



World Chronicle

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“SPECIAL ON INDIGENOUS ISSUES”

The rights of the world's indigenous peoples have been part of the UN's human rights agenda for many years. In fact, many representatives of the world's indigenous communities meet regularly at the UN, where a Permanent Forum has been established to discuss issues of common concern. But where is the common ground for indigenous people from regions as diverse as Asia-Pacific, the Americas, Africa and Europe? What major issues are being discussed, and how are common strategies are being worked out? In this special focus edition of **World Chronicle**, these issues are addressed with the help of Dr. Ayitegan Kouevi, the Indigenous Forum's Expert from Africa; and Mililani Trask, a Native Hawaiian attorney who is the Forum's Pacific representative.

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ANNOUNCER: From the United Nations in New York, an unedited interview programme on global issues. This is **World Chronicle**. And here is the host of today's **World Chronicle**.

LESSING: Hello, I'm Judy Lessing, sitting in for Michael Littlejohns, and this is World Chronicle. We're used to thinking of the UN as a forum, where the governments of the world meet to seek consensus on global issues. But the United Nations is also a forum in a wider sense. Included in the "we the peoples" of the UN Charter are Indigenous Peoples, not representatives of nation-states, but with their own specific identities -- who meet regularly at the UN to discuss issues of common concern. But where is the common ground for indigenous people from regions as diverse as Asia in the Pacific, the Americas, Africa and Europe? To find out, we've invited two guests to this special edition of **World Chronicle** devoted to Indigenous Issues. They are: Dr. Ayitegan Kouevi, from Togo, the Indigenous Forum's Expert from Africa, and Mililani Trask, a Native Hawaiian attorney, who is the Forum's Pacific representative. Joining me to talk to our distinguished guest is Cristina Verán, a journalist specializing in Indigenous issues. I think I would like to start by asking either of you, it is your turn, and you can say what you wish, but I would like to know just what that Permanent Forum is and what advantages there are in having a Permanent Forum for indigenous issues. Which one of you wants that?

TRASK: I'll respond. You know the United Nations was really created in the 1940's to be a forum for states to address issues hopefully for the prevention of war and over the years it has grown to a huge bureaucracy involving agencies and specialized bodies. Many years ago, when the United Nations was created, indigenous peoples came to the United Nations seeking entry. The great Chief Deskaheh of the Iroquois Confederacy. And what he told them at that time, which was very true, was that the world would never be able to resolve conflicts or address its problems unless all of the people of the world were included. To this end the United Nations has now created the Permanent Forum. The idea came out of the 1992 United Nations Conference in Vienna on Human Rights. And at that time it became quite evident that there were many human right violations in the world against indigenous peoples, but also that the United Nations needed to establish a presence for indigenous peoples and so the Permanent Forum was created. It is the first body in the history of the United Nations to have eight members seated, who represent indigenous peoples and who are not representatives of states or agencies.

LESSING: Dr. Kouevi, what are the disadvantages of the Forum? Is it that perhaps you only get together every once a year, once for two weeks. I mean what do you for the other fifty weeks?

KOUEVI: I think that because of the lack of resources, human resources and financial resources, the Permanent Forum members cannot gather together every month. So the idea comes through our last session to have a meeting only once a year. We meet two weeks a year in New York in order to deal with the issue concerning indigenous people. That is before our third session, the Permanent Forum members have an inter-sessional meeting, it is a closed meeting through which we discuss the issue concerning indigenous people.

LESSING: And then do you all go back to your own areas, I won't say countries, but your own groups and share the information and then get feed back? I mean how does it work?

KOUEVI: Yeah. The Permanent Forum members, we have a mandate to go to our communities in order to see the reality on the grass root, the problem faced by indigenous people in their country so that we can make a recommendation when we come back here to the ECOSOC. That is what we are doing in Africa, in Asia, in Europe, and in the Pacific region.

LESSING: Cristina, you have covered many of these issues for a long time. What comes to mind from your point of you that you would like to ask our guests?

VERAN: Well I think it would help our viewers if perhaps they could explain what are some of the commonalities. Obviously, just our experts here represent opposite sides of the globe and yet there are commonalities that make this internationally representative forum strong and cohesive. Could you explain some of those things?

KOUEVI: Yes. As Mililani has pointed out, since 1982 the United Nations has settled down a working group on indigenous population. And one of the mandates of this group is to draft a declaration on the indigenous people's rights. And in 1994 this draft declaration was adopted by the sub-commission of human rights. Right now the question of the adoption of the declaration has been submitted for the human rights commission, but the declaration has not yet been adopted. Why? Because states don't want to deal with the right of self-determination because they think that the right to self-determination is a very important issue. When you deal with self-determination to indigenous people, maybe indigenous people can use these rights to cessation. That is why the most important things to do now is to come up with the adoption of the declaration.

VERAN: Can you explain, does self-determination require independence of a nation state or kind of co-exist?

KOUEVI: The sense of self-determination is very very important for indigenous people. Self-determination for most indigenous people means to have the rights to be recognized as such, as people within the framework of the nation. To have the rights, to have cultural rights, to have economical rights, to have the right to develop themselves as indigenous people. But States think that self-determination is the right given to people to constitute another state. This is one of the issue, very important issue that we deal ...

TRASK: You know, there isn't any doubt that one expression of the right of self-determination would be complete independence. And the United Nations itself recognizes it in that it has a division since its inception that deals with the Non-Selfgoverning Territories. And international law provides this that those who are the inhabitants of the non-self-governing territories have a right to achieve a full measure of self-determination, which may be expressed in the form of independence. But you are also right to say that there are other expressions and when you look at the draft declaration on the right of indigenous people, this is also provided for in the form of autonomous regions. When you look at the reality in the world today, you can see that there is great diversity in the expression of the right of self-determination. We have autonomous regions such as the Kunayala, or the Saami territories; recently Nunavut was created. We have now the Homerule of Greenland.

LESSING: Let me stop you for a second, the Saami people live in Northern Europe, and now you mentioned a new Canadian group.

TRASK: I just did, yes. Nunavut is up in Canada. Kunayala is of course the homeland of the Kunu people in Panama. And you know you have other forms as well elsewhere in the world even to a certain extent the Homerule Movement of Greenland is also included in this. UNESCO for many years has been looking at the granting of the right of self-determination as a process towards conflict resolution and this is the way that I choose to view it myself as an indigenous expert. You know that international law provides and it is in the Declaration on Friendly Nations Among States. What this declaration says is that states have a right to territorial integrity only if they provide their peoples with the right of self-determination. Where we look at the strife in the world, wars of national liberation, bloodshed, we always see a state that wishes to maintain its boundaries and its power but fails to provide for the human rights of its own peoples and this is what gives rise and foments bloodshed in wars of national liberation. But you had asked the question earlier: what do indigenous peoples have in common? Not only do we share deprivation of our human rights, but when you look at the indigenous profile globally, you will see that we continue to be victimized by the first period of

colonization. Indigenous peoples the world over are impoverished, they have acute needs for health, their children badly need educational programmes. So there is a common deprivation not only of human rights but also of basic human essential needs for food, clothing, shelter, medical care.

KOUEVI: Health, and so forth and so on.

TRASK: Yes.

VERAN: How are some of those rights specific to indigenous rights, where they are not adequately served perhaps just under a general human rights umbrella?

TRASK: I think it is good at this time to maybe take a look at some real examples. In the dominant society, people understand human rights to be the rights of the majority. For instance in the United States, there is a right for all people to worship freely, and you find this in most progressive democracies today. But very few people understand that for indigenous peoples, the right to worship is not the right to go to a church, it may be the right to go to a sacred place such as the Black Hills in South Dakota, it may be the right to worship at a mountain, or at a lake, it may be that the indigenous way for worship and spirituality, the use of certain things such as the eagle feather, these things often come into conflict with dominant society rules, but that is only one small example. Indigenous people as we say in Hawaii: "Kiki Hano Ka Iana": Children that are born from the land. And so the separation of indigenous people from their lands and territories is something that usually results in violation of their human rights.

KOUEVI: Just to add a point, when you look at human rights when the dominant society human right, you are talking about human rights, you are talking only about civil and political rights. But when you go to indigenous people country where indigenous people stay, those people, they don't have ID for instance. So we cannot apply civil and political rights to indigenous people.

VERAN: When you say ID, you are talking about passports.

KOUEVI: Yes, I mean passports or 'acte de naissance' in French.

LESSING: You were talking earlier about the colonizing people. Is this a modern phenomenon? We think about colonizers coming from Europe coming to Africa, the Pacific, and parts of Asia, or is this a longer, is there more history to it than that? And I am particularly thinking about you Dr. Kouevi, you come from Africa, and somehow the idea of Indigenous people in Africa to those of us who haven't thought about it very much seems a little odd.

KOUEVI: In Africa the issue of Indigenous people is a very sensitive issue. Why? Because of the definition, the concept of indigenous people. I have had some discussions with some representatives coming from governments; we have two positions. Some governments, when I ask them or talk about indigenous issues, they say no, no, no, we are all indigenous people in Africa. And I say why? Because we were colonized by European countries, and then as soon as we got our independence, we are free now, but we still are indigenous people. The other position is to say in our country, no more indigenous people because the colonizers won't go home. They went back. So no more indigenous people. But between the two positions, you have some countries who say yes we recognize that in our countries there are some categories, which are marginalized. Their rights are not recognized in the framework of the legal constitution. So those people, they are not people, but they are minorities. So that is the position in Africa.

LESSING: I hate to interrupt you just for a moment, but this is a special edition, I want to remind everyone of World Chronicle. It is devoted to the UN Permanent Forum on Indigenous issues. And why don't we take a break now from our discussion and have a look at a video report on some of the work that a UN agency, UNESCO, is doing to support an indigenous minority on the Indonesian island of Siberut, which is near Sumatra. Here it is:

NARRATION : On the Indonesian island of Siberut, the native Mentawai people have long lived in a delicate balance with nature. Isolated from the outside world for millennia, Siberut's rainforest is home to many unique animals and plants that cannot be found on the mainland, Sumatra, 150 kilometers to the West. Half the island has been designated as a National Park... but logging is making inroads. To some islanders, it's a quick source of cash. Others resist it fiercely, like Aman Agvekmanai:

AGBEKMANAI: We do not agree with the logging companies. They're not good because they destroy our flora, our medicinal plants, the rattan, the big trees, as well as our rivers.

NARRATION: With the cooperation of Indonesia's local and national authorities, the United Nations Educational Scientific and Cultural Organization, UNESCO, is helping Siberut's indigenous communities to develop alternatives to logging – like small-scale agriculture projects. Here, for example, nutmeg seedlings are being brought to a remote upstream village, for planting in the rainforest. Growing crops like nutmeg can help protect the forest from loggers, says Siberut islander Thomas Saleleubaja:

SALELEUBAJA: This agro-forestry initiative is one way to overcome the logging activities. I feel that if our community really works hard to utilize the land this is a good thing. It will support the local economy as well.

NARRATION: Getting villagers involved in the agro-forestry project often means long meetings...sometimes they go deep into the night, so that all the men can have their say. Women traditionally relegated to tasks such as cooking 'sago' – a tapioca-like starch – are also being involved in community projects... like this teacher, employed to promote literacy skills and traditional crafts in a village where access to public schools is difficult. These education and agro-forestry projects are based on listening to local needs, says Siberut Native, and UNESCO staffer, Yohannes Napitupulu:

NAPITUPULU: So what we are trying to do is to take the community needs and aspirations and make those into the top priority in all aspects of our fieldwork. This way our programmes can actually be in line with what the community wants.

NARRATION: As Mentawai children play in a new schoolyard, the communities' elders can see that passing on traditions to a younger generation is a serious business. With help from UNESCO, the children of Siberut are getting a chance to preserve their heritage, along with the fragile ecosystem of which their ancestors have long been careful custodians.

LESSING: Well that might be a sunset shot, but the sunset has not come to the indigenous people. One of the themes this year that you have been discussing has been the effect that has been had on young people, particularly I would imagine about dominant cultures taking over, maybe the globalization of cultures. Could you talk a little bit about what is happening to young people who are indigenous?

TRASK: You know the reason why we selected this theme is because there has been great concern in the indigenous world and also with the forum experts about the need to protect indigenous children, to ensure that they will grow to learn their indigenous culture, and also to address some pretty alarming statistics in terms of acute health needs, and rising and very alarming suicide rates. So this year we celebrate the indigenous child and youth by not only inviting them to the Permanent Forum, but taking a look at how we can make recommendations to the United Nations system to protect them and ensure their future. There will be some significant recommendations in terms of health recommendations, looking at and directing some agencies, the World Health Organization, UNICEF to really begin to specialize in their programmes, pay attention, include services for the indigenous child. And one of the things we are also doing is that we are encouraging agencies within the system to begin to

collect an aggregate data based on cultural and tribal affiliation and language, because indigenous language is the vehicle of the culture, and it is said in many cultures that when you speak your native tongue, you preserve the life essence of your peoples, so we are keen to ensure that indigenous children will not only have the opportunity to live an indigenous lifestyle but also to speak their languages and to associate with others that are of the same culture and tribal tradition. I am very glad to see the theme declared. I think that it was the right thing for us to do.

LESSING: But on language what happens when an indigenous group of people has come to the point where they are close to losing their language? The dominant language might be Spanish, it might be English or French and the local language is disappearing. How do you get it back?

TRASK: You know an excellent model for this was developed in Aoteroa, in New Zealand, about twenty-five years ago. The Kohonga Reo programme not only revived the Maori language by putting the elders together with the very young children but also by integrating the language into daily society, having adult language classes, they even taught it in the prisons. A few years later it was introduced to Hawaii as Punanaleo, two years ago we graduated our first native speaking high school class, and in the last four years we have been working with native American Indians and Canadian natives to assist them in reviving their language. You know there is a global group called the World Conference of Indigenous Educators that is working very diligently on this. So there are processors to bring language back and do some excellent prototypes.

VERAN: If you could both please describe some of the initiatives, not only language but in other areas that were discussed and began since the first Permanent Forum, and a bit about how the process works moving through UN agencies.

KOUEVI: We have settled down a secretariat because we need a secretariat in order to work because we don't have secretariat since then. And so now we have a secretariat, and then we have also a voluntary forum in order to help indigenous people mainly the young, to come to our meeting. Thirdly we have a discussion with the UN agencies, and then they create the inter-session support group in order to work with us. I think that basically these are the three most important efforts we have done since the first session until now.

TRASK: You know there are so many agencies in the United Nations system, it is really going to take a few years for the forum to really establish working relations with all of them. But we have a very good inter-agency support group, the ILO, the World

Health Organization, UNDP and also the World Bank have been steering this group, and I think we have laid a strong foundation for that type of cooperation in the future. I am anxious though to get beyond the dialogue in the halls of the UN and get out to cooperative efforts in the community and programmes.

LESSING: So these are sort of practical “hands on” things.

TRASK: Yes.

LESSING: I understand the World Bank has some particular projects for Indigenous groups. Do you know much about them?

KOUEVI: Yes, the World Bank had settled down a policy in order to ensure that when financing, when the World Bank finance development projects, indigenous people can participate, can be consulted before the implementation of the project. And I think that is a very good thing.

LESSING: What about land? It seems to me that at the bottom of all of these discussions is the question of land. Many indigenous people I understand have lost their land, or it is not being used the way they want to use it. Is this one of the real things that unites you?

TRASK: I think that loss of land and land based culture is definitely something that all indigenous people share and this is also one of the areas that is most difficult to contend with because most indigenous people are negatively impacted by the phenomenon of globalization and when you look at indigenous communities today you can see in almost every community, in every region, in every continent, there is rife disagreement over territorial integrity and also development and access to natural resources.

LESSING: Is this also happening in Africa?

KOUEVI: Yes.

LESSING: This is a global...

KOUEVI: This is a global problem, because in Africa we have the forest. Let me take an example of Pygmy forest in Central Africa, the Pygmy people have been excluded by the international company, forestry company. This problem is posed because governments also they don't have a national policy in order to protect the rights of the indigenous people. Why? Simply because when you talk about land rights, governments in Africa especially, they talk about individual rights, but land for indigenous people belong to people [collectively].

VERAN: And our matter is also a question of how is land deeded to people? If a government is focusing on individual ownership to land and yet it would be a challenge I

imagine for peoples to document their ownership, whether they own it collectively, or individually in a particular area.

TRASK: Well I think most dominant societies really don't recognize the collective ownership of indigenous cultures and this has been an underlying problem since the time of colonization, but for many indigenous peoples throughout the Pacific and elsewhere there was no understanding of private property ownership. There was no understanding of what deeding property really meant. And really this is how indigenous lands were lost.

LESSING: And yet indigenous people are often seen as the caretakers of the land, the care is for the land.

TRASK: You know it is a common teaching in many cultures -- indigenous people have the original instruction from the creator to act as guardians of the sacred lands and many indigenous peoples to this very day strive to honor that commitment.

KOUEVI: That is why they say, we belong to land. Land is not for us, we, indigenous people, we belong to land.

LESSING: So on the whole, we have got about three seconds left, are you hopeful?

TRASK: I am very positive about it. I think that we are making progress, we need some venue to discuss problems rather than go to war.

KOUEVI: I think that the Permanent Forum is a process and then as such you have to be patient. Much has been done and much has to be done.

LESSING: Well I wish that we had more time, but it is all the time we have. Thank you very much for being with us, both of you, for this special edition of World Chronicle devoted to Indigenous issues. I am Judy Lessing sitting in for Michael Littlejohns. Thank you all for joining us and we invite you to be with us for the next edition of **World Chronicle**.

ANNOUNCER: Electronic transcripts of this programme may be obtained free of charge by contacting World Chronicle at the address on this screen:

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