peoples from the entire world who will be speaking at the World Conference. We do appreciate the efforts, even the sacrifices they made in coming here and in participating in today's celebration. At the same time in affording us an opportunity to better appreciate the diversity and richness of indigenous cultures and give us a better understanding of their concerns.

As coordinator of the International Year, I should like to take the opportunity afforded me by this ceremony to inform you of certain activities undertaken for this Year in order to achieve the objectives stated by the General Assembly in resolution 46/128 that proclaimed 1993 as the International Year for the World's Indigenous Peoples.

Mr. President, ladies and gentlemen,

Over the last few months, I have had an opportunity to meet and listen to representatives of indigenous peoples. It is quite apparent that the indigenous peoples in many countries are facing severe economic and social difficulties. Victims of racism on a daily basis in the employment market, in the housing, in getting access to education, to health and other social services, the indigenous peoples are among the most disadvantaged members of the society. In certain countries, the indigenous peoples are on the periphery of society and are citizens in name only. More specifically, rather than being fully-fledged citizens they are, in daily life, citizens who are completely apart.

To this picture can be added the derogatory stereotypes of indigenous peoples conveyed by the media and even educational works as well as by just as harmful romanticized ideas that influence the public opinion, in particular, through the cinema. The international community is obliged to remedy this discriminatory situation.

The International Year for the World's Indigenous Peoples is precisely designed with the aim to make public opinion aware of this issue and contribute to a solution to the problems of indigenous peoples through an activity based on partnership.

It is for this reason that the United Nations through the Information Department and through the Secretariat is working to correct this image. On that account the documentation, in particular, posters, a complete file for the press and articles specially designed for the occasion of the International Year - has been distributed on a very wide scale both in the indigenous populations and among non-governmental organizations as well as in the world of communications and opinion. This is not all. Every week the UN responds to hundreds of requests for information and documentation with respect to the International Year of the Indigenous Peoples. The Organization participates in numerous activities such as exhibits, music festivals, theatrical productions and other celebrations. A calendar of some of these activities has been published and is regularly updated.

Besides this objective of focusing, in an objective manner, the image that the international community has of indigenous peoples and communities, the International Year of the World's Indigenous Peoples has another objective, that of to ensure full and complete participation of indigenous peoples in the activities of the Year in the promotion thereof. The General Assembly, in fact, asked for the participation of indigenous peoples in planning, implementing and assessing the projects of interest to them. To implement this directive a limited Secretariat was set up within the Centre for Human Rights to assist the Coordinator. It comprises of the experts from the indigenous populations who have been seconded by states. I am very pleased to take this opportunity to pay tribute to the skills, devotion and spirit of self-sacrifice of these experts. I should also like to thank the governments who granted practical assistance either in making staff available to us or in working to open credit lines to this effect.

From the beginning of the Year, the representatives of indigenous peoples made it quite clear that that they expect the United Nations not to be satisfied with simply giving them a verbal blessing, even less to lull them with speeches. They asked the Organization to help implement projects that will benefit their communities in the long run, helping them, in particular, to make real progress in education, culture, health, development, environment, in protecting their heritage and more generally in protecting human rights.

The number of requests sent by indigenous populations to the Voluntary Fund for the International Year, which was set up to this end, bears witness to the importance and interest that indigenous peoples take in our activities and in their own needs. At the end of last month this Fund received almost 200 requests over 33 million dollars in all. Some of the projects proposed would require significant financing. We do have to recognize that most of the requests concerned community projects on a small scale.

Unfortunately, the support that has been requested goes far beyond the resources presently available in the Voluntary Fund for the International Year for the World's Indigenous People. At the end of last month, a little less than \$200,000 was available. 200,000 dollars. Some of the contributions to the Fund are presently being paid in and other amounts will certainly follow this autumn. I would not wish to fail to take advantage of this particular occasion of celebration of the International Year to make the most urgent plea to all governments who have not yet done so to please contribute to the Voluntary Fund so as to enable us to do more in helping indigenous peoples over the course of this Year devoted to them.

Despite these insufficiencies in the Voluntary Fund, I am, nonetheless, pleased to be able to indicate the encouraging reaction of the United Nations system as a whole. A number of consultations, whether formal or informal, have been held between United Nations bodies and indigenous peoples. In 1992, two technical meetings provided an opportunity for an exchange of views and other consultations were held in New York at the inauguration of the International Year of the World's Indigenous Peoples. By the same token, from the 14th to the 16th of July 1993 in Geneva the indigenous peoples, the United Nations system and governments will be holding a technical meeting during which they can consider specific programmes. Other regional consultations are also planned. I also know that our colleagues

from the main operational bodies within the United Nations are studying the ways of ensuring that the representatives of indigenous populations participate in the work of these bodies.

In this connection, UNESCO has already organized a number of activities and is envisaging the holding of others during the course of the year. I am pleased to be able to pay tribute here to the activities of this organization. The International Labour Organization, with which we cooperate most closely, is also organizing a series of national consultations in order to encourage governments to ratify its Convention 169 on Indigenous and Tribal Peoples; it is also studying how the indigenous populations could benefit from its technical assistance programmes. Moreover, a number of United Nations bodies have designated liaison centres for the International Year. I hope that others will take up this idea of beyond 1993. Finally, external offices of bodies such as UNDP, UNICEF are also supporting these projects. The indigenous peoples, in fact, were able to receive assistance thanks to the programme of small grants by the World Bank. All of these initiatives, inter alia, show the increased concern of the United Nations system to find new forms of partnership with the indigenous populations.

As to states, a number of governments have drafted national programmes, and I should like to encourage the governments who have not yet done so to make use of this Year to raise publicly this question. Finally, I should like to highlight the activity of the media and encourage the media to provide more help to the United Nations in bringing the question of indigenous peoples to the attention of the public.

Before concluding, I would like to recall that the question of indigenous peoples was officially on the agenda of the United Nations only since the creation of the Working Group to which I referred earlier, in 1982, only approximately ten years ago. The International Year must, therefore, be considered not as an accomplishment but rather as the beginning of an important initiative throughout the entire United Nations system and the international community aimed at long-range activity to grant assistance to indigenous populations. This initiative, I believe, should be twofold in nature, and I will conclude with them.

First of all, it seems to us that it is incumbent upon the United Nations Organization itself to strengthen its ability to intervene given the increasing number of requests for information, technical assistance and development assistance from indigenous populations. As the under Secretary-General for Human Rights and as the Coordinator for this Year, it is my view that it is essential for us to have the necessary human and financial resources to provide complete technical assistance services to indigenous peoples. I have, therefore, decided on the proviso of a general strengthening of the Centre for Human Rights to set up a special group for indigenous populations.

Second, I am also aware that the indigenous peoples are counting on the International Year to indicate the beginning of an important initiative within the entire system aimed at promoting their rights and wellbeing. At two meetings held on the occasion of the World Conference, representatives of indigenous peoples asked for a proclamation of a decade for indigenous peoples of the world. I believe as well that the indigenous peoples present at the NGO Forum supported this idea of a decade for indigenous people. I, therefore, believe that that a decade for indigenous peoples of the world would make it possible to consolidate the work started this year. It is for this reason that I should like to take this opportunity to repeat this request and to speak as the Coordinator that the present World Conference, indeed, proclaims a decade for indigenous peoples.

Thank you.

MOCK, Alois (President), spoke in French:

Thank you very much Mr. Secretary-General.

I now invite Professor Erica-Irene Daes, [spoke in English] Chairperson of the Working Group on Indigenous Populations to take the floor. Madame, you have the floor.

DAES, Erica-Irene (UN. Working Group on Indigenous Populations):

Keywords: INDIGENOUS PEOPLES - INTERNATIONAL YEARS - CULTURAL IDENTITY - DEMOCRACY - SELF-DETERMINATION - TECHNICAL ASSISTANCE - UN Working Group on Indigenous Populations

Thank you Mr. President.

Your Excellency Goodwill Ambassador and Nobel peace prize winner Mrs. Rigoberta Menchú, honorable elders and chiefs of the indigenous peoples, distinguished representatives of governments, distinguished Assistant Secretary-General and Coordinator of the International Year Dr. Ibrahima Fall, ladies and gentlemen,

I would like, first, to express my great satisfaction at having been given the honor of addressing you at this important World Conference on Human Rights, in my official capacity as Chairperson-Rapporteur of the Working Group on Indigenous Populations, as we pause to commemorate the International Year of the World's Indigenous Peoples.

This World Conference constitutes a historic event, the first of its kind since 1968 and, certainly, it is attracting wider publicity and has broader attendance than the last human rights conference at Teheran. This is an evidence that the peoples of the international community are prepared to struggle in order to achieve a new consensus on the centrality and universality of human rights in the future work of the United Nations.

This is a significant moment for forging a new compact between governments and those who they govern, in which human beings are more important than governments, in which the strongest are prepared to share power with the weakest, in which the survival of the poor is more important than the comfort of the rich.

This Conference should continue the process begun at Rio de Janeiro of bringing greater democracy into the running of the United Nations itself. Sharing power with all people must begin here. To share power with all the people in making this Earth a better human place for all and, in particular, for our children.

Mr. President,

Within the framework of the agenda item 8 related to the International Year of the World's Indigenous Peoples, I would like, first of all, to express my grateful thanks to the Assistant Secretary-General and Coordinator for the International Year Dr. Ibrahima Fall for his personal commitment to the indigenous cause and for his understanding of the multiform problems, needs and aspirations of the indigenous peoples.

Also, I would like to pay a special tribute to our distinguished guest speaker Mrs. Rigoberta Menchú. In winning the Nobel Peace Prize, she has brought honor to the words "Indigenous Peoples." I pay tribute to her sacrifices, her human qualities and determination, which I have seen over the years as a friend of her. I have great respect and admiration for the work she has done as human rights defender and as an active participant in the Working Group on Indigenous Populations. There is an imperative need that the Secretary-General strengthen further her important role as a Goodwill Ambassador and accord her a substantive and clear mandate of sufficient scope in the field of the promotion and of the protection of human rights and freedom of the world's indigenous peoples.

Further, I express my deep gratitude to those governments that systematically support the work of the Working Group on Indigenous Populations and contribute to the United Nations Voluntary Funds for Indigenous Peoples and the International Year.

Mr. President,

I would like to recall, that it is now just little more than six months since the Secretary-General of the United Nations Dr. Boutros Boutros-Ghali launched the International Year of the World's Indigenous Peoples during the 47th session of the General Assembly. In his statement, the Secretary-General made, inter-alia, the following three extremely important points, with which I heartily agree.

First, he emphasized “the inherent value of being different,” and called for new United Nations measures to protect indigenous peoples as the guardians of much of the world’s remaining cultural diversity from any further ethnocide;

Second, he expressed his belief that “unity through diversity is the only true and enduring form of unity.” The Secretary-General underlined that the renewal of indigenous peoples as distinct societies, with their own institutions, should not be viewed as a threat to the stability of existing states but rather as a step towards greater mutual respect, cooperation and security; and

Third, the Secretary-General stated that “it is time to listen and to work with indigenous peoples.”

Mr. President,

The Year 1993 was to mark the beginning of a new chapter in the history of indigenous peoples, in which they could emerge at last as the equals of other nations and peoples.

We are now just about to reach the halfway point of the International Year and no concrete steps have been taken by the United Nations to fulfill this historic promise. Indeed, the International Year for the World’s Indigenous Peoples is about to become the poorest and smallest event of its kind in the history of the United Nations with a budget of barely one percent of what has been paid to organize this Conference. However, there is still time to make something more lasting and meaningful out of this International Year. Subsequently, I would like to propose that this Conference should not only reaffirm a new relationship with indigenous peoples but adopt concrete recommendations concerning action-oriented measures for making this new relationship not just words but a reality.

There is an urgent need for the United Nations to accord a higher priority to the recognition, promotion and realization of the rights of indigenous peoples, who comprise from seven to ten percent of the population of our planet and continue to be threatened with physical or cultural destruction in some countries. But the point here is not simply that indigenous peoples continue to be among the most threatened and least protected peoples on Earth. The real issues are that they are able and willing to contribute to the sustainable development in the countries in which they live and to the national and international economic and social progress. Also, another important issue is that we have a great deal to learn from indigenous peoples.

Indigenous peoples worldwide share an alternative vision of human rights and democracy, which is compatible with universally recognized human principles and values but stresses relationships and reciprocal responsibilities among families, clans, communities and nations. It even includes the responsibilities of human beings to the animals, plants, the environment as a whole and the other species of living creatures with whom humans share the Earth.

Indigenous peoples’ vision of democracy emphasizes the centrality of the right of each individual to human dignity and to the integrity of his or her identity as a member of a family, a clan, and a nation. In other words, the indigenous peoples view as one of their fundamental human rights the right to have a personal identity as members of their community.

Indigenous peoples also believe in a strong form of democracy, which is based upon the participation of all persons in society, men and women, young and old, the search for consensus and the rejection of coercive state measures. While this may not be possible for all societies, consensus democracy, I repeat, consensus democracy is certainly something we should value and never destroy in the name of progress or other reason.

Since indigenous peoples have an alternative vision of democracy, they should be given the opportunity to continue to provide us with a source of inspiration in our struggle for democracy and effective protection of human rights and freedoms worldwide. But they can only do this if their own distinct systems of government survive. It is essential that they be empowered to exercise political, legal and economic autonomy including the control of their own environment and process of sustainable development.

In this context, indigenous peoples should have the opportunity in the free exercise of their right to self-determination, to negotiate new constitutional and other legislative arrangements with the governments and the legislative authorities in the states in which they live. These arrangements can, I believe, guarantee indigenous peoples' rights and strengthen national unity. I repeat, strengthen national unity, at the same time.

The United Nations could play a crucial role in creating the conditions for such negotiations including confidence-building measures, supporting the negotiation of framework agreements for relevant legal, political and constitutional studies and reforms, involving partnership with indigenous peoples and providing capacity building for indigenous peoples to engage in negotiated constitutional changes and political as well as economic reforms.

To pursue, inter alia, these goals the United Nations should establish as soon as possible stronger institutional arrangements – and I am grateful to Mr. Ibrahima Fall that he referred to some of them - to promote even further a constructive dialogue with indigenous peoples themselves. These basic arrangements should include:

First, a new programme of technical assistance for strengthening self-governing institutions including alternative approaches to realizing human rights in the context of autonomous indigenous institutions;

Second, the collection and annual publication of relevant socio-economic, cultural and legislative data indicators and other information on the conditions and development needs of indigenous peoples worldwide;

Third, a high-level, more representative body for the implementation of our global Declaration of the Rights of Indigenous Peoples and for the coordination of UN operational activities in this field. In this respect, I would like to report to you respectfully that, in my capacity as Chairman-Rapporteur of the United Nations Working Group on Indigenous Populations, I have completed the elaboration of the revised Draft Declaration on the Rights of Indigenous Peoples and submitted it to my colleagues, the other members of the Working Group and to the United Nations editing services in order for it to be ready for consideration and possible adoption by the Working Group during the next session; and

Fourth, the United Nations General Assembly should consider to declare a decade for the world's indigenous peoples during its next session.

The fundamental principle guiding the United Nations arrangements and work, which I respectfully propose, must be a partnership, a relationship of conciliation, cooperation and equal respect between state institutions and the organizations and institutions representing indigenous peoples.

Mr. President,

I would like now briefly to focus your attention particularly on the future role of the United Nations Working Group on Indigenous Populations. Since 1982, it has been the only United Nations body devoted specifically to the concerns of indigenous peoples. While the Working Group has given priority to the drafting of standards, it has also served many other functions such as elaborating studies to which the important study on "Treaties, Agreements and Other Constructive Arrangements between states and Indigenous Peoples" is included; the Special Rapporteur of which is my colleague Professor Miguel Alfonso Martinez. Further, the Working Group constitutes a democratic and liberal forum for a growing

constructive dialogue between indigenous peoples and governments and creates the opportunity for indigenous peoples themselves to meet and exchange ideas on a regular basis. It is fair to say that for most indigenous peoples the Working Group is their main gateway to the United Nations and the rest of the world.

If this Conference does nothing else then for indigenous peoples, it should resolve to strengthen the Working Group, to provide the indigenous peoples with a solid platform on which to build their future place in the United Nations system.

In this respect, I see four basic issues related to the Working Group: title, mandate, status and membership.

First, the Working Group should be called: United Nations Working Group on Indigenous Peoples.

Second, events of the past few years have widened the scope and nature of international interest in the fate and the role of indigenous peoples. A wider mandate should accordingly be given to the Working Group to evaluate United Nations activities as they affect indigenous peoples and to promote a coordinated approach involving the United Nations system, governments and indigenous peoples themselves;

Third, the aforementioned wider mandate would benefit from a higher status in the United Nations organizational hierarchy. Higher status would increase the participation of governments and United Nations bodies as well as the specialized agencies, in particular UNESCO and ILO. In this respect, I would like to suggest that the Working Group be reconstituted as an expert committee;

Fourth, a stronger, more influential Working Group with, as I stated, a wider mandate must also have the best possible expertise and enjoy full credibility with indigenous peoples. There is one way to achieve this, and I think it is very much overdue: indigenous people must be nominated by governments and be duly elected to serve as members of the Working Group.

This brings me to a final observation on a matter that may seem to you purely symbolic, but it is of fundamental importance to indigenous peoples themselves. In the title of the Working Group, the Voluntary Funds and everywhere else in the United Nations system we must use the term "Indigenous Peoples" in plural. I share the pain and disappointment of indigenous peoples at the use of the term "people" in the singular in the draft Final Document of this Conference. It is a relic of racism and racial discrimination, which simply must not be legitimized by this historical Conference on Human Rights. Indigenous peoples are varied and distinct societies with the same essential humanity and rights as other peoples of the world community. It should be also mentioned that the term "indigenous peoples" is already a term of contemporary international law. Accordingly, I implore you not to speak with the dead voice of the 19th century on this issue but to adopt the term "indigenous peoples."

In concluding, I would like to refer to a symbol that is shared by indigenous peoples everywhere – the "circle." Indigenous peoples view all life as a circle, an endless circle of species, of life and death. It represents equality, equal participation and equal respect among parts that may be quite different. It is long due for indigenous peoples to regain their place in the global circle of nations and peoples as equals. You can take a bold step in that direction at this Conference and to be sure this will be a valuable contribution to national unity, to economic progress and development and to the protection of human rights and fundamental freedoms for all.

I thank you, Mr. President.

MOCK, Alois (President):

Thank you very much. I now invite Mrs. Rigoberta Menchú Tum, Goodwill Ambassador for the International Year for the World's Indigenous Peoples, Nobel Peace Prize winner, 1992, to take the floor.

MENCHÚ TUM, Rigoberta (Guatemala, Special invitee of the UN Secretary-General), spoke in Spanish; text is edited based on the English interpretation:

Keywords: INDIGENOUS PEOPLES – DISCRIMINATION - INTERNATIONAL INSTRUMENTS – GUATEMALA – CHILDREN - International Decade of the World's Indigenous People (1st : 1995-2004)

Mr. President of the World Conference on Human Rights, distinguished members of the Bureau, distinguished delegates, distinguished religious leaders of indigenous peoples and original peoples of the world, indigenous brothers and sisters, distinguished representatives of the intergovernmental organizations and friends from non-governmental organizations,

It is a great honor for me to address the plenary of this World Conference, to share with all of you some reflections on the situation in human rights at the end of the 20th century.

As this is the only opportunity I have to speak before this Conference, allow me to express my sadness and concern as I watch the humanity struggle in deep upheavals and look at its future with great uncertainty.

It is a fact that the armed conflict and bloodshed continue as well as the hunger that affects the majority of the world population.

The rebirth of generalized racism is an evil that we thought was behind us and which today is one of the greatest scourges that plagues the humanity that desires justice and peace.

It should be sufficient to look through the halls of this Conference centre where the non-governmental organizations have shown us the disfigured faces and bodies of human beings so that this can at least bring out a drop of sensitivity in each of us.

With one word we could say that the situation of humanity is truly alarming; and I would go so far as to say that many of the problems afflicting the world and the indigenous peoples, in particular, need immediate, definitive and peaceful solutions so that humanity will not return to those sinister experiences from the first half of this century.

Racism in our modern society must be totally eliminated. Furthermore, we see growing inequality in relations between the North and the South. This inequality particularly affects the southern peoples lacking the technology, deprived of the raw materials and having to perform cheap labor. With the situation, it is necessary to recognize that in the South the gap is getting greater between the rich and the poor, between the dominant elite and the sectors that are dominated and condemned to poverty. To all of that we have to add corruption and drug trafficking, which is a threat to the achievement of true democracy.

Within this picture, which is full of injustice and uncertainty, I can affirm that the indigenous peoples are looking towards a new millennium full of hope and confidence rooted in their millennial experience. Beyond the pain and death that we have suffered for 500 years, our peoples persist with their original thoughts and values, which are an exceptional contribution to the construction of new relations for the future of humanity.

Today we know more clearly that none of the serious and profound problems of the world can be solved without full participation of the indigenous peoples and the ethnic minorities, the victims of repression and impunity, women, widows, children, the displaced and other vulnerable sectors who make up the great majority of the dispossessed of our society needing understanding for their vision of the world, their experience and their demands for humanity.

Today we must recognize that hope and the future of humanity must be based on the projection of a new education at the world level that can lead to the understanding that indigenous peoples as well as the minorities in general require cooperation from all sectors of society to avoid confrontation, racism, discrimination and to successfully crown the fight for full respect of their rights and identity.

Recognition and respect of cultural plurality of humanity are the key factors for the construction of new relations of equality and peaceful coexistence amongst our peoples and the different nations of the world.

Mr. President, delegates, distinguished indigenous brothers,

Despite the progress that there has been in recent years through the voice and demands of indigenous peoples, the inequality with which their problems are still addressed both at national and international level is remarkable. As a result of this situation, the United Nations have established a variety of instruments to promote the specific rights of indigenous peoples. However, there are several states that have not as yet ratified these and others that have only gone through the formality of doing so.

Although the declaration of the International Year for the World's Indigenous Peoples was an important step forward, in fact, it has been insufficient for the effective development of new relations between the indigenous peoples and the national states.

Considering the situation, the first Summit of indigenous peoples in Guatemala in Chimaltenando as well as the satellite conference in Asia and other events promoted by national and international bodies and by indigenous peoples adopted several significant resolutions of transcendental importance to make the human rights more effective such as the establishment of the international decade of indigenous peoples, calling upon this Conference to speak in favor of this proposal and recommend it to the General Assembly of the United Nations.

The United Nations should be asked to create an instrument verifying the human rights of indigenous peoples such as a high commission for indigenous peoples.

We should reaffirm the rights of indigenous peoples rights to political, economic, cultural and social development based on full participation and self-government of the indigenous peoples.

We should call upon the governments for ratification of all instruments that promote the respect of the rights of indigenous peoples strengthening financial support for initiatives and projects of indigenous peoples.

There should be promotion of national and international summits of indigenous peoples with the declaration an international day for indigenous peoples so that there can be education at world level on the millenary culture of our people.

There should be a strengthening of the continuity of the Working Group on Indigenous Populations. It has been the most important forum for our peoples and their achievements are considerable progress in the struggle for the conquest of our fundamental rights.

The governments should be asked to recognize and enact the different types of treaties and agreements directly with the indigenous peoples. The indigenous treaties are part of our historic memory aside from being valid and useful instruments for respectful relations between our peoples. I am sure that the

governments will give support through approval and enactment of the draft Universal Declaration of the Rights of Indigenous Peoples and through subscription to these proposals mentioned here.

It is pointless to look at cultural plurality or to hear the proposals from indigenous peoples if these are not followed with policy based on the initiatives from the indigenous peoples.

The international community must offer us a chance and that could be a decade, a decade when our peoples can come forth with suggestions or proposals for solutions to the problems we are facing in our countries.

We are aware that constructive criticism given by indigenous peoples is to help avoid future relations be based on misunderstanding and be a source of new conflict. That is why we appreciate the efforts made by the Working Group and we encourage cooperation between states with contribution that has been seen through non-governmental organizations, intergovernmental organizations as well as the sacrifices made by the indigenous peoples themselves. From remote lands they have put together their resources and have participated in this sacred struggle that we are all involved in. That is why, in particular, and solemnly I would like to recall some of our indigenous and non-indigenous leaders and people who have been seen in the corridors of the United Nations to help contribute to this small progress that the international community has through the instruments created. We should remember Mr. [inaudible] from the Dakota Nation who died, we should remember Don Augusto Willemssen Díaz from Guatemala, Mr. Aide, Mrs. Irene Daes. It is the time to say that many people who were in our fight and struggle have had sacrifices and should be appreciated. It is thanks to them that there has been progress and everything that we want for the future should be steps forward without a single step back.

Mr. President,

Through you, I would like to encourage the work of the Secretary-General and the different bodies that were created by the United Nations. At this Conference I would like to ask for resolve and support from governments for the necessary funds so that indigenous peoples can see their wishes come true in coordination and agreement with the United Nations. The success that we have experienced has been significant and it is a demonstration that it is possible to establish new relations between the states, the indigenous peoples and the oppressed nations of the world.

Mr. President,

I would like to say a few words on my country that that has just experienced a profound crisis in all aspects of the national life through intolerance, repression and a downfall of constitutional and institutional order.

The fight of the Guatemalan people was a winning one in the history of our country, the various sectors of the civil society showed opposition to this downfall and to the establishment, once again, of a dictatorship. With our rights being taken away and through an important national civic consensus we found a final solution to the crisis.

The constitutional President, Ramiro Carpio, has the exceptional opportunity to encourage and respect the participation of civil society to respond to their demands. At the same way, there is a historic opportunity to allow the participation of indigenous peoples in the decisions and construction of a new Guatemalan society through a dialogue and negotiation of a political solution to the internal conflict and the respect of human rights. It is my duty to express here that the crisis in my country has not finished.

There is a need for national and international efforts to tackle the problems of the future.

In many corners of the world, we seek peace based on social justice and the observance of human rights to live without impunity, disappearances, assassination, without hunger and misery, without racial or social discrimination. To guarantee the right to life in Guatemala and on any continent in the world is

everyone's responsibility and obligation. To avoid the massacre in the Quiché is to avoid a wound in the heart of humanity.

The cruelty that the indigenous peoples, in general, and the different oppressed peoples of the world are suffering has taught us that the concept of peace cannot be just a dream or an empty concept. It has to be, first and foremost, a daily effort on the part of all of humanity so that our new generations can inherit peaceful, pluralistic and democratic coexistence.

I would like to take this opportunity to ask for our indigenous children to be given a special space in the decade for indigenous peoples that we want to see adopted. The most important people of the future will be our indigenous children and that is why I would like to greet warmly the seven children who are here in the room, who have come from Canada, who are an example of the international stimulus here. Our children, our elderly are the basis of the millinery culture of our people.

Thank you very much.

MOCK, Alois (President):

Thank you very much for your inspiring statement. I now invite Mr. Ted Moses, representative of North America, to take the floor. May I recall the recommendation in the Rules of Procedure to limit the time of speaking to ten minutes for the following speakers. Please take the floor.

MOSES, Ted (Indigenous representative of North America):

Keywords: INDIGENOUS PEOPLES - NORTH AMERICA - HUMAN RIGHTS VIOLATIONS - SELF-DETERMINATION - HUMAN RIGHTS ADVANCEMENT

Thank you, Mr. President.

Mr. Assistant Secretary-General Fall, Dr. Daes Chairman/Rapporteur of the Working Group on Indigenous Peoples, Goodwill Ambassador and Sister Rigoberta Menchú, distinguished delegates, representatives of non-governmental organizations and delegates of the nations of indigenous peoples,

[Speech in the native language, continued in English]

Mr. President,

The indigenous peoples of North America have asked me to convey to this World Conference a most fair, modest and reasonable request: the indigenous peoples ask to be accorded the same rights, which the United Nations accords to the other peoples of the world. We ask for no more and no less than this.

We ask simply that the United Nations respect its own instruments, its own standards and its own principles. We ask that it apply these standards universally and indivisibly, that it accord all peoples the same universally recognized rights, that it act without prejudice and without discrimination based on race, religion or color.

Mr. President,

In opening this Conference, you reminded us of some concepts that should never be forgotten. You told us first that basic rights are not granted or given. You said that they are attributes of peoples, that they are in the essential nature of mankind and cannot be taken away.

You reminded us also why the United Nations was established. Being here, in Vienna, and observing the issues put before us by delegations and NGOs alike, we can never forget that states can, for their

own purposes, cause unjust laws to be enacted. We know that states can commit terrible crimes against humanity. We know that in order to have a higher universal standard we must turn to the world community and that in matters of human rights we owe our highest allegiance not to the state but to the international community.

Governments sometimes confuse expedience with justice and must be reminded of their higher obligations to the international community. Since first contact, the indigenous peoples of North America have been victims of abuse from state authority both arbitrary and state sanctioned. Most think that this is old history. They do not know that we continue to be victimized, dispossessed of our lands and resources and reduced to poverty and despair. We live within countries considered by the world community to be progressive and nurturing of human rights and equality but our problems are common with those of indigenous peoples worldwide.

There is nothing abstract or technical, therefore, in the appeal of indigenous peoples for respect of international human rights standards. Five hundred years of history attests to our need for the protection of international law. Five hundred years is ample time to prove that the interests and activities of states have often served to destroy our collective identities, to suppress our cultures, to extinguish our rights, languages and religions and to take away our lands and resources. We appeal for the application of international human rights standards because we wish to survive as peoples. Do not be deceived, even in North America it is urgent that existing international standards be fully respected.

This must be understood. Our history in North America consists in the forced imposition of foreign laws, customs and religions by European States, the denial of our right to govern ourselves, assimilation, the dispossession of our lands and resources, failure to respect sacred treaty commitments and, ultimately, in the denial of our means of livelihood and subsistence.

When the Secretary-General launched the International Year, he noted that "unity through diversity is the only true and enduring unity." Within the many societies that comprise the more than 300 million indigenous peoples of the world, there are fundamental commonalities: self-determination, territorial and environmental integrity and cultural identity are inseparably connected. Within our cultures and societies, individual rights exist within the collectivity. It is from the common goals, understandings and our relationship and commitment to the earth and to each other that the rights and responsibilities of the individual flow. To deny us the recognition of our collective rights severs each individual from the comfort and protection of his or her collective identity and ultimately from his or her identity as an individual human being.

The international covenants state that "all peoples" have the right of self-determination. "By virtue" of this right, they declare that all peoples have the right to enjoy and benefit from their own resources. The Covenants declare unequivocally that a people may not be denied their own means of subsistence.

These international covenants were drafted to protect peoples, all peoples without exception. There is no provision whereby these protections may be applied selectively to certain peoples and denied to other peoples. The Covenants are explicit. They apply to "all peoples." The Universal Declaration is also explicit; international human rights protections are to apply universally and indivisibly.

Why should I be standing here explaining these most basic principles to members of the United Nations at a World Conference on Human Rights? I was taught that "all rights belong to all peoples."

What will the world think when they hear that the human rights, which apply universally, somehow they do not apply in the same way to the world's indigenous peoples? How will you explain this? I think the world will find it very difficult to accept that a World Conference on Human Rights would single out certain peoples and deny certain of their universally acclaimed human rights. Yet, that is exactly what some states wish to do here, even now as principles are being drafted at this World Conference.

I will not stand here quietly and condone this injustice.

All peoples have the right of self-determination. The states that object to the recognition of this right, seek to circumvent the application of international law to indigenous peoples in order to avoid the obvious and undeniable conclusions that flow from international standards. In order to avoid the implications of existing international law, they have hit upon a simple strategy: they have decided that our rights as peoples do not exist if they simply avoid referring to us as "peoples."

They have called us "populations," "communities," "groups," "societies," persons, "ethnic communities;" now they have decided to call us "people," in the singular. In short, they will use any name they can think of, as long as it is not "peoples" with an "s". They are willing to turn universality on its head to avoid recognizing our right of self-determination. They will call us anything but what we are peoples.

Dr. Erica-Irene Daes and other experts have made it manifestly clear that indigenous peoples are "peoples" in every legal, scientific, and historical sense, and that it is absurd to deny this basic fact simply in order to avoid its obvious implications in international law.

Mr. President,

The indigenous peoples participating in this historic process have made every effort to explain their demands, their fears and concerns and to allay the fears and concerns of states.

At this final conference, however, we are still facing a closed circle of states who remain unmoved and unwilling to recognize our most basic rights. We have once again clearly articulated our position to this Conference through formal submissions and discussions, which you have seen.

I believe it is essential:

That this World Conference on Human Rights confirms forthrightly that indigenous peoples are "subjects of international law," who as indigenous peoples have exactly the same rights and recognitions as all other peoples. That the collective rights of self-determination, self-government and autonomy are universal and indivisible.

We welcome the positive response of Mr. Fall that at the conclusion of the International Year for the World's Indigenous Peoples - and I emphasize "peoples" - an international decade of the world's Indigenous Peoples be proclaimed in order to carry on the work of the United Nations, which has only just began.

That after the completing consideration of the draft universal declaration on the rights of indigenous peoples, the Working Group on Indigenous Peoples should be elevated and restructured as a permanent "expert committee" as Dr. Daes has just recommended. We fully support her view that structural changes must be made at the United Nations to facilitate the work on one of the great outstanding human rights issues of the 21st century – the plight of the world's indigenous peoples.

That within the framework of structural changes the United Nations appoint a high commissioner for indigenous peoples to provide immediate and urgent response to critical situations, and that the Commission on Human Rights place discrimination against indigenous peoples on its permanent agenda as an item in its own right.

That the United Nations move to implement the conclusions and recommendations of two important meetings of experts, the meeting on the effect of racism and racial discrimination on social and economic relations between indigenous peoples and states, and the meeting on the experience of countries in the operation of schemes of internal self-government for indigenous peoples, so-called the New Declaration.

That specific provisions be made to permit wider access to the United Nations system for all indigenous peoples.

Mr. President,

The eyes of the world are upon us. Rigoberta Menchú, the Nobel Laureate and our leader and beloved friend, has insisted that we move beyond symbolism. Terrible abuses are taking place. Concrete responses and solutions are urgently required.

The entire credibility of the international community is in your hands. You will be judged harshly if you compromise the essential principles of universality and indivisibility in order to satisfy the special political interests of individual states.

[Spoke in the native language then in English]

Thank you very much.

MOCK, Alois (President):

Thank you very much. I now invite Mr. Aucan Huilcaman Paillama, representative of Latin America, to take the floor.

HUILCAMAN PAILLAMA, Aucan (Indigenous representative of Latin America), spoke in Spanish; text is edited based on the English interpretation:

Keywords: INDIGENOUS PEOPLES - LATIN AMERICA - PEACE - DISCRIMINATION - SELF-DETERMINATION - LAND RIGHTS - INTERNATIONAL LAW - UN High Commissioner for Human Rights

Mr. President, Mr. Coordinator for the International Year for the World's Indigenous Peoples, Madame Chairman of the Working Group on Indigenous Peoples of the United Nations, Sister Rigoberta Menchú, winner of the Nobel Peace Prize, brothers and sisters from indigenous organizations, ladies and gentlemen,

My indigenous brothers and sisters present at this meeting have given me the honor of speaking to you on the thoughts and recommendations of the peoples we represent.

At this great Conference this is a special act that falls within the Year for the World's Indigenous Peoples. We your permission, Mr. President, we would like to salute and pay tribute to our gods our ancestors, those who are no longer physically with us, men and women who offered their lives to the noble cause of human rights and fundamental freedoms.

Ladies and gentlemen,

It might seem an irony of life that five hundred years from that suffering called discovery we have to address this august assembly to reaffirm that our peoples do exist and do have rights.

Our peoples live a difficult moment of their history as we see that genocide, ethnocide, ecocide and torture are part of daily life for many indigenous peoples. Our existence as peoples is under physical and cultural threat.

The indigenous peoples with their characteristics and particularities have dignity and value that should be respected and recognized through the exercise of rights to develop our own culture. Our peoples have given significant contribution to the progress of humanity in the field of architecture, agriculture, astronomy, philosophy, law, medicine and in other areas of knowledge. These scientific and artistic

contributions are part of intellectual property of our peoples and should be recognized and supported as well as respected and used to our own benefit.

Ladies and gentlemen,

We ask for the respect of our peoples as a way to combat racism and discrimination in all of its manifestations.

We call for justice to put an end to judicial processes that have been based on injustice.

We ask that the legal, philosophical systems of the indigenous peoples be fully respected and recognized.

For the historic continuity of our peoples and our cultures we need the land. Our Mother Earth, the creator of humanity; it is the basis of our physical and cultural existence, we depend on it because we are part of it. We must respect it; we must care for it and preserve it for future generations.

To us, it is fundamental that the self-determination is the basic and essential right of all peoples. This right is clearly established in the two International Covenants on Human Rights. Furthermore, it is to be found in various declarations of the General Assembly of the United Nations. The fact that free determination is to be found in instruments ratified by states shows that they have the responsibility and duty having taken a commitment to apply this.

We understand self-determination as the right of our peoples to own, control, administer and manage a territory, ancestral or current, legally recognized and respected, within which peoples without interference of any kind maintain, develop, recreate and project all the aspects of their own culture. In these territories, our peoples set up a model and the choice for development according to our own cosmological and philosophical views of the economy in relation to the nature with full control over the resources of the land.

To us, development is an inalienable human right which is closely linked to the right of self-determination. The development policies that have been applied and imposed to this date on our peoples have had disastrous and destructive results for our lives and the environment. This has all been done in the name of supposed development, which desecrated and pillaged sacred places and sites and stolen from us the most rich and fertile land.

Mr. President,

Many of our peoples are involved in military conflict with alien interests at stake under constant repression and militarization. Torture and death are hidden behind military uniforms. Our peoples like all the peoples of the Earth demand that the sacred right to peace proclaimed by the General Assembly of the United Nations and repeatedly claimed by our peoples be fulfilled.

At the international level, there has been some advancement in debates and in legal and philosophical reflection for the enjoyment of the rights of indigenous peoples. This includes Convention 169 of the International Labour Organization, the work the Working Group on Indigenous Peoples on the elaboration of the draft Declaration on the Rights of Indigenous Peoples, the studies prepared by the United Nations Sub-Commission on Prevention of Discrimination and Protection of Minorities and the proclamation by the General Assembly of this year as the Year for the World's Indigenous Peoples.

While there is progress at international level, certainly not all that we would have liked, we see at the same time that in many countries the situation has worsened or at best has been simply maintained. In spite of this slow progress that has been made during recent years through the voice and demands of indigenous peoples, the inequality with which our problems are dealt with both at national and international levels is still remarkable. Although the declaration of the International Year of World's Indigenous Peoples is definitely an important step forward, the facts have proven insufficient for effective development of new alliances that works.

Mr. President,

With the existence and enjoyment of our historic rights we declare the following:

First of all, considering that the objectives of the International Year of World's Indigenous Peoples are the need and remain valid to date, we propose that this Conference recommends to the General Assembly of the United Nations to turn that year into a decade, strengthening the objectives, the personnel, the resources, and constant indigenous participation;

Second, we urgently ask that the states and intergovernmental organizations take the commitment to find as rapid a solution as possible to the serious problems regarding land working together with indigenous organizations. We demand that the lands and territories of indigenous peoples be restored, legally recognized, respected and demarcated;

Third, we propose the creation of a permanent United Nations fund for the financing of development projects of indigenous communities, so that management, planning, control, evaluation and benefits can be left to these same communities;

Fourth, we ask that the United Nations system refines its mechanisms to guarantee presence and participation of indigenous peoples in all matters that concern us;

Fifths, we call upon the states for ratification of Convention 169 of the International Labour Organization as long as the indigenous peoples consider this appropriate. We understand this instrument as a step for new and better relations between the states and indigenous peoples.

Sixth, we support the creation of a High Commission for Human Rights, so that it can be a forum to deal with the situation of indigenous peoples and it can look at violations of the rights and fundamental freedoms. There should be indigenous peoples working in that High Commission elected and supported by organizations of indigenous peoples;

Seventh, we call upon the United Nations Working Group on Indigenous Peoples to conclude their discussion so that our peoples can have the necessary instrument that declares and protects our fundamental rights and reformulates its mandate so that it can be turned into a permanent commission for indigenous peoples.

Eighth, we furthermore propose that the United Nations system have a necessary mechanism so that in the light of the Convention on the Prevention and Punishment of the Crime of Genocide it can examine the situations that we believe are provided for under Article 2 of this Convention.

Ninth, in view of the situation of the peoples living in the tropical forests, there should be positive international law drawn up with them on the crime of ecocide because of the connections that there is between it and ethnocide and genocide of indigenous peoples with an international court being established for the environment;

Tenth, we urge the governments of the different states to observe the rights of indigenous peoples even when they move beyond the national borders through establishing bilateral agreements and mechanisms so that these rights can be fulfilled;

Eleventh, during this International Year of World's Indigenous Peoples we ask that the governments release the political prisoners who are detained, tried and condemned such as Ecuador, Panama, Guatemala and Chile because these people fought for the rights of the indigenous peoples. In particular, we call for the release of Leonard Peltier who is unjustly held prisoner in the United States;

Twelfth, we share with you our deep concern because, once again, the Maya people who are the majority in the Guatemalan population has been excluded from the reorganization of the state with the new government being established. We feel solidarity with the efforts now carried out by the Mayan organizations for their full integration in the national life.

Finally, Mr. President, we would like to call upon this Conference to adopt solid agreements to help seek peace and better understanding among the peoples and cultures of the world so that we can live that dream of our ancestors that said that one day we will be free.

For fundamental rights, peace, justice, life and the future of our people

Marri-chi-weu.

Thank you very much.

MOCK, Alois (President):

Thank you for your statement. Now I invite Mr. Luingam Liuthui, representative of Asia, to take the floor.

LIUTHUI, Luingam (Indigenous representative of Asia):

Keywords: INDIGENOUS PEOPLES - ASIA - HUMAN RIGHTS VIOLATIONS - CULTURAL IDENTITY - SELF-DETERMINATION

Your Excellency President of the World Conference, Honorable Secretary General of the conference, the Chairperson of the Working Group of the Indigenous Populations, Nobel Peace Prize laureate Rigoberta Menchú Tum, distinguished delegates of the governments, my sisters and brothers of indigenous peoples and fellow human rights activists from the NGOs,

It is a great privilege to be invited here from Asia to address this commemoration session of the International Year of the World's Indigenous Peoples. I am deeply aware of that I am standing here in place of peoples who are far more worthy and deserving. It is my earnest appeal to this session to remember those who have given their lives to keep this Earth worthy of living and all those who are being hunted and condemned to jail for their commitment to the cause of the oppressed millions, so that this Conference remains guided by their spirit as it moves towards the creation of new world order.

Mr. President,

We are all aware that there is a deep yearning common to all human beings - the yearning for a life of dignity, peace and security. The call for a new partnership with the indigenous peoples by the UN is an affirmation of this reality and its resolve to mobilize the international community in support of specific measures needed for the creation of new world order free from discrimination of any kind.

I, on behalf of the indigenous peoples of my region, welcome these measures and extend our wholehearted support and cooperation towards the realization of this noble cause.

It is in this spirit of cooperation that I will now draw the attention of this august house towards the fundamental issues facing the indigenous peoples in my region.

Our existence is threatened by systematic campaigns of extermination, development aggression, population transfer, forced assimilation, invasion, colonization, occupation, militarization and division of our territories by artificial state boundaries. As a result of these policies an increasing number of indigenous populations are losing their access to livelihood. Most of the governments have interpreted the struggle of our people for survival as anti-state, and in the name of territorial integrity they have enforced security acts. Under these acts, which go in different names in different countries, indigenous peoples are deprived of all the basic human rights including the right to continue living in ancestral village, the right to speak and learn one's mother tongue, the right to information, the right to freedom of movement, the right of access to court. Most of the indigenous territories in the region have been closed to entry by foreigners since the time of the emergence of the new states.

However, it is our firm believe that we are entitled to the enjoyment of all the human rights as any other human being and the deprivations imposed on our peoples are nothing but blatant practice of racism.

Mr. President,

Racism has been condemned and rejected and it is my appeal to this house that the same condemnation and rejection be extended to the practice of racism against the indigenous peoples.

We have followed the statements of the governments these past four days, and we are constrained to submit that they reflect a lack of realization as to the importance of respect for human rights. Many of the large democracies in Asia are still refusing to recognize the reality of the existence of the indigenous peoples within their state boundaries. This position has been categorically stated by some of them within the very precincts of the august building to their delegates. These governments are also challenging the universality and the indivisibility of human rights. In fact, they have advocated for the selective application of human rights.

It seems, obvious that in the context of Asia the selective applications of human rights standards will lead to the continued violation of human rights of the indigenous peoples. This is unfortunate because it amounts to a determination to seek comfort and security under the policy and practice stained with the sweat and blood of our peoples.

The indigenous peoples, may I assure the house, do not wish to deprive others of their human rights. All that we want is the recognition and respect of our fundamental rights as they are applied to others. We do not see anything wrong when we ask for the mutual respect. We assert our right, the right inherent to our peoples, the right to self-determination, to free ourselves from the cruel experience of the last forty-five years. By self-determination we mean:

- to live with our own identity that is linked to our territories and ancestral domain;
- to take full control of our lands as foundation of our existence; to use, manage and develop all resources within our ancestral domain in accordance to our believe and practices;
- to revitalize our traditional institutions, to speak our languages and live according to our world view and to educate our children on these;
- to determine the forms of government and to uphold indigenous political system;
- to engage in foreign relations and trade and form alliances and federations with other indigenous peoples for ushering a life of peace and security and for pursuing our common goals;
- to preserve and protect human resources from commercial exploitation;
- to have free passage through boundaries imposed by state, which divide our territories.

We urge the World Conference:

- to recognize the inherent rights of indigenous peoples to self-determination;
- to recognize and respect the unique relationship and immemorial ownership of the lands, which indigenous peoples have, and to support the retention and recovery of their traditional territories;
- to recognize the traditional and customary practices and accord the status of the law;
- to upgrade United Nation Working Group to a permanent body with adequate resources to monitor the implementation of the universal declarations of indigenous peoples rights and to give mandate of this body in consultations with representative organizations of the indigenous peoples;
- to appoint an indigenous person by the Human Rights Commission as a special rapporteur to monitor the recognition and implementation by the governments of the indigenous peoples' rights and that such monitoring be made a permanent agenda of the Commission on Human Rights,

- to extend, through the Commission on Human Rights, ECOSOC status to all the representative organizations of the indigenous peoples,

In conclusion, I would like to convey our deep appreciation to those of you who are working day and night to convert the numerous demands and proposal into programmes and instruments of implementation.

Thank you, Mr. President.

MOCK, Alois (President):

Thank you very much, Mr. Liuthui. I now invite Mrs. Lena Nordlund, representative of Europe, to take the floor.

NORDLUND, Lena (Indigenous representative of Europe):

Keywords: INDIGENOUS PEOPLES - SAAMI - ARCTIC REGION - EUROPE - SELF-DETERMINATION - INTERNATIONAL INSTRUMENTS - HUMAN RIGHTS MONITORING - TECHNICAL ASSISTANCE

Mr. President, distinguished participants, ladies and gentlemen,

On behalf of the Saami Council, which is an NGO organization, as well Saami Nation of Sweden, Finland, Norway and Russia, I am pleased and honored to be able to take part in the World Conference on Human Rights, emphasizing on women, children and indigenous peoples.

The Saamis have been working for nearly twenty-five years on different issues in the international arena, and we feel strongly the support such a network makes. We have also strengthened our efforts of cooperation with other indigenous Arctic peoples.

1993 is proclaimed to be the Year of Indigenous Peoples. Several states supported this resolution, but only a few have promoted indigenous issues. And today we have a commemoration of the International Year of the World's Indigenous Peoples. We hope this day will be a start to the governments to take actions to promote indigenous matters in their own areas and to start to fully respect the indigenous peoples' contribution to the world. We hope this day may be a start to establishing a decade for indigenous peoples.

We would like to express our appreciation to the Goodwill Ambassador of the Year, Ms. Rigoberta Menchú Tum, for her contribution to this Year and the indigenous peoples.

Mr. President,

Much is done in the name of progress concerning indigenous peoples and their areas. Development has had a most severe effect on the Arctic areas threatening peoples' existence. But what use do we have if our forest, mountains and waters are destroyed in the name of development. No money will ever replace our way of living and our paths.

All indigenous peoples have the right to self-determination as provided for in the Covenants on Human Rights and the right to continue our existence as peoples. These rights must be implemented with due consideration to other principles of public international law. The self-determination is an essential component of these international efforts.

Self-determination is necessary for all indigenous peoples. We want to be equal to all national and ethnic groups in their enjoyment of the human rights and fundamental freedoms. The Charter of the

United Nation prohibits all kind of discrimination, and a number of international instruments provide for special rights and measures in order to guarantee equal enjoyment for the indigenous peoples.

The ILO Convention No 169 is, so far, the main international instrument establishing rights for indigenous peoples, however, this convention has been ratified only by a few of states.

Mr. President,

We expect the World Conference on Human Rights and its delegates will complete a final report that will be accepted and put into practice so that the violations of human rights on a massive scale do not continue to be committed in various parts of the world. Indigenous peoples are not adequately protected. States have an obligation to respect the rights of indigenous peoples and recognize and value the diversity of their cultures and societies and to ensure their full and effective participation in decision-making processes.

We think it is of utmost importance to complete the drafting of a declaration on the rights of indigenous peoples at the latest at the Working Group's 12th session in 1994.

We also call on the World Conference to recommend that the Commission on Human Rights considers the renewal and updating of the mandate of the Working Group on Indigenous Populations upon completion of the drafting of a declaration on indigenous peoples.

The World Conference should also recommend that advisory services and technical assistance programmes within the United Nations system should be made available to indigenous peoples.

We appeal to the World Conference to further recommend that adequate human and financial resources will be made available to the Centre of Human Rights within the overall framework of strengthening the Centre's activities and be accessible to indigenous peoples.

We call on the World Conference to recommend to the General Assembly to consider an establishment of the decade of indigenous peoples.

Thank you.

MOCK, Alois (President):

Thank you very much and now I invite Mr. Kimpei Munei, representative of Africa, to take the floor.

MUNEI, Kimpei (Indigenous representative of Africa):

Keywords: INDIGENOUS PEOPLES - AFRICA - CULTURAL IDENTITY - EDUCATION - ECONOMIC ASPECTS - LAND RIGHTS - NATURAL RESOURCES

Mr. President, Mr. Secretary-General, Chairperson of the Working Group on the Indigenous Peoples, Your Excellencies, distinguished delegates of the governments and non-governmental organizations, distinguished representatives of indigenous peoples.

It is a pleasure for me to stand before you to present a statement for African indigenous peoples.

The United Nations, has defined the indigenous peoples as “isolated or marginalized groups” characterized by the following:

- a) they are the descendants of groups that were in the territory or the country at the time when other groups of different cultures or ethnic origins arrived there;

- b) because of their isolation from other segments of the country's population they have almost preserved intact the customs and traditions of their ancestors, which are similar to those characterized as indigenous;
- c) they are placed under a state structure that incorporates national, social and cultural characteristics alien to their own.

Within Africa, several communities have been identified as fitting into this definition of "indigenous peoples." They include among others, Maasai, Barabaig and Basarwa or San.

These are groups on the continent who have retained significant elements of their culture and this makes them uniquely identifiable in nation-states within which they are found. These groups have been displaced from their original ancestral lands by other groups within nation-states and consequently they have been marginalized from active participation in the economic, social and political mainstream. It is because of this that they fit into the definition of indigenous peoples.

Indigenous peoples mostly include pastoralists and hunter-gatherer communities. They are mainly found in arid and semi-arid areas as well as in the tropical forests. One aspect that these communities share is the fact that they regard land and productive natural resources as commonly owned and used.

The marginalization of these communities has arisen from the alienation of their land and other productive resources, initially, by the colonial administration and later by other dominant groups. Subsequently they have been pushed to the more inhospitable and least productive areas of the nation-states. The displacement by the colonial administration created distrust that latter manifested itself in the avoidance of colonial institutions such as the educational system, religious ideology and other western institutions. Consequently these communities still lag behind in western education and have largely retained significant elements of their indigenous culture including important aspects of their cultural education. As a result of this, most of these societies are still the least educated in their regions, and they lack basic infrastructure such as schools, health facilities, communication networks, which are essential for the improvement of their economic status. They are at present the poorest and the most disadvantaged in their regions. Therefore, the essence of the problem of indigenous peoples in Africa is essentially that of underdevelopment vis-a-vis other groups.

Since these peoples have preserved their cultures in the face of modernization this has contributed to further problems including discrimination on the basis of their cultural uniqueness and to the suppression of their cultural expression. In spite of this their cultural artifacts are pirated by other groups for commercial gain resulting in the violation of their property rights to cultural heritage.

To elaborate on the nature of the problems faced by indigenous peoples of Africa we shall provide some specific examples.

The Maasai of Eastern Africa had their best lands expropriated by the British colonial administration in two controversial treaties of 1904 and 1911. By the end of the colonial administration, the Maasai were denied the chance to reclaim their lost land, and they are presently confined to the driest areas of their former territory. They continue to lose more land through various ways including commercial cultivation and national parks and continued encroachment by other groups. This is also true of other groups such as the Barabaig whose best grazing lands were transformed into wheat farms to satisfy export markets. Although cultural expression is not legally banned, subtle discrimination is experienced by them when they are in their cultural attire. Their cultural artifacts are however displayed and trafficked by other groups for personal gain without them gaining from commercialization of their culture.

The Basarwa or San of southern Africa are faced by the problem of their non-recognition as indigenous peoples whose access to the exercise of their constitutional rights as citizens is not adequately protected. This has resulted in their constrained access to land, educational and health facilities. In addition, they are faced by the threat of losing their cultural identity through official policies aimed at assimilating

them into the politically dominant groups. We do however acknowledge that the government of Botswana is to host a sub-regional conference in late 1993 on issues concerning the Basarwa. It is necessary to recognize that the Basarwa are not the only hunter-gatherer peoples in Africa experiencing these conditions. Other people include the Batwa and the Mbuti of central Africa, the Iraqua and the Okiek of Eastern Africa.

Finally, we strongly urge the African States to recognize the unique position of the indigenous peoples of Africa and to commit themselves to the recognition and protection of their economic, social, political and cultural rights. Failure to do this constitutes a violation of their human rights in accordance with the United Nations Human Rights Charter that all of the African Member States of the United Nations have ratified.

Thank you Mr. President.

MOCK, Alois (President):

Thank you very much and now I invite Mrs. Latikan, representative of indigenous women, to take the floor.

Ladies and gentlemen,

I have to correct the sequence. It is now up to Dame Mira Szaszy, representative of Australia, New Zealand and the Pacific, to take the floor.

SZASZY, Mira (Indigenous representative of Australia, New Zealand and the Pacific):

Keywords: INDIGENOUS PEOPLES - AUSTRALIA - NEW ZEALAND - OCEANIA - CULTURAL IDENTITY - LAND RIGHTS - SELF-DETERMINATION - DEMOCRACY - WOMEN - INTERNATIONAL FINANCIAL INSTITUTIONS - COLONIAL COUNTRIES

Mr. President, Secretary-General, dignitaries here present, Rigoberta Menchú, ladies and gentlemen, indigenous peoples of the world,

I bring to you greetings from the peoples of the Pacific and the indigenous peoples of Australia.

I also wish to express our deep gratitude to you, the workers of the United Nations Organization, for the efforts you have made to help the suffering peoples of the world.

I am a Maori; a retired educationalist and social worker from Aotearoa or New Zealand, to those of you who have heard of us.

I have spent a life-time working for the restoration and preservation of the fundamental rights of the Maori people of Aotearoa, in particular, the rights of Maori women. It is from this life-time of experience that I draw the statements and conclusions that I will make to you today.

The indigenous peoples of Australia, New Zealand and the Pacific region have granted me the privilege of speaking on their behalf, and I do so with considerable humility. I pray to their God and my God that I will do them justice within the time span that has been granted to us. This is, nonetheless, a difficult task, as I can only speak about that which I know. I am not an aboriginal or Koori woman. I am not a Pacific Island woman. I am a Maori woman, and I can only speak as a Maori woman. However, while we in the Pacific are groups of unique peoples with distinct and different needs and interests, we share cultural and spiritual similarities and a bond of common concerns as the original peoples of the Pacific.

This year is the International Year of the World's Indigenous Peoples and today is a commemoration of the Year, but I feel that early in my statement to you, I should express some reservations about the term "indigenous." This is not a term, which we, in the Pacific, have used of ourselves - it is not a term, which belongs to us. Rather it is a term, which others have used to describe us.

Let me tell you who we say we are. We are *Tanqata Whenua* - we are the people of the land. We are the custodians of the land, *Kaitiaki* or Trustees of our land and its treasures for successive generations. The relationship that we have with the land is a reciprocal relationship. The land, from which we are born and to which we will return, provides us with spiritual and physical sustenance. There is a balance in the relationship based on respect. This balance must be maintained to ensure our mutual wellbeing, to ensure a sound future for our children and the generations to follow.

When other peoples have dispossessed us from our land and our right to control our own destinies, they interfered with this spiritual relationship. When our land is taken from us, so too is our identity. The dispossession of our land, our language and our cultural resources has left many of my own people, in some respects, in limbo, separated from their essential identity, and that is, I believe, the cause of so much of the alienation of our youth.

Unfortunately, many of our children and our young people on the streets today have become separated from the land and do not know who they are. There are a multitude of violations, many of these committed by young people. The reports are staggering. And, yet I believe, that basic to the estrangement and behavior of these young people is their incoherent conscience based on their loss of identity.

To curb this progression of social diseases to which indigenous peoples disproportionately fall victim, the governments of the Pacific and, indeed, of all regions of the world must ensure that indigenous peoples regain control of their own destinies. Governments must become partners with the people of the land and respect indigenous peoples' right to self-determination.

There has been much talk during this Conference of the need for democracy within nations to ensure effective participation by groups who form minorities within society and to ensure the restoration of the full range of their human rights. I am aware that the interrelationship between democracy, development and human rights is one of the themes of this Conference. In the case of the Maori of Aotearoa, democracy does not grant us our full rights. Maori make up thirteen percent of the population. How can the concerns of the Maori be met and our needs fully recognized in the absence of a true partnership, a partnership that gives us an equal voice somewhere in the parliament.

The principle of democracy, as expounded by most speakers in this Conference being basic political rights of all peoples, does not in fact protect the political rights of indigenous minorities within their own countries and their parliamentary systems. In the case of treaty partners there is a need for constitutional arrangements to provide for the specific and political rights of indigenous minorities in this category.

The theme for the 1993 Year is "Indigenous Peoples - A New Partnership." Consideration of indigenous peoples' issues must not be limited to a single year. There is much work to be done to restore the rights of indigenous peoples throughout the world, and one year is simply not enough. However, the theme for the Year does at least point the way to further development of cooperation between governments and indigenous peoples based on mutual respect and understanding – and it must be viewed as merely a beginning to redressing the cultural and social imbalances that exist in so many of our countries.

In the case of my own country – Aotearoa - partnership was established between the people of the land, Maori, and the immigrating peoples in the form of a Treaty, which gave the Queen of England

permission to establish a colonial government whilst enabling Maori to retain their *tino rangatiratanga* or sovereignty through their ownership of the land and other resources.

One hundred and fifty years later, we are still endeavoring to get that early colonial government, our partner, to fulfill their Treaty obligations. We have, however, of recent times, seen progress in Aotearoa as successive governments have endeavored to give effect to the Treaty. However such progress has been made possible only by people with high morals and integrity, qualities that are becoming increasingly rare.

It is forty-five years since the United Nations adopted the Universal Declaration of Human Rights. I was but a young woman and the impact of that Declaration left an imprint upon my mind – a vision of hope, of peace, of love, of “man's brotherhood to man.”

Nearly half a century has passed since then – observe if you will “man's inhumanity to man” during that time in almost all of the world. The right to life is a fundamental human right and yet we have starvation, murder, genocide, war, poverty, oppression – the list of human atrocities goes on. The suffering that man is imposing upon his fellow man is in fact “inhumane.”

Whilst economic conditions are a contributing factor, the fundamental cause of these problems runs much deeper. People have lost touch with their own spirituality and faith.

Seemingly, a large proportion of society cares not for ethics, morals or values – human life has become a cheap commodity. May I quote from the late Pope John Paul's encyclical:

A people who would sacrifice human values for economic gain would thereby lose the best of its patrimony - that is, culture, wisdom and values. In order to live it would be sacrificing the reason for living.

Mr. President,

Despite the adoption of the Convention on the Elimination of All Forms of Discrimination against Women, there is a non-recognition of women within many countries as equal human beings. We ask, therefore, that the vulnerability of women and their children be urgently addressed not only in times of war but in their daily lives. There is, we believe, a need for a close monitoring of progress in this area.

In Aotearoa, New Zealand, a Maori Women's Welfare League was established forty-three years ago. It is the largest organization of indigenous women in the world. At its recent annual conference, it passed a resolution of sympathy and support for all women and children suffering in war zones. The League also called on the United Nations to move to achieve a speedy resolution of the war in the former Yugoslavia, in particular, Bosnia.

I would like now to voice some of the concerns expressed to me by other peoples of the Pacific. A formal statement of their concerns will be available with the text of my speech.

Throughout the Pacific regions there is a cry for the realization of indigenous peoples' human rights. The right to development is undermined by international financial organizations and trade arrangements, which impinge on the jurisdiction of the elected governments and the inherent right of Pacific peoples to self-determination.

Similarly, the right to self-determination is curtailed for those Pacific nations that remain under colonial domination.

Many Pacific nations are victims of the war games of colonizing governments. For example, the economy of “French” Polynesia is so intricately linked with the French nuclear testing programme that the prospects for the full self-determination of the Maohi people are negligible.

In the United States territories of Guam and Palau, the local economy is heavily reliant on military interests.

A lasting resolution to the conflict in Bougainville must be found. A way opened so that all in Bougainville can once again enjoy access to the services and provisions to which they all have a right. This can only be achieved through peaceful dialogue and negotiation. A military solution is no solution, peace in Bougainville cannot be based on force. In 1993, the United Nations Commission on Human Rights called on the government of Papua New Guinea to admit an international fact-finding mission to investigate the situation in Bougainville. We call for a speedy peaceful and democratic resolution on this conflict.

Governments – take a look at your policies. Here we are discussing human rights when many of the governments represented here are involved in the trading of arms. What is the use of arms but to kill? There can be no greater violation of human rights and fundamental freedoms than to take the life of another. I challenge you to stop.

For me this Conference has further highlighted the depth and breadth of human suffering. I have heard governments speak of remedies and policy measures but my challenge to you is to enter into a true partnership with the peoples whose countries you govern.

Let the International Year of Indigenous Peoples not be the only time that we consider indigenous peoples’ issues. Let it be a commitment and a beginning to the restoration of the rights of indigenous peoples as *tangata whenua*, *people of the land*.

Nicholas Hayek, Chairperson of the Omega Watch company and joint initiator of the World Economic Forum, once said:

No matter where you are located on this world – in the most developed country or in the poorest part of this globe – the human will, fantasy and ingenuity, if ethically and rationally focused – combined with honest intelligent leadership – can develop extraordinary qualities and make enormous developments.

Mr. President,

So ends this statement. Thank you.

[a short song in the native language]

Love does not belong to this generation alone but to past generations of eldest.

Greetings to you all.

[Change of the President]

RAHMAN, Mustafizur (President):

Thank you very much for your speech. Before I go to the next speaker, I would just like to remind you that sticking to ten minutes would be prudent because we have many speakers still to come. I now call up on Mrs. Latikan, representative of indigenous women to take the floor.

LATIKAN (Indigenous women):

Keywords: INDIGENOUS PEOPLES - STRUCTURAL ADJUSTMENT - WOMEN - LAND RIGHTS - CULTURAL IDENTITY - EDUCATION - CHILDREN

Mr. President, Secretary-General of the Conference, the Chairperson of the Working Group on Indigenous Populations, distinguished delegates of governments, ladies and gentlemen,

I am here to bring the voices of the indigenous women to this historic conference.

I am Latikan from Cordillera, Philippines.

The world's indigenous peoples are now an endangered species. Ethnocide, genocide, development aggression, population transfer, population control policies, invasions, militarization are continuing to wipe out indigenous peoples.

Colonization and the imposition of a colonial, patriarchal, dominating, wasteful and accumulative development model has led to the destruction of our life ways and our sustainable societies and has further marginalized us, indigenous women. And now we are the poorest of the poor.

Structural adjustment programmes which promote export-oriented cash crop production has made us lose our lands, lands on which our life is so intricately woven into. Lands, which we have nurtured for generations with our sweat and blood. Land is life to us. We sustained our resources because of our simple life styles and environmentally friendly resource management. To abuse our resources would be abusing ourselves. But now we have been declared squatters in our own lands. We are asked to sacrifice for the majority.

Most of us are traditional healers in our communities. In the home, we are the health givers. But with the entry of western medical interventions we have become marginalized and our health conditions including those of our children, and our peoples have deteriorated.

And as we, indigenous peoples, demand the recognition of and respect for our rights, our women's rights must also be respected.

Like in all societies, we, indigenous women, carry the burden of reproductive functions. We nurture life as we nurture the land in order to ensure the continuity of generations of indigenous peoples. We nurture our children, male and female, and ensure the passing of our cultures and traditions.

The states fail to recognize the importance of indigenous women's role in our communities due to its usage of a western patriarchal framework of decision-making. It has denied the participation and representation of indigenous women in decision-making structures and policy formulation in matters concerning indigenous peoples, though we compose more than half of the indigenous peoples' population.

There is an appeal then for special reference to indigenous women and special efforts must be made to protect and promote their rights. And in regard we would like propose the following:

We call on all nation-states to support the UN Declaration of Human Rights as it pertains to indigenous peoples irrespective of the presence of indigenous peoples in their territories.

In recognition of our interlinked character as women and indigenous peoples, we also call on governments to adopt the declaration of women's rights and adopt draft Declaration of the Rights of Indigenous Peoples as defined by indigenous peoples themselves as the steps towards improving our status as indigenous women. In the implementation of these declarations, we urge governments to revise

mechanisms to ensure gender parity in all processes and structures and the provision of adequate resources for such.

We support the call for the declaration of a decade for indigenous peoples with provisions of adequate resources by the UN and all other states.

We support the call for a permanent forum to address and redress indigenous peoples' issues, in particular, the call for a high commission for indigenous peoples. In the interim, the UN Working Group on Indigenous Peoples must be strengthened to include monitoring functions and provided with adequate resources. In the UN Working Group on Indigenous Peoples, the indigenous peoples themselves must be represented including indigenous women. Technical assistance must be given to women in order for them to participate fully.

We call on nation-states to generate a plan of action from a consultative process that includes the participation of indigenous women.

We call on governments to include gender specific impact studies of the structural adjustment policies and population control programmes as it affects the indigenous women.

Finally, we call on governments not to impose inappropriate educational systems on indigenous peoples. Governments should recognize the primacy of indigenous learning processes wherein women are the repository of indigenous knowledge. Our children should be nurtured by us, in our own systems of learning, so we can transform the dominating patriarchies of our own culture and those oppressive practices that are imposed on us. Our children should be allowed to live in our living cultures and be nurtured there.

We also call on the UN members to increase their contribution to the UN Voluntary Fund and make specific provisions for indigenous women.

We believe that these steps will help improve the status of the indigenous women.

Thank you very much.

RAHMAN, Mustafizur (President):

Thank you for your speech. Now I invite Mr. Onel Arias, representative of indigenous youth, to take the floor.

ARIAS, Onel (Indigenous youth), spoke in Spanish; text is edited according to the actual delivery:

Keywords: INDIGENOUS PEOPLES - YOUTH - LAND RIGHTS - ENVIRONMENT -
EDUCATION – PRISONERS - UNEMPLOYMENT - GOVERNMENT POLICY

[Spoke in native language, then spoke in Spanish]

Mr. President, Mr. Under-Secretary-General of the United Nations and Coordinator of the International Year of the World's Indigenous Peoples, distinguished representatives of governments and intergovernmental and non-governmental bodies and organizations, indigenous sisters and brothers of the world present here at this meeting,

I have the great honor to address you on behalf of the youth of the world and particularly of my organization "The movement of the Kuna Youth of Panama."

In this year declared as the International Year of the World's Indigenous Peoples by the United Nations, the indigenous youth wish to express its concern because of the little importance devoted by the

governments of the world to the concerns of our peoples. In particular, we, the young people, who in the future will be the leaders of our communities currently continue to be repressed. Our Mother Earth is taken from us, our human rights are violated, our fathers are subjected to torture and it is regrettable that we have to speak here from this tribune of the atrocities that are done in our countries to our sisters and brothers. The social movements of our traditional structures are repressed by our governments, particularly in recent days in Ecuador, Chile, Panama and in other countries. Simply because we have defended our rights as peoples, as nations. This is why the indigenous youth of the world wishes to take this opportunity to demand that governments recognize the following rights:

Firstly, we call for the right to have our own territory and to preserve our environment because Mother Earth is the centre of our culture, this is where we came from and this is where we have to rest forever. Currently, our societies suffer the consequences of contamination by persons who are alien to our cultures. Accordingly, we echo the wise teaching of our ancestors who told us that life is intimately linked to the nature and should not be exploited for personal benefit. Instead, it should be for the collective benefit in order to conserve it for future generations.

Equally we demand bilingual and intercultural education so that we may be taught in our own language to identify ourselves as a nation in our own right and, thus, to participate in the political, social, economic and cultural development of a country without having to suffer any discrimination. Today the indigenous youth is the direct victim of discrimination and unemployment. Our future has been darkened and it hurts to see that in many countries of the world our youth has the highest percentage of drug addiction, prostitution and even suicide, without there being a benevolent hand to take us out of this unfortunate situation. Thus, ladies and gentlemen, what will be the future of indigenous populations? Shall we be capable of preserving our millennial cultures for another thousand years? Shall the undernourished children of our communities guarantee the future of indigenous peoples? Although I may appear exaggerated, we, indigenous peoples, live under the threat of extermination.

We also demand that the international indigenous court be established, that crimes against our peoples be addressed; because if we were to mention cases of abuse throughout the whole world one by one, this day would not suffice to mention them all. This is why we demand the liberation of our fathers who have been imprisoned for discriminatory reasons and for defending our future as indigenous nations. We, in particular, call for the liberty of Leonard Peltier who is unjustly detained and for the acquittal of the 144 Mapuche brothers who are going to be imprisoned simply because they wanted to defend their human dignity. We wish to be able to enjoy this dignity enjoyed by everybody who is present here in this august assembly.

It is a secret to no one that hundreds of thousands of indigenous children throughout the world are tortured and obliged to work in subhuman conditions, subject to moral damage; that our sisters barely reaching puberty are forced to engage in prostitution against their will without any governmental or non-governmental organizations coming to their assistance. While the industrialized countries talk about modernization and development, large masses of indigenous youths wander the cities of the world, with no access to the labor market simply because they are indigenous, deprived of hope for the future because the very future is refused to us.

Mr. President,

In the framework of the International Year for the World's Indigenous Peoples we would like to appeal to the United Nations and appeal particularly to our governments so that they should establish concrete development programmes for young people; so that there should be more conferences on the subject of indigenous youth throughout the world; so that there should be follow-up on the conference on indigenous youth that was held in Canada; so that support should be given to all young people in the framework of the coming world indigenous conference that is to be held in Australia in July this year.

It is important for us, indigenous youth of the world, to be able to exchange our opinions and experience, for us to be able to prepare ourselves in a positive manner for the future, of course with the assistance of non-indigenous society as a whole.

Indigenous youth have the challenge to rescue the example and the wise teachings of our ancestors, our heroes, our martyrs who have given their lives in order to defend the indigenous rights in the whole world. It is a sacred duty for us to be able to preserve their memory. As one of our Kuna leaders, Nele Kantule, once said, I wish that the culture of my people should remain in the universal picture of history and that its memory should persist as, thus, of worthy human peoples.

[Spoke in native language, then spoke in Spanish]

Thank you.

RAHMAN, Mustafizur (President):

Thank you very much. Now I invite Mr. Ntimama, Minister of Massai Affairs, Kenya, to take the floor.

NTIMAMA, William Ole (Kenya):

Keywords: INDIGENOUS PEOPLES - AFRICA - KENYA - SLAVERY - COLONIALISM - UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

Mr. President, distinguished delegates, ladies and gentlemen,

I wish to take this opportunity to express on behalf of the government, the people of Kenya our gratitude to the international community for focusing their attention on the plight of the indigenous peoples of the world. The decision by the 47th session of the United Nations General Assembly to declare 1993 the Year for the Indigenous Peoples is a clear manifestation that all human beings are equal regardless of their culture, religion, color or individual background.

Mr. President,

The problems of the indigenous peoples are peculiar, would appear different in all the regions of the world. Yet, the problems are basically the same. In Africa, the Maasai - who include the Dorobo and a small little clan called El Molo - constitute one of the indigenous groups on the continent. Their rights have greatly been jeopardized since the arrival of the foreign adventurers nearly a hundred years ago.

The first contact between the Maasai and the outside world was in late 19th century when the slave caravans ventured from the East coast of Africa into the Kenyan hinterland. This arrival was characterized by several clashes between the Maasai, on the one hand, and the slave caravans, on the other. The encounters were very fierce and resulted in great loss of life and property. An example is the 1894, where a battle took place between a slave caravan led by a slave trader Mr. Andrew Dick. In this encounter in the Kedong Valley, 900 people lost their lives, 800 people from the slave caravan and about 100 Morans. This fight discouraged the slave catchers and all other European explorers from crossing through Maasai land and this saved some of our neighbors from the menace of the slave trade.

Mr. President,

It was unfortunate that when the British government decided to penetrate into East Africa seriously, they found the Maasai somehow weakened by the clan wars, famine, drought, animal and human diseases. This expected lack of resistance to the colonialists facilitated the penetration of British settlers into Kenya. The latter found the terrain, climate, surroundings of the Rift Valley, where the Maasai were living, the most ideal for their settlement. Consequently, they decided to push the Maasai out of the Rift

Valley into the arid and poorer areas of the southern Rift Valley, which are infested with malaria, tsetse flies, East Coast fever and other human and animal diseases.

In order to facilitate their decision of settlement to the detriment of the Maasai, the British settlers picked a spiritual leader and a fortune teller and imposed him as the supreme leader of the Maasai. This was in total disregard to any form of dialogue with the political leaders [inaudible]. The Maasai were, thus, denied their right to choose their own representative.

On August 10, 1904, an agreement dividing the Maasai into two groups was signed between Ole Nana and the British. This agreement was to last "as long as the Maasai remained as a race." it hardly lasted for seven years before being immorally abrogated by the British in 1911.

In the same year, another agreement banishing the Maasai from Laikipia to the southern Narok reserve was signed. This move was resisted and resulted in a lot of bloodshed. Five thousand men, women and children lost their lives, while 10,000 heads of cattle, sheep, goats and donkeys were confiscated by the colonial police. The agreement also confined the Kalenjins and Dorobos, who are our neighbors, to the forest edges of Molo and Elburgon.

As I said earlier, the Maasai resisted this agreement fiercely because it was a breach of trust on the side of the colonialists. Later, the colonial government took extensive tracks of land in Kajiado, Samburu and Narok districts as game reserves and game sanctuaries. Surprisingly, Mr. President, all this loss of lives and loss of land in the Rift Valley and the loss of the game areas and the sanctuaries were never considered worthy of compensation by the British government.

Mr. President,

Today we are witnessing the implementation of the United Nations General Assembly decision of 1992 declaring 1993 the International Year for the Indigenous Peoples. This is a historical moment in the world history when all the indigenous peoples of the world have been accorded their legal status. Furthermore, their representatives have been given the opportunity to participate and address this international Conference. This courageous step by the world community brings a brighter dimension to the global human rights and to the rights of the indigenous peoples. And like a blind man who has suddenly seen the light, the indigenous peoples can now expect hope where there was despair; development where there was stagnation and retardation; and, in fact, survival where there was a threat of extinction.

In fact, Mr. President, it would be important to recognize the fact that some of the Maasai travelled all the way from their villages to this Conference because of this hope that something is going to change in their lives and their rights have been recognized. Some of this people have never gone away from their villages, and they are here now, in Vienna, witnessing this major World Conference.

I believe, Mr. President, that each indigenous group has its own story to tell. Historical factors show that we became declared enemies with the colonialists, and this became a source of our marginalization. We were denied everything – development, communication with the outside world and we were secluded as a human museum in our own country.

At independence, the newly elected government in Kenya embarked on a nationwide development programme. The Maasai having lost their land and being secluded into reserves of our own were left out in the development programmes by the colonial government. Since then, they remained disadvantaged as opposed to the other more affluent, educated and advanced communities, especially in reference to ownership of land.

However, Mr. President, it is a great pleasure for me while representing my government and the indigenous peoples and my people the Maasai to be able to speak in front of you in this year of 1993

where I can see that the world is strongly committed to the promotion and implementation of human rights as contained in the Universal Declaration and other international instruments.

I also want to declare, Mr. President, that the government of Kenya supports the promotion of human rights internationally, the rights of the indigenous peoples of the world and also the indigenous peoples within its own borders.

In conclusion, Mr. President, I wish to emphasize that the Maasai have a very strong and closely knitted culture and tradition. They attach great importance to the land as a source of all human needs and the basis for the protection of their own culture and cultural values. The cultural values have greatly contributed to the preservation of the environment, particularly the indigenous forests within our own areas. I am also glad to say, Mr. President, that our President is an eminent environmentalist – His Excellency President Daniel Arap Moi has said many times that:

protection of the environment means the guarantee of lives for both the trees and the people and especially the lives and welfare of the people on Earth.

We now, Mr. President, recording our appreciation for the recognition of the indigenous peoples in this Conference, wish – as the Maasai and the people of Kenya – to request the international community to increase further assistance to enhance the preservation of culture, environment, sustainable human development of all the indigenous peoples in the world and to take cognizance of the presence of the indigenous peoples of Kenya as the Maasai and others.

Thank you, Mr. President.

RAHMAN, Mustafizur (President):

Thank you very much. Now I invite the distinguished representative of government of Columbia to take the floor.

GALVIS, Ligia (Colombia, Latin American and Caribbean group), spoke in Spanish; text is edited according to the actual delivery:

Keywords: INDIGENOUS PEOPLES - LATIN AMERICA - ENVIRONMENT - CULTURAL HERITAGE - POPULAR PARTICIPATION - Universal Declaration of Human Rights (1948)

Thank you, Mr. President.

Mr. President, Mr. Deputy Secretary-General of the United Nations and Coordinator of the International Year for the World's Indigenous Peoples, Madame Chairman of the Working Group on Indigenous Populations, Madame Rigoberta Menchú, Nobel Peace Prize winner and Goodwill Ambassador for the United Nations, delegates of the indigenous peoples, distinguished delegates,

On behalf of the Latin American and Caribbean group we would like to make this statement to mark the International Year for the World's Indigenous Peoples.

Mr. President,

The Kogui people, who live where the South American Andes end and where the cliffs drop down to the West Indies Sea, say that the world has the shape of a large egg with the point upwards. Within this egg are the nine lands, like great round layers, one on top of the other. We live on the land in the centre.

This large egg is extremely heavy. It is placed on two long beams and four men support it, two on the eastern side, two on the western side. Under the world, there is water. On the surface of the water there is a large stone, flat and beautiful. The naked Mother Earth is sitting on it. She gives them food, gives

them water and takes care of them. She rubs their arms and shoulders so they do not get tired of holding the Earth. From time to time, one of the four switches his beam from one shoulder to another. Then it trembles. That is why it is bad to jump, throw stones, roll rocks in the mountains. The world would shake and it could fall.

One day one of the four men will be tired and will no longer have the strength. One of them will drop his beam and then so will the next and the next. When the world falls the Mother will remain in the middle as a big egg, alone, because all the people will die in the fall. When this happens, the fathers and mothers will return, a long thread will come down from heaven and the good ones will come up through it. The Kogui people have lived for many centuries now. In a century they will reach half of the lifetime. Another thousand years will come and the four men will be old, and the world will end.

This cosmovision of the Kogui people, renewed by the mythical present, reminds us that the world rests on the shoulders of humanity, defined by the needs that make humans weak and fragile and dependent upon Mother Earth, who takes care of them and offers them protection. The Kogui people think, as in the case of the majority of Latin American indigenous peoples, that the unity of the universe is indissoluble and not only does the humanity have the privilege of existing but at the same time the responsibility for the continuing equilibrium in nature. It is the unity of the strength and weakness, of reason and sensitivity, of production and imagination, of Homo sapiens and nature.

On this day of commemoration of the International Year for the World's Indigenous Peoples, we recall this vision that combines solidarity and responsibility because from the earliest times the indigenous cultures have known how to maintain this uniform and diverse presence that we celebrate today and to which we pay tribute.

The United Nations General Assembly decreed the International Year for the World's Indigenous Peoples to assume the historic responsibility that the international community has towards the indigenous cultures. We have a lot to learn from them and we also have a lot to do to acknowledge them in their integrity, their diversity and their capacity to be true actors of their destiny.

Today's society embraces with pride that the example of multilingualism, which particularly in the Amazon communities, is the basis of interpersonal communication. This characteristic makes means that indigenous societies open and welcoming, capable of listening to others as an equal partner.

In the family structures of the Vaupés communities, it is impossible to conceive the idea of an abandoned child because there will always be a biological or community replacement family to care for that child. Contemporary medicine is now turning in search of alternative forms of healing and it found a great support in the traditional indigenous medicines.

The relationship of man with the nature is another example that generations used to using and abusing natural resources should take into account. Indigenous peoples have the duty to give back to the nature, when they use its products, they protect it and praise it in the sacred songs of the shamans. How much we would do for sustainable development if we adopted these norms of indigenous ethics and behavior.

In what way do we fulfil our historic responsibility with respect to indigenous cultures?

Above all, we have to break the silence and the neglect, which for centuries have marginalized the indigenous peoples. Today their voice resounds in every corner to claim their rights and to take ownership as true holders of those rights, with the autonomy that would ingrate them within the state and open the way for them to participate in the decisions that affect them. The indigenous peoples in Latin America have been involved in one way or another with the democratic process. Certain ancestral practices of community and participation reflect this and now they have brought their traditional institutions into line with the modern concept of the state; the chiefs coexist with the indigenous governors and the parliamentarians, the judicial structure with the traditional forms of the administration of justice.

In Latin America, there is an ongoing process to recognize the role that the indigenous cultures have played in the definition of our identity; which is reflected in the respect that the state, through the constitution and the laws, grants to their cultures, and in the return of lands, the creation of institutions such as territorial jurisdictions, the administration of indigenous justice and participation in the definition of state affairs, especially with the regard to management of their communities.

Within the limits imposed by the unity of the state, this process is characterized by the consecration in some constitutions of the multi-ethnic nature of our societies and the encouragement of multilingualism and ethnic and cultural diversity.

We have made progress but a vast amount still remains to be done in the realization of all human rights and fundamental freedoms of our indigenous populations. For this reason, in celebrating this International Year, we must remember that governments in Latin America reiterated in the Guadalajara and Madrid Summits and in the Declaration of San José de Costa Rica, the need to recognize the immense contribution of indigenous populations to the development and to the identity of our society and we renew our determination to redouble our efforts to ensure that all indigenous societies have full, real and effective access to economic, social and cultural well-being; to encourage their participation in social life; and to respect and promote their own initiatives.

Latin American countries believe that the commemoration of the International Year for the World's Indigenous Peoples here in this World Conference should reaffirm the commitment of the international community to ensure the full enjoyment of human rights and fundamental freedoms by the indigenous populations.

We must make the effort to think of human rights in their language, to approach their conception of the world in order to unite the concept of the universality of human rights with the diversity of their thought and their worldview. The indigenous peoples express themselves in many languages and the Universal Declaration on Human Rights should reach them in the languages and with the words that are part of their daily life.

As Chairman of the Technical Meeting for the preparation of the International Year and together with the indigenous peoples' representatives, governments, intergovernmental agencies, non-governmental organizations and the Secretariat, we consider that 1993 is only the beginning for developing further permanent programmes and undertakings, which will ensure the continuity of this integral development and of the active and direct participation of these communities in the implementation of these programmes.

In the international level, we have responsibilities that need to be addressed urgently. The indigenous peoples have been waiting for almost a decade for the declaration that will enshrine their rights and fundamental freedoms. The Latin American and Caribbean group would recommend that the work being done in this declaration be speeded up so that the General Assembly can adopt it as one of the immediate results of the International Year.

The international community has been listening to the voices of the indigenous peoples in the Working Group set up by the Sub-commission on Prevention of Discrimination and Protection of Minorities. This forum should be kept and, if possible, its terms of reference should be changed so that it can be more authoritative and it can become a permanent mechanism where we can listen to claims and constantly monitor the human rights of the indigenous peoples. And finally, the international community meeting here in this forum shall lead the success of this International Year through technical cooperation and its generosity in contributing to the voluntary fund set up for that purpose.

Mr. President,

I would like to conclude this tribute to the indigenous peoples of the world by citing the last part of the poem of the creation of the Guarani cosmogony, which says:

Habiendo Ñamandú Ru Ete, el Primero, designado por sus respectivos nombres
a los verdaderos padres de sus futuros hijos,
a los verdaderos padres de las palabras de sus futuros hijos,
Cada uno de ellos en su respectiva morada

Después de haber hecho que os llaméis por vuestros nombres, Cada uno de vosotros
en vuestra respectiva morada, Concebiréis las leyes que regirán en la tierra a los que
llevan la insignia de la masculinidad y el emblema de la feminidad.

Después de estas cosas,
inspiró el canto sagrado del hombre
a los verdaderos primeros padres de sus hijos,
inspiró el canto sagrado de la mujer
a las primeras madres de sus hijas,
para que después de esto, en verdad, prosperaran quienes se erguirían en gran
número en la tierra

[Translation:]

Having Ñamandú Ru Ete, the First, assigned their respective names
to the true parents of their future children,
to the true parents of the words of their future children,
each one of them in their respective dwelling
After having you called by your respective names,
each of you in your respective dwellings
shall conceive the laws that shall govern on earth
those who bear the insignia of masculinity and the emblem of femineity.
After these things,
he inspired the sacred song of the man
to the true first fathers of their sons,
he inspired the sacred song of the woman
to the first mothers of their daughters,
so that after this, truly, shall prosper those who would stand in great numbers upon the
earth.

Mr. President,

In Quechua, in Aymara, in the Patagonia, in the Amazonian region, in the Darien, in the Mayan
communities, the indigenous peoples of the Latin American region have always known that the world
rests on our shoulders and that laws exist to achieve well-being and progress.

The International Year urges all of us to fulfill these responsibilities.

Mr. President,

Thank you very much.

RAHMAN, Mustafizur (President):

Thank you for your speech. Now I invite the distinguished representative of the government of Chile to
take the floor.

QUILAMAN, Camilo (Chile, Latin American and Caribbean group), spoke in Spanish; text is edited based on the English interpretation:

Keywords: INDIGENOUS PEOPLES - LATIN AMERICA - CHILE - DEMOCRACY - POVERTY - LAND RIGHTS - TREATIES - TRUST FUNDS

Mr. President, distinguished representatives of the Centre for Human Rights, ladies and gentlemen, distinguished sisters and brothers,

I have the honor of addressing this assembly on behalf of the governments of the Member States of the Latin American and Caribbean group.

The indigenous peoples are the roots of our countries. The basis of the identity of our continent, which after 500 years of colonialist conquest has seen the return of the indigenous peoples fighting for their rights in our political and social life. I am a member of the indigenous movement of Chile, which is made up of many different organizations representing the Atacameño, Aymara, Kawésqar and Mapuche peoples. They account for almost a million people and take up about ten percent of the total population of the country. The Mapuche people's history is known as a result of their historic fight for the defense of their land, their dignity and their freedom. Other indigenous peoples on the continent have also been raging a heroic struggle for their own rights. I am also part of the Mapuche movement, which fought side by side with the democratic forces during the years of military dictatorship in Chile in order to achieve full democracy within the country, defense of their lands and to support the process of the transition to democracy.

In Chile, as in many other countries in Latin America we are trying to consolidate democratic processes. This is a difficult task for our societies. The indigenous peoples have not stood aside from the process. We have participated because we are convinced that the rights of the indigenous peoples can only be protected if we have a democratic system. At the same time, we do not think there can be a democracy without full respect for indigenous rights. Only a democratic system will it be possible to lay down the foundation for a new relationship between the state and our peoples. Only in a democratic system will be able to render historic justice to the demands of our peoples who have been trampled upon for many years. Our experience assures us that only democracy will bring about an improvement in the situation of the indigenous peoples of Latin America.

Our peoples are the poorest and the most marginalized of the population of the region as a whole. This is something which cannot be allowed to continue. The indigenous peoples of Chile like the indigenous peoples of the rest of Latin America cannot continue to live in poverty. Poverty is not an integral part of our culture. We want to develop. At the same time, we want to continue to be indigenous peoples and retain and strengthen our identity. Development is a central element for the survival of the indigenous peoples and communities. This development should be decided upon taking into account what those who are indigenous want and should be managed by them.

Participation in decision making and control of the management are the fundamental aspects of our policy. Our peoples are peoples from the land, we live on the land. We need the land. We come from the land. That is why the policies of our countries and international treaties must protect and defend indigenous lands and indigenous land rights. Indigenous people must not be uprooted from their lands. They must not be thrown of their lands or subjected to ecological damage. This is unacceptable. We need to find legal mechanisms that will provide for both our survival and our development. Our land rights must be protected so that our communities can develop in a sustainable, harmonious and balanced fashion.

The indigenous peoples are the grassroots peoples of Latin America. The land is soaked with our blood and, therefore, our rights to that land and to the preservation of our culture, our languages and all the other features which are features of our peoples must be protected. Recognition of our rights at the

international level is another fundamental issue if we are to survive and if we are to develop. Our organizations and the government of Chile attach the greatest possible importance to this. We hope that the United Nations system, particularly during this International Year, will include in its programme the issue of indigenous peoples and their rights.

We urge countries to ratify Convention 169 since this is an instrument of the greatest possible importance with respect to protection of indigenous peoples' rights. The approval as quickly as possible of the universal declaration of indigenous peoples' rights is something that has our decisive support.

Our indigenous peoples' movement and, indeed, our country have been active participants in the establishment of the fund for the development of indigenous peoples in Latin America and the Caribbean. Here, for the first time the states will be represented by a government delegate and by an elected representative of the indigenous populations. This seems to us to be a very important initiative and we think it is essential to support it. We appeal to the countries of Latin America and the Caribbean to ratify this convention and countries of other regions who wish to participate to do so. In the same line of thought to support the establishment of an international fund of the same type. The situation of the indigenous peoples in our country has, historically speaking, been subject to discrimination. The International Year, which we are commemorating here, is a call for greater attention to be paid to this issue. However, it would seem to be insufficient as is and, therefore, we think the Working Group on the Rights of Indigenous Populations should be strengthened so that it can deal properly with the great tasks in front of us.

Mr. President,

The indigenous peoples of Latin America and the Caribbean nationally, internationally and regionally wanted to set up a new partnership, a new relationship based on understanding and respect of our communities and our peoples. We want to ensure the full observance of the rights they have. We hope that we will get rid of inadequacies and imperfections in the international legal protection system so that it can be improved or further developed. We want to participate actively in the establishment of a more just, healthier and fairer society, which would be more respectful of the rights of all men and women throughout this world. We want to participate actively in the development of this society, which we will be living in in the next millennium.

Thank you, Mr. President.

RAHMAN, Mustafizur (President):

Thank you for your speech. Now I invite the distinguished representative of the government of Bolivia to take the floor.

ROSSO, Carlos (Bolivia), spoke in Spanish; text is edited based on the English interpretation:

Keywords: INDIGENOUS PEOPLES - LATIN AMERICA - DEVELOPMENT - TRUST FUNDS

Mr. President, first and foremost I should like to begin by greeting you and the distinguished members of the Bureau. Mr. President, distinguished delegates, after the most eloquent words of the delegate of Colombia and the specific comments made by the delegate of Chile speaking on behalf of the Latin American group, allow me, Mr. President, to make a brief statement on behalf of my government.

The government of Bolivia considers this an excellent opportunity to inform the distinguished representatives before the World Conference on Human Rights present at this meeting of the International Year for the World's Indigenous Peoples to inform you of the recent creation of the Fund for Development of Indigenous Peoples in Latin America and the Caribbean. This was originally proposed in the first Ibero-American Summit of Heads of State and governments held in the City of

Guadalajara in Mexico and was constituted on the 24th July 1992 by the twenty-one countries that participated in the Second Ibero-American Summit in Madrid. This process has been possible thanks to the support international bodies such as the Inter-American Development Bank, the International

Labour Organization, the United Nations Development Programme, IFAD, UNESCO and the governments of Belgium, Spain, Netherlands and Sweden. We should also like to take this opportunity to thank the Secretary-General of the United Nations who has accepted to be the depository of this new legal instrument. The Fund for Development of Indigenous Peoples in Latin America and the Caribbean is at present presided over by Mexico and has its headquarters in La Paz.

At all levels, on an equal footing, it is administered by representatives of governments and of the indigenous peoples of each and every one of the member countries. The government of Bolivia wishes to thank all those who have contributed to the realization of this initiative – from President Jaime Paz Zamora, the representatives of indigenous peoples, the governments of the countries members and the international organizations that have facilitated the creation of this new instrument at the service of a future, which is more worthy and more fair for the indigenous peoples of Latin America and the Caribbean.

Thank you very much, Mr. President.

RAHMAN, Mustafizur (President):

Thank you very much. Now I call upon the distinguished representative of the government of Mexico to take the floor.

ESPINOZA VELASCO, Guillermo (Mexico), spoke in Spanish; text is edited based on the English interpretation:

Keywords: INDIGENOUS PEOPLES - LATIN AMERICA - XENOPHOBIA - DECLARATIONS
- NON-GOVERNMENTAL ORGANIZATIONS

Mr. President,

The indigenous peoples are amongst the sectors of the population whose rights are violated most often, particularly those rights related to their cultural differences, which in many instances have not yet been included in the national legislation of the countries. These peoples do not aspire to exceptional treatment merely to equality of access, to opportunity but also taking into account their cultural differences which serve only to enrich the nations in which they live. The principle of equality before the law should be considered as a goal which must be attained via consideration of the specific differences. At times, this has resulted in a lack of equality. Equality before the law should be interpreted as something, which gives equal treatment to those who are equals.

The countries of Latin America contain substantial internal resistance, sometimes. We must work to eliminate the xenophobia that seems to be returning in other regions. It is not sufficient to acknowledge cultural differences. Alternatives must be opened up to ensure that there is a sustained dialogue amongst global societies and the indigenous communities. The 169 Convention of the International Labour Organization on Indigenous and Tribal Peoples is a legal instrument that serves this purpose, but it has been ratified by very few countries.

The United Nations plan on the universal declaration of the rights of indigenous peoples has taken a number of years, but it has not yet concluded with any degree of success. We would like to propose amongst its conclusions a recommendation to speed up the work, which would lead to the adoption of this declaration. This is an agreement of the first Summit of Indigenous Peoples held in Chimaltenango in Guatemala in May of this year. This agreement is to be found in the Charter of Ah Campeche prepared by international representatives of indigenous peoples and non-governmental organizations, which met in the first week of this month in Mexico and has since been approved by the Latin American meeting organized by UNESCO in Oaxaca, in Mexico, last April.

Mexico supports the proposal of Mrs. Rigoberta Menchú from the Chimaltenango meeting contained in the Charter of Ah Campeche that declares the international decade of indigenous peoples, which is to begin in 1994. The essence of this recommendation is to point out that the problems encountered by indigenous peoples need an initial and continuing effort if they have to be solved. Given the importance of the ILO's Convention 169 and the universal declaration of indigenous peoples if they are to be duly met there would be a need for monitoring and follow-up work to ensure that countries grant these agreements the importance that is due to them despite their formally high place in their hierarchy at present.

In order to ensure the follow-up of the various proposals that have been put forward, the ongoing work of the indigenous peoples is also required. We propose that this Conference recommends to the General Assembly the setting up of an appropriate mechanism allowing countries to select the type of mechanism they consider to be most appropriate.

In conclusion, I should briefly like to refer to an experience that we have noted in Mexico over the last four years. The participation of non-governmental organizations has been very important in defending human rights of the indigenous peoples. Hence the support that they have received from government in the form of governmental funds is totally justified. Today one of the goals of these organizations under the government should be that the NGOs work not only on individual instances, but that they take up global problems. This would mean that the government and other organizations would have to carry out regular analysis with these organizations. Additional information on the action taken by the Mexican government can be found in the leaflet that has been distributed to this Conference.

Thank you very much, Mr. President.

RAHMAN, Mustafizur (President):

Thank you for your speech. Now I call upon Mrs. Zoya Kornilova, Chairperson of the Commission on National Affairs of the Supreme Soviet of the Russian Federation. It appears she is not here. So, we go to the next speaker. I call upon Her Excellency Mrs. Henriette Rasmussen, Minister for Social Affairs and Employment of the Greenland Home Rule government on behalf of Greenland and Denmark.

RASMUSSEN, Henriette (Greenland, Denmark):

Keywords: INDIGENOUS PEOPLES - HUMAN RIGHTS MONITORING - NATURAL RESOURCES - NON-GOVERNMENTAL ORGANIZATIONS - SELF-DETERMINATION - UN

Mr. Chairman, Mr. Secretary-General, Your Excellencies, distinguished delegates, Mrs. Rigoberta Menchu Goodwill Ambassador for the International Year of the World's Indigenous Peoples, dear representatives of indigenous peoples, [spoke in Greenlandic Inuit], ladies and gentlemen,

It is a great honor for me to address the World Conference on Human Rights on behalf of my country, Greenland, and on behalf of Denmark.

This special day should highlight and provide momentum to the priorities of indigenous peoples within the world and the United Nations.

Indeed, many previous speakers have already through their inspiring statements made this day a memorable event adding a further momentum to the activities of the international year. The interventions we have heard show in all clarity that the aspirations of the indigenous peoples are, generally speaking, the same all over the world.

As we pass the half way point of the year, things stand clear now. Given the imperatives of universality, guarantees and democratization, the central point of significant participation within the United Nations must be addressed.

In that respect, we urge the World Conference to consider seriously our priorities in enhancing the effectiveness of United Nations activities and mechanisms and especially in securing the necessary financial and other resources for United Nations activities in the area of indigenous rights.

Mr. Chairman,

The world's indigenous peoples are among the most oppressed and marginalized nations within the world. Evidently, we must elaborate cooperative efforts to promote and strengthen the role of indigenous peoples in the development process while, at the same time, address the ongoing violations of their human rights.

First of all, we ask the World Conference to support the idea of a permanent advisory body on indigenous peoples as well as the notion of a permanent office. In my view such a permanent body may be a committee under the auspices of ECOSOC and should stimulate an ongoing dialogue between governments and indigenous peoples and, furthermore, carry out functions relating to the implementation of the emerging universal declaration on the rights of indigenous peoples. Such a committee shall have adequate resources and funding. In order to support this effort, we shall recommend the World Conference that the Commission on Human Rights place the situation of indigenous peoples as a permanent item on its agenda.

As the second priority, the issue of access to the United Nations machinery, in general, and to proper agencies, monitoring bodies, conferences and ad hoc meetings, in particular, is an ardent wish by indigenous peoples. To give you an example, I can tell that at the moment a mere twelve indigenous peoples NGOs have obtained a consultative status with ECOSOC. The ongoing human rights violations against indigenous peoples around the world show the urgent need for concerted action, and one of the best ways to do so is to provide more access, participation and representation to the United Nations by indigenous peoples NGOs.

Mr. Chairman,

The way I see it, the International Year of the World's Indigenous Peoples should also highlight the indigenous peoples right of self-determination.

As the President of the Conference stated in his opening statement, the peoples of the world expect us to see that human rights become a living reality in every singly country, that through our common accord and joint action the root-causes for continued violations of human rights are eliminated, and that the community of nations collectively strive to respect the fundamental rights inherent in any human being.

To indigenous peoples any full realization of human rights is a prerequisite by the genuine exercise of the right of self-determination. As you know, the United Nations Working Group on Indigenous Populations has labored on a draft universal declaration on the rights of indigenous peoples, which is to be finalized in July this year. The rights and freedoms covered by the draft universal declaration include self-government or autonomy in matters relating to their own internal and local affairs. Those rights mentioned constitute the minimum standards for the survival and the wellbeing of the world's indigenous peoples.

Mr. Chairman,

Human rights encompass the right to make a living. To indigenous peoples this right to make a living implies the right to sustainable use of natural resources. However, some countries and some animal rights groups seek to halt the sustainable use of wildlife resources. The loss of revenue from trade in the products derived from the sustainable utilization of resources has had devastating impacts on indigenous peoples' cultures and economy. It is important for the international community to reconfirm its commitment to sustainable use and the continuing ability of indigenous peoples to make a living from

the resources available to them as provided by the Rio Declaration and the Indigenous Peoples Earth Charter of May 1992.

Mr. Chairman, Your Excellencies, my dear indigenous kin,

I have tried to deliver the message of new partnership, the theme of the International Year. Given any serious consideration and deliberation the International Year would progress to a milestone because it promotes a new turn against new forms of prejudice, oppression and racism. But we need more time, a decade for the world's indigenous peoples.

The views I have expressed are reflected in an attached text to my statement. The attached text deals with elements for recommendations to be considered in the context of the Programme of Action because we give the cause of indigenous peoples the high attention it deserves in the final document.

I look forward to share these ideas with you, distinguished delegates.

I thank you, Mr. Chairman, for allowing me this important chair as I would say in mother tongue the Greenlandic Inuit language [spoke in Greenlandic Inuit].

RAHMAN, Mustafizur (President):

Thank you very much. Now I invite Mrs. Lois O'Donoghue, Chairperson of the Aboriginal and Torres Strait Islander Commission of Australia to take the floor.

O'DONOGHUE, Lois (Australia. The Aboriginal and Torres Strait Islander Commission):

Keywords: INDIGENOUS PEOPLES - AUSTRALIA - LAND RIGHTS - RACISM AND RACIAL DISCRIMINATION - SELF-DETERMINATION - ECONOMIC DEVELOPMENT - GOVERNMENT POLICY

Mr. President, indigenous brothers and sisters,

It gives me great pleasure to speak at this commemoration of the International Year for the World's Indigenous Peoples. I speak as the Chairperson of the Aboriginal and Torres Strait Islander Commission, the national body that represents elected indigenous peoples.

This is a crucial year in which to be addressing the topic of human rights for my people and, indeed, for indigenous peoples throughout the world. Not only is it the International Year for the World's Indigenous Peoples, it is also, potentially, a time of great change, of great promise within Australia.

The indigenous peoples of Australia are keenly concerned about the subject of indigenous rights. We are concerned because over the last 205 years - since the coming of the Europeans to our continent our history has been a terrible and painful one.

Our basic rights, the rights to our land and our culture, have been denied us. For many years we were even denied the most important of our rights – the right to exist as indigenous peoples.

We share with other indigenous peoples throughout the world a struggle for the recognition of our rights. This is a recurring struggle. The history of European colonization since the 15th century is stamped indelibly with a disregard for the human rights of indigenous peoples, displaced by the quest for new lands and dispossessed of their natural resources.

Against these seemingly insurmountable odds my people have survived for over fifty thousand years.

Let us not underestimate the serious nature of human rights abuses in Australia.

The Royal Commission into Aboriginal Deaths in Custody comprehensively documented the extent of aboriginal and Torres Strait Islander disadvantage in our country. It highlighted the denial of basic human rights to Australia's indigenous peoples. It emphasized that aboriginal exposure to racism, severe unemployment, lack of educational and training opportunities, poor health, and alcohol and substance abuse were the underlying causes of the appalling rate of incarceration of aboriginal Australians.

Also, the national inquiry into racist violence by the Human Rights and Equal Opportunity Commission found that racist violence against aboriginal and Torres Strait Islander peoples is endemic, nationwide and severe.

The findings of these two major reports surprised no aboriginal or Torres Strait Islander person. We are all too well aware of the discrimination we face in our everyday life.

For instance, aboriginal and Torres Strait Islander unemployment is four times higher than for other Australians and income levels are about half. The imprisonment rate is 29 times higher than for other Australians. Life expectancy is 20 years less than that of other Australians.

We remain the most disadvantaged group in Australian society.

Australia continues to attract international criticism from bodies such as the Anti-slavery Society, Amnesty International and the World Council of Churches. We welcome this increasing international scrutiny of the human rights record of our country, so long as it reports on the good side as well as the bad side.

On the positive side, we must list increasing aboriginal self-determination, increased government expenditure on aboriginal and Torres Strait Islander affairs, improved educational opportunities and our cultural renaissance.

We must also list as important the Mabo judgement. Just over a year ago the High Court of Australia in the Mabo case threw out the legal fiction that Australia was uninhabited at the time of European colonization in 1788. The so-called doctrine of *terra nullius*, or no one's land, was overturned. This recognition that native title to land survived the Crown's annexation of Australia is a great symbolic victory for us. It also represents a milestone in Australia's political, legal and social maturity.

Nevertheless, the practical implications of the decision are still far from being worked out and are currently the subject of lively debate. However, the decision has some powerful opponents. While some mining and pastoral concerns have shown a pleasing willingness to negotiate with aboriginal and Torres Strait Islander peoples on the implications of native title, others have been engaged in a campaign to discredit the Mabo decision.

In my experience the majority of mining and petroleum companies and pastoral groups are pragmatists. They recognize that aboriginal and Torres Strait Islander peoples do not want to impede economic growth but to be full partners in it. There is absolutely no doubt that the majority of Australia's indigenous peoples wish to negotiate benefits from economic development and not to veto it.

Many Australian companies realize that this is a small cost for economic certainty. All we ask is the opportunity to negotiate with them directly, on the basis of consent. It is through this kind of dialogue that we wish to develop the new partnership, which is the central theme of this indigenous year.

Mr. President,

The Australian Prime Minister has taken a resolute stand in seeking to address the human rights which flow to Australia's indigenous peoples from the recognition of native title.

Our voice has been clear. ATSIC is pleased to have worked closely with a number of key aboriginal land councils and organizations over the last six months. From that has emerged a unity of purpose and resolution in our advice to Australian governments on how they should respond to Mabo.

But I am disturbed that some aboriginal leaders have not shown strategic wisdom. They have lodged extravagant and unrealistic claims that like the simplistic rhetoric of some political leaders have served only to inflame prejudice.

Heads of government and aboriginal leaders must do all in their power to speak firmly but with dignity and moderation. It would be a tragedy for our nation and a darker tragedy for aboriginal and Torres Strait Islander peoples if the hopes that stem from Mabo decision were lost in the conflict of extremes.

I must also point out that the positive stand in the Australian government and of the opposition parties is crucial to reconciliation between aboriginal Australians, indigenous and the non-indigenous peoples is being undermined by some state and territory leaders. We are concerned that too many heads of state governments in Australia are failing the test of leadership. They are sowing the seeds of fear and hatred by oversimplifying complex issues and creating discords for reasons of short-term political expediency.

In this process, aboriginal and Torres Strait Islander peoples have become the scapegoats for Australia's economic difficulties.

For these leaders I have a message.

Human rights come first. If Australia is to develop as a nation, it is vital that the aboriginal and Torres Strait Islander peoples become part of the society's fabric. State governments must recognize that.

Let me give an example.

The Mabo judgement has highlighted the importance of Australia's Racial Discrimination Act. This was enacted in 1975 to comply with the provisions of the UN Convention on the Elimination of All Forms of Racial Discrimination. It is part of Australia's international obligations. It also now prevents state governments from extinguishing native title without compensation.

We are alarmed that the Racial Discrimination Act might be amended in some way under pressure from a few state or territory governments.

Mr. President,

ATSIC has made its own views on Mabo known to the Australian government. Among other things, we have highlighted the plight of the dispossessed - probably the majority of aboriginal peoples - who cannot benefit directly from the Mabo decision or from existing land rights legislation.

The answer lies in the creation of a compensation fund directed largely at land acquisition. Central to the plight of our people, as with indigenous peoples throughout the world, is land. Land is a cornerstone of the very existence of indigenous peoples. Land is the fundamental issue in the recognition of indigenous rights.

Australia is at a crucial juncture as far as the human rights of its indigenous peoples are concerned. We need the support of international organizations to ensure that our rights are not denied us.

I mentioned earlier the report of the Royal Commission into Aboriginal Deaths in Custody. This major human rights document demanded an appropriate response from all Australian governments: state, territory and commonwealth.

One very significant aspect of the response has been the appointment of the special Aboriginal and Torres Strait Islander Social Justice Commissioner, Mr. Mick Dodson, who will present an annual State of the Nation report on the human rights of Australia's indigenous peoples.

Another significant but separate development is the establishment of the Council for Aboriginal Reconciliation to oversee a long-term process that aims to educate non-indigenous Australians about the cultures, history and present situation of aboriginal and Torres Strait Islander peoples. This will be an important element in developing the new kind of partnership envisaged in the International Year.

Australia is presently engaged in an effort of redefining itself, of setting new directions for the future. We are approaching the year 2001, the centenary of our Federation and our Constitution. A process of constitutional review has already begun and indigenous peoples must be part of this process.

As it stands, our Constitution does not mention indigenous peoples at all. We ask that it acknowledge our special status as the first Australians, as the original owners of the land.

Australians are wanting to make a break with their past, a past that lives on in many lives in the form of racism, intolerance and injustice.

The Australian Prime Minister has already signaled his firm commitment to reconciliation, to achieving a just outcome from the Mabo judgement and to aboriginal and Torres Strait Islander issues in general.

I can only hope that the rhetoric of the present will translate into a better future for my people.

I also hope that the International Year will produce lasting benefits for indigenous peoples throughout the world.

I thank you, Mr. President.

RAHMAN, Mustafizur (President):

Thank you for your speech. Now I invite the distinguished representative of the government of Norway, on behalf of Norway, Finland and Sweden to take the floor.

HJELDE, Haakon B. (Norway, Finland, Sweden):

Keywords: INDIGENOUS PEOPLES - SAAMI - INTERNATIONAL YEARS

Mr. President,

I have an honor to make this intervention on behalf of Finland, Sweden and my own country, Norway.

We greatly value the opportunity to participate in this solemn commemoration of the International Year for Indigenous Peoples in the presence of the distinguished Nobel Peace Prize laureate and spokeswoman for indigenous peoples, Ms. Rigoberta Menchu, and other representatives of indigenous organizations.

Allow me to pay tribute to the indigenous peoples worldwide; to their cultural richness, their sense of solidarity and compassion with fellow human beings and their traditional concern for and guardianship of a sustainable environment, which should be a guide and example for all societies.

In the Nordic countries, the Saami people and their culture have made most valuable contributions to our societies. Strengthening the Saami culture and identity is a common goal for the Nordic governments. Towards this end, elected bodies in the form of Saami Assemblies have been established to secure Saami participation in the decision-making process in questions affecting them. Cross border

cooperation both between Saami organizations and between local governments in the region has also provided a fruitful basis for increasing awareness and development of Saami culture.

Mr. President,

We remain strongly committed to the need of indigenous peoples and non-governmental organizations working with them to be closely involved in the activities of the International Year. At the national level, we have set up committees composed of Saami representatives and officials from relevant ministries responsible for the implementation of the national programmes and activities related to the Year.

Mr. President,

It is a tragic fact that many indigenous peoples are denied their human rights and fundamental freedoms. It is, therefore, essential that the international community be fully aware of their situation. The utmost must be done to secure their enjoyment of human rights including effective measures for the elimination of discrimination against them. We sincerely hope that the International Year will be instrumental in focusing attention on these problems and in activating public awareness and understanding.

The International Year is a vehicle and a framework for new action and new initiatives. It should have a lasting impact in the realization of the theme "indigenous people - a new partnership." While we welcome action having an immediate effect, activities should be carried out also with a view to long-term and sustainable benefits for the world's indigenous peoples. Special attention should be given to those people who suffer the most and where international expression of solidarity is particularly urgent.

The Year should inspire a new beginning also for concerted United Nations systemwide involvement. A permanent forum to address indigenous affairs should be established. One possibility in this connection is that the United Nations Working Group on Indigenous Populations becomes a permanent body. Furthermore, we must all contribute to a speedy and successful completion of the United Nations declaration on the rights of indigenous peoples under the able chairmanship of Professor Erica Daes.

During the last few years, we have seen greatly increased cooperation and coordination between indigenous peoples and we welcome and encourage this development.

In an effort to facilitate contacts between indigenous peoples we will continue our firm support to indigenous organizations as well as to the United Nations Voluntary Fund for Indigenous People.

Mr. President,

It is our hope and aspiration that the International Year should become a milestone and a turning point whereby the human rights of indigenous peoples achieve firm recognition and wide attention by the world community providing a new departure in the promotion of their human rights as well as in the process of building confidence and justice.

I thank you, Mr. President.

RAHMAN, Mustafizur (President):

Thank you for your speech. Now I wish to give the floor to the Coordinator of the International Year for the World's Indigenous Peoples Mr. Ibrahim Fall to make his closing comment.

FALL, Ibrahima (Coordinator of the International Year for the World's Indigenous Peoples), spoke in French:

Keywords: INDIGENOUS PEOPLES - CULTURAL IDENTITY - HUMAN RIGHTS
ADVANCEMENT - DEVELOPMENT

Mr. President, ladies and gentlemen,

It is not my intention to impose on you a new speech but rather to tell you two words.

The first is to thank you for having remained to the very end of this ceremony to show by means of your presence and participation the very special interest that you have in the problems that we have dealt with this morning relating to indigenous peoples.

The second word is again to thank you because your presence here shows your determination to take into account the claims that have been expressed by the representatives of the indigenous peoples. These claims can be summarized in four points –

the recognition of the identity of indigenous peoples;

the safeguarding their dignity;

the respect of their rights as human persons;

and finally, the promotion of their economic, social and cultural development both within their countries as well as in the framework of the United Nations.

So, for this determination that you have shown, once again, I would like to express the gratitude of the Coordinator.

I thank you, Mr. President.

RAHMAN, Mustafizur (President):

Thank you. Now, we will reassemble at 3:35. Thank you.