

**Symposium on Indigenous Peoples at the United Nations:  
From the Experience of the First Delegates to the  
Empowerment of the Younger Generations**

*Room XVI, Palais des Nations, Geneva, 10-13 September 2013*

**Simposio Pueblos Indígenas y Naciones Unidas:  
De la Experiencia de los Primeros Delegados a la  
Autonomía de las Nuevas Generaciones**

*Sala XVI, Palacio de las Naciones, Ginebra, 10-13 Septiembre 2013*



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## Introduction and methodology

This document is a provisional transcription of the debates that took place at the Symposium. Each intervention is presented in its original language. Two other versions (one in English and one in Spanish) will be later published along with the sections in indigenous languages, which will also be translated.

On proposal of the Aymara historian from Bolivia, Carlos Mamami, and following the UN Permanent Forum on Indigenous Issues' recommendation 073, the Symposium was organized by an indigenous Organizing Committee comprised of Willie Littlechild, Oren Lyons, Bill Means, José Carlos Morales and Mike Myers, all of whom attended the first Conference on Indigenous Peoples at the UN, in 1977<sup>1</sup>, as well as of Carlos Mamami.

Docip acted as the secretariat of the Symposium and included Pierrette Birraux, David Matthey-Doret and Fabrice Perrin.

Among the 70 attendees, 30 senior Indigenous delegates – most of whom participated at the 1977 Conference - addressed the situation and expectations of their peoples at that time; the experience of their first visit to Geneva; international solidarity; the consequences of the Cold War context on the issues and outcomes of the 1977 Conference; the Treaties with States; the obstacles encountered while promoting the rights of their peoples and how they overcame them; the role of spirituality, women and the UN in the fight for recognition and for their rights; the achievements and failures of the process, as well as examples of successful practices; and future prospects for the younger generation.

The Symposium also laid the foundation for an assessment of the first 35 years of this international process and its impact at the local level.

The first stage of the organizing involved searching for the addresses of the elders of the Americas that participated at the 1977 Conference and of those elders from the other regions that came to the UN for the first time. It was an arduous task that remains incomplete.

Seven young persons were then chosen by the elders of each region. In order to counterpart the fact that the Organizing Committee was exclusively comprised of men, the group was made up of six young women and a young man. Before the Symposium, they were trained in video recording and editing, as they were asked to film the whole event, to interview the elders and to prepare a video on their memory.

They were also entrusted with the responsibility of recording the memory of the elders from their regions for the following three years. For this purpose, they received a video camera.

At the moment, three tasks have been concluded or are on the way of being concluded:

- a documentary<sup>2</sup> elaborated by the young participants, entitled: “Bridge to the Future: Indigenous youth document the achievements of the First Indigenous Peoples' Delegates at the United Nations”;
- the transcription of the entire debates
- a quadrilingual illustrated publication (English, Spanish, French and Russian), which will include historic documents and photos, as well as First Delegates' interventions during the Symposium.

Concerning, the transcription, we respected as much as possible the participants' oral expression in order to produce a document which would serve as an historical reference.

The footnotes have been added by Docip.

<sup>1</sup> International Conference on Discrimination against Indigenous Populations in the Americas. Geneva, September 1977.

<sup>2</sup> <https://www.youtube.com/watch?v=KqtyUrPqQDs&feature=share>

## Introducción y metodología

Este documento es una transcripción provisional de los debates que tuvieron lugar durante el Simposio. Cada intervención se presenta en su lengua original. Posteriormente, dos versiones más (una en inglés y otra en español) serán publicadas junto con las secciones en lenguas indígenas, las cuales también serán traducidas.

A propuesta del historiador aymara de Bolivia Carlos Mamami y de conformidad con la recomendación 073 del Foro Permanente de las Naciones Unidas sobre Cuestiones Indígenas, un comité indígena de organización se ocupó de preparar el Simposio. Además de Carlos Mamami, formaron parte del Comité Willie Littlechild, Oren Lyons, Bill Means, José Carlos Morales y Mike Myers, quienes, en 1977, participaron en la primera Conferencia sobre Pueblos Indígenas en las Naciones Unidas<sup>3</sup>.

Docip, representado por Pierrette Birraux, David Matthey-Doret y Fabrice Perrin, fungió como secretariado técnico del Simposio.

En presencia de 70 participantes, 30 delegados indígenas mayores (de los cuales la mayoría participó en la primera Conferencia sobre Pueblos Indígenas en las Naciones Unidas) discutieron sobre la situación y las expectativas de sus pueblos en ese entonces; la experiencia de su primera visita a Ginebra; la solidaridad internacional; las consecuencias del contexto de la Guerra Fría sobre las cuestiones discutidas en y los resultados de la Conferencia de 1977; los Tratados con Estados; los obstáculos que se han presentado en el marco de la promoción de los derechos de sus pueblos y las maneras en que los han superado; el papel de la espiritualidad, las mujeres y las Naciones Unidas en la lucha por el reconocimiento y por sus derechos; los logros y fracasos del proceso, así como ejemplos de prácticas exitosas; y los prospectos a futuro para la generación joven.

Asimismo, el Simposio sentó las bases para evaluar los primeros 35 años de este proceso internacional y el impacto que ha tenido en el ámbito local.

Para organizar este evento, la primera etapa consistió en buscar las direcciones de los ancianos del continente americano que participaron en la Conferencia de 1977 y de los ancianos de otras regiones que vinieron a las Naciones Unidas por primera vez. Se trata de una ardua tarea que sigue inconclusa.

Posteriormente, los ancianos de cada región escogieron a siete jóvenes. Para contrarrestar la composición exclusivamente masculina del Comité de Organización, el grupo fue integrado por seis jóvenes mujeres y un joven. Antes del Simposio, el grupo recibió una formación en grabación y edición en video, puesto que se les pidió que grabaran todo el evento, que entrevistaran a los ancianos y que prepararan un video sobre su memoria.

Además, los jóvenes recibieron el encargo de grabar la memoria de los ancianos de sus regiones durante los siguientes tres años, para lo cual se les hizo entrega de una cámara.

Hasta el momento, tres tareas han sido concluidas o están en proceso de ser concluidas:

- un documental<sup>4</sup> elaborado por los jóvenes, titulado: “Un puente al futuro : la juventud indígena documenta los logros de los primeros delegados de los Pueblos Indígenas en las Naciones Unidas”;
- la transcripción entera de los debates
- una publicación cuatrilingüe ilustrada (español, francés, inglés y ruso) en la que se incluirán documentos históricos, fotos e intervenciones de los primeros delegados durante el Simposio.

Con respecto a la transcripción, hemos respetado la expresión oral de los participantes en la medida de lo posible con el objetivo de producir un documento histórico de referencia. Las notas a pie de página han sido agregadas por Docip.

<sup>3</sup> Conferencia Internacional de las Organizaciones no Gubernamentales sobre la Discriminación contra los Poblaciones Indígenas de América. Ginebra, septiembre de 1977.

<sup>4</sup> <https://www.youtube.com/watch?v=KqtyUrPqQDs&feature=share>



## Opening thanksgiving and presentation of First Delegates

### *Acción de gracias y presentación de los Ancianos*

#### **Carlos Mamani, Q'ullasuyu/Aymara, Bolivia**

Buenos días a las hermanas y hermanos que asisten a este simposio. Invitamos a tomar sus asientos y, a los ancianos y ancianas que nos acompañan se pueden tomar asiento en el centro de la sala

Como todos saben, estamos reunidos acá para hacer un homenaje a la Conferencia Internacional de ONG sobre la Discriminación contra los Pueblos Indígenas de las Américas, realizado del 20 al 23 de Septiembre de 1977. Son 36 años que pasaron de ese tiempo a acá. Por eso, para nosotros, muy importante poder escuchar a los hermanos ancianos y hermanas ancianas y también que se establezca un puente con los jóvenes hermanos y hermanas de las Américas y el mundo indígena.

Hemos esperado la llegada de las cámaras, que tienen dificultades aún. Sin embargo, contamos con las cámaras de los jóvenes y vamos a documentar con ellos nuestro evento.

Vamos a pedir a los ancianos y ancianas que estuvieron en la Conferencia de 1977 expresar unas palabras respecto de su nombre, el pueblo de donde procedían, el Estado y también las razones que los trajeron, en el año 1977, a las Naciones Unidas, las actividades que pudieron desarrollar posteriormente en cada uno de sus pueblos o dentro del sistema de Naciones Unidas y un mensaje corto, en particular, para los jóvenes que nos acompañan. Como todos saben ustedes, este evento también es para establecer un puente de comunicación entre la generación que estuvo en 1977 con los jóvenes que están presentes acompañando nos.

Vamos a comenzar nuestro acto con un agradecimiento que hará nuestro hermano Takir Mamani Constantino Lima. Entonces, por favor, Constantino.

#### **Constantino Lima Takir Mamani, Aymara, Bolivia**

[*Ceremonia de apertura en lengua aymara*]

«*Tata Inti, Mama Phaxsi, achachilanaka, ajayunaka, jawilla jawilla, chicanhasipxita. Sapaqata mayniru. Jumanakaxa uñtasipxitatawa, jumanakan wawanakamaptha, wawanakamaptwa, munay munañaparuw phuqhañ munapxaraktha.*

*Khaysan qullunakas utji, Säxama qullu, Abyayala ukan Illampu, Illimani. Aksa Suiza suyu ukanxa qullunakax utjarakiwa jiwasarux uñtaniskarakistuwa anchicha urasanxa.*

*Tata Inti, Mama Phaxsi sapa sapa mayniru uñtasinipxita, jan armasipxistati, manqañatakis utjpan kunatix puqki aka Pachamamana, Madre Tierra castillanun sistawwa.*

*Pachamama uñtanipxita, amtanipxita. Achachilanaka Tupa Katari, Awichanaka Bartolina Sisa, Toro Sentado, Jerónimo, Apiyawayki Tumpa, Wallpa Limachi, Santus Marka T'ula chiqanchapxita, ajayunakama apayanipxita, aka chuymar mä suma qhipur mä reivindicación siski ukaru jikxataphiristha phisqha pataka pä tunka kimsani (523) marankawa saraski. Aka jan wali ñanqha uru puriwiyat utji, aka waranqa pusi pataka llätunka payani (1492) ukapachata aka uraskama uñtasipxita taqi chuymampi jilatanaka, kullakanaka. Pachamamasa tata Intisa taqi jiwasaru uñtasinipxita. Jallalla!»*

¡Padre sol, madre luna, espíritus de nuestros ancestros! Os convocamos, acompañennos a cada uno de nosotros. Ustedes velarán por nosotros, somos vuestros hijos, somos sus hijos, buscamos cumplir como ustedes nos han mandatado. Allá en Abya Yala están montañas como el Säxama, Illampu, Illimani. Aquí en Suiza, existen también grandes montañas que nos están observando, velando en este momento.

Padre sol, madre luna mira por cada uno de nosotros, no nos olviden que haya alimentación con todo lo que produce la Pachamama, que en español llamamos Madre Tierra. Pachamama míranos, acuérdate de nosotros. Abuelo Tupaq Katari, abuela Bartolina Sisa, Toro Sentado, Gerónimo, Apiyawayki Tumpa, Wallpa Limachi, Santos Marka T'ula, muéstrénnos el camino a este corazón concédannos vuestros espíritus para lograr un día nuestra reivindicación. Son 523 años que pasan desde el aciago día que nos tocó vivir en 1492. Desde aquel día nos velan con todo corazón a las hermanas y hermanos. Madre Tierra, Padre Sol a todos nosotros, míranos. ¡Muchas Gracias!

**Carlos Mamani:** Tata Constantino ha agradecido al sol, a las estrellas y también a los ancestros, que para nosotros moran en las altas montañas y dijo que también aquí en las montañas de Suiza están los ancestros.

Como habíamos anunciado, vamos a pedir a las hermanas y hermanos que participaron en la Conferencia del año de 1977 de hacer una breve presentación. Entonces, si podemos comenzar, hermano Natalio, y en ese orden avanzamos con la presentación.

### **Natalio Hernández, Nahuatl, México**

*Nelcuali tlanesi ipan ni mahuistic tonati.* Muy buenos días en este nuevo amanecer. *Nehuatl notocah Natalio Hernández, nihualah ipan se tlaltipactli itocah Chalchicueyan tlali tlen Mexco Tlaltipactli Totlalnanzin.* Yo soy Natalio Hernández, del pueblo náhuatl del Estado de Veracruz, del territorio mexicano. Acudo a este llamado de los hermanos miembros del consejo organizador de este encuentro que le han denominado “Encuentro de Ancianos de la Reunión de 1977 con los Jóvenes de este Nuevo Siglo XXI”. Cuando a mí me llegó la invitación, sentí que había despertado de un profundo sueño. Un sueño que me había llevado caminar por más de 35 años. Más bien, un sueño que había transcurrido desde 1977 hasta este año 2013 y, en ese sueño, habían transcurrido pues 36 años.

### **Rafael Mashinguishi, Shuar, Ecuador**

Buenos días, a todos, hermanas y hermanos. Yo estuve en 1977, no para lamentar, no para venir a denunciar, sino a declarar principios de autodeterminación y el reconocimiento de todos y cada uno de los pueblos. En 1964, nace la Federación Shuar y comienza un conjunto de reuniones de todas y cada una de las organizaciones de la Amazonía ecuatoriana, de todo el Ecuador, de toda Latinoamérica, el Consejo Indio Sudamericano y con los de Estados Unidos, con el Movimiento Indígena Americano. En 1974, nos habíamos reunido todas las organizaciones en Gainesville, en la Universidad de Florida, en un simposio llamado: “Los autóctonos americanos opinan”. Ahí definimos los principios de autodeterminación y, en 1977, ya habíamos consolidado estas reuniones y nuestros principios declarados en aquel tiempo. Me sorprendió, después de tantos años de haber permanecido en continua y permanente lucha por la reivindicación total de Pueblos Indígenas del mundo, que nos hayan llamado hoy día, después de 36 años, nuevamente para juntar energías, ya no para denunciar, ni para la autodeterminación, sino para construir un mundo mejor entre todos y cada uno de nosotros.

Si alguna vez nos faltaron el respeto al no cumplirnos los derechos humanos, hoy vamos a declarar el principio y el respeto de los derechos humanos, el respeto y el derecho de las plantas, el derecho y el respeto de los animales, no solamente en la Amazonía ecuatoriana, sino en todo el mundo. Vamos a hacer que, a partir de esta fecha, aquellos principios y el respeto de los derechos humanos no estén solamente relacionados a los seres humanos, sino también al espíritu de las plantas y de los animales, porque todos y cada uno de ellos formamos un conjunto y esa es vida. Nuestros ancestros nos dijeron: “Eres igual a una planta. Eres igual a un animal porque todos somos vivos y formamos un solo conjunto.”

¿Qué hacer en los próximos minutos y en los próximos años? Queremos que nuestra generación, los jóvenes, se empoderen de todos aquellos principios hechos en 1977 y, hoy; que continúen trabajando para que los Estados respectivos comiencen ya a respetar porque, si es cierto que está normado en todas y cada una de las constituciones, hay una gran brecha. Hay una apertura muy grande entre lo que está escrito y lo que se está haciendo porque, en los países y en los Estados, el espíritu de la ley se está interpretando de acuerdo a los intereses de los Estados y de los gobiernos por encima de la dignidad del ser humano.

Aprovecho esta oportunidad para decirles que yo me llamo Rafael Mashinguashi. Pertenezco a la nacionalidad Shuar del Ecuador y estoy aquí para compartir todas y cada una de las experiencias que hemos reunido en 36 años. Buenos días y muchas gracias.

### **Bill Means, Oglala Lakota, USA**

We've been asked to sing a song that we brought into delegation through the doors, the first time in history that the Indigenous Peoples marched into the UN led by not only the Haudenosaunee but leaders of the Lakota Nation, of the Aymara, Quechua -we had one man who was 103 years old, David Monongye from the Hopi Nation- to present our issues at the first conference, to let the world know that we are still alive, the Indigenous People, and that we represent nations, not tribes, not populations, not ethnic minorities: "We represent indigenous nations." That was our message. The song we sang coming in is the song that we are going to sing. It comes from 1972. It was given to the American Indian Movement by a young man by the name of Severt Young Bear from the Pine Ridge Indian reservation. It was given on behalf of Raymond Yellow Thunder, a man who was beaten to death by some white rangers. Then, he was stuffed in the trunk of a car and nobody was charged with any crime. So, our movement, we marched on the town. They gave us this song and they said: "Whenever you sing it, you remember Raymond Yellow Thunder, for he gave his life for his movement."

*[He sings the Song]*

### **Roxanne Dunbar Ortiz, Cherokee, USA**

It is just the most moving experience to be here because it was such a historical occasion, in 1977, and I want to thank Carlos Mamani for coming up with the idea because it is just at the right time.

I think when we are in a certain plateau we have to make a big step forward, in a very difficult situation in the world and inside the regions where we live. I got involved with the IITC<sup>5</sup> and the AIM<sup>6</sup> on the AIM council in San Francisco. Jimmie Durham convinced me that this was a good idea, to come to the United Nations. I had no idea what that meant. So, we came here in 1977, most of us really having no idea of how to do UN work. Jimmie left us before the Conference started, he had to leave. Fortunately, we had these very experienced veterans of the UN process: Ms Edith Ballantyne, Romesh Chandra, Neil MacDermot, Augusto Willemsen-Díaz from Guatemala. It's amazing, when I look back, at how they nurtured us without dominating. They gave us skills and knowledge to be able to do this work. It was a hard learning process.

Nilo Cayuqueo and I remember 1983 being the only two here. We didn't know what we were supposed to do, but we were lobbying and we were offered by some governments to do a resolution that would pass the Declaration in 1983. We didn't really know how to do that yet, in 1983, so we just established the Working Group. So, it took a long process, maybe longer than it would have otherwise if we have been more experienced, but you learn by doing and I think our example is any of you.

<sup>5</sup> International Indian Treaty Council.

<sup>6</sup> American Indian Movement.



The young people, they can do this, you know. We demystified the UN in some ways and when people said “no”, for instance, the ILO had a Treaty n°107 on Indigenous and Tribal Peoples, a labor treaty from 1956, and it was very paternalistic and integrationist: how to make the indigenous peoples part of the national population and have jobs. And, we said we didn’t like that treaty and they said: “Well, you have to accept it.” We said: “No. You have to revise it.” And, they said: “It can’t be revised. You can’t revise a UN treaty.” Well, in 1986, somehow they revised that treaty and took all that stuff out and actually put self-determination into it. So that taught us a lesson: never accept “no” for an answer, just stick to your principles and goals and I think that’s why we are here today. So, thank you, thanks to all of you.

**Marjorie Dressyman Lavallee, Cree, Canada**

[*Greetings in Cree*] Good morning. This gives me an opportunity to come back here again. This is my fourth time here, since 1977. I was invited to come here back then and I came with the late Chief Robert Smallboy. This was an opportunity for me to come and to look at the world from a different perspective, a different land from where I came from.

As an educator, I have been teaching for many years and I was always looking a change, making positive change for our own people. And how do we deal with the problems that we face with our young people today? It is a big challenge that we have to address as Indigenous Peoples of the world. I have made the opportunity to ask for blessings for our young people all over the world that they regain their own strength that they stand in solidarity with our traditions and our culture and everything that they do. We have to train our young people. We have to help our young people be grounded in our own identity. Our strength is in who we are as Indian peoples. We have to believe in ourselves and we have to look at the Creator for help. [*She speaks in Cree*] We have been blessed here with the opportunity to live and we have to look at our language as a living language. We have to look at our traditions as living traditions, not just to be written and recorded. We have to start looking at ways of helping each other. When I was given the opportunity, back in 1977, to travel somewhere where I didn’t even know, as a very young educator, I came to learn and this is what we have to give to our young people, our own indigenous people that are in our communities, which are lost. We have to give them those opportunities. They don’t have the money. They don’t have the bucks to pay for trips. We have to give them those opportunities because they gain from that experience. It opens their eyes to many different opportunities that they can themselves pursue in further future and they all have been blessed with a potential to learn. So, with that, I am going to sing a song dedicated for the blessings for aboriginal youth.

[*She presents herself in Cree*] I am Marjorie Lavallee. When I came in 1977, I was Marjorie Dressyman from Red Pheasant Saskatchewan and then I married Jules Lavallee and I come from Regina in Saskatchewan, Canada. [*She sings a Cree song*] I will sing a blessing for the young people. [*Greetings in Cree*]

**Loran Kanasaraken Thompson, Kanien’keha’ka (Mohawk), Haudenosaunee Confederacy, North America**

[*He speaks in Mohawk*] Many years ago, I was fortunate enough to come here, my mind wide open, hoping for the best. The older people used to talk about U.N and the things that could be done in this forum and I was absorbing it all. I believed that all of that was possible, but I thought it would happen in a matter of couple years. Well, we are still sitting here. When I left here, in 1977, I believed that I had that in my mind. So, when I got home, I did certain things because of what we said and what we heard in this forum.

Some people would say: “I’m successful today”, but, as a people, we are not successful. As a people, we are oppressed all over the place, including internally. We are denied the right to be free. We have the idea of freedom with a collar around the neck and someone holding that leash,

but I had the dream, when I left in 1977, that that leash would be taken off and that I had the opportunity to roll up my sleeves and to go to work, to show my children and my grand-children the way to be a people, the way to stand together as one people. At that time, the word the Western Hemisphere was throwing around quite easily. We have had opportunity, one after the other, to be successful as a people.

The government that I thought was mine, in 1990, told the Prime Minister of Canada: "Go ahead, get rid of those warriors." I'm in a position where everyone understands English today. In my language the word that takes the place of warriors is "*Roskenrakehte*". It has nothing to do with warriors, but a responsibility to protect the interest of my people, in my land. I still live in my land, it is called by another name today, but it is still my land. I have never been conquered and I have never sold Mother Earth that I was placed on and I never will. So, I still have the rights, my children still have the right, my grandchildren will still have the right, as long as I am still standing here to protect those rights. It is the responsibility of every one of us in this forum to go home to teach to stand for the right thing, not because of personalities, but because it is the right thing. [*He speaks in Mohawk*] (Peace, good mind strenght).

That's what we are taught. Some of our people do go to forums like these all over the world and speak about those principles, but when they come home it is not in practice, it is not there. Otherwise, in the 30 some more years that we had time to build as a people so that we can breathe again, in our own land would have been possible. I could go on and on, because our history is so full of information that is great and that is oppressive, but that will be for another time. I just wanted to let you know today that I am happy to be here amongst you again today.

I am *Ka'nahseraka*, in my own language, my name, The White Feather, and I am of the bear clan from Akwesasne "*Kanien'kehá:ka*". I don't know where the word Mohawk came from and why. There is different understanding, but I am a "*Kanien'kehá:ka*". Thank you.

### **Oren Joagquisho Lyons, Onondaga, Haudenosaunee Confederacy, North America**

[*He Speaks in Onondaga*] Well, it has been a long journey. Those people who have been here for the first time, in 1977, started before that, as pointed out by some of the others speakers. But what we were preparing to come here. -I will talk about the Haudenosaunee for a minute, the chiefs sitting in council- we discussed what would we say, if perhaps this was going to be the only time we may have a chance to speak to the world, and it was decided that we should speak on behalf of the natural world, if this was the only chance we had to speak. Because they could not speak for themselves and it is fundamental to our life and fundamental to who we are, as has been pointed out several times here. My young brother here is from the Bear clan and that is a family. I am from the Wolf and we were fortunate to be instructed and to have a family that ties you to the Earth. These clans tie us to the Earth. We cannot forget who we are in that direction. So, the relatives that we have, our relations, are our responsibility and, in return, if we do things correctly, we will have a good life. Our brothers, the Western Hemisphere, the industrial nations do not have this instruction and they do not have a relation with the Earth that is close enough to understand that it is our survival as a human species that is at stake and we are challenging that now. But our message remains the same. Our message is as consistent as constant. The ceremonies instruct our people to be respectful for the Earth, to understand the Earth, so that we may live in a good way. Life is in a cycle.

I remember somebody asking me one time what my bottom line was : "What is your bottom line ?", they said, and I could not answer because I didn't know. I had to think about it. I said: "What is my bottom line? What is that?" Well, the reason why I could not answer is because it is an economic term. I don't think in that style and I came to the conclusion that Indigenous Peoples do not have a bottom line. We live in a cycle, we live in a circle : Spring, Summer, Fall, Winter, Spring, Summer, Fall, Winter, around and around and it is that cycle that sustains us and if we don't understand how it works and why it works the way it is, we are not going to survive as a species.

When we came here, in 1977, we also talked about treaties and the importance between human beings to have good relations and understand and have a good word. Those treaties still stand because, if nations cannot keep their words, if nations cannot have a moral stand, rather than an economic stand, then we will certainly all not survive. And so, in the beginning of all of this, it is an old story where old people who have been here a long time, they called our world a new world when they came here. There was nothing new but our world, very old, ancient. Our people are ancient and so we are here to remind people that this is the case indeed and we are going to hear more today, we are going to hear more about the different events. But, for ourselves, our message remains the same: if you do not understand the natural law, then you will bear the consequences of your conduct. There is no mercy in the natural world. None. There is only the law, the rule and if you don't abide, you suffer the consequence. That is the reason for our ceremonies. That is the reason why we have the songs. That is the reason why our nations cannot exist without song. We could not pray without song. We have to have it and you will hear them, every time we meet. So, I urge you all to think in terms of the future. Seven generations, we say. That is a very serious term. That is the children coming. That is our responsibility and while we are here, do it.

**Constantino Lima Takir Mamani:** En 1977, nos habíamos saludado, después de vernos desde 1492, es decir, tanto tiempo sin vernos. Hoy, podemos saludarnos, saludándonos después de 36 años, desde 1977. En esta época, habíamos preguntado: ¿cuáles son nuestros derechos de los pueblos indios? ¿Tenemos o no, somos o no humanos? Y, luego, preguntándonos, a Europa, decir: ¿cuánto tiempo más nos van a sojuzgar racialmente? Esto ya no puede continuar. El racismo y la discriminación racial es la peor porquería en la humanidad de este globo terráqueo.

Algo hemos dicho a Europa: ¿podrán sellar el fin de la invasión? Porque la invasión, hasta hoy, está durando, exactamente, 523 años, más de cinco siglos. ¿Cuáles han sido los avances hasta aquí? No han sido muchos, han sido pocos, pero entre ellos podemos mencionar: gracias a esa lucha Kofi Annan, nuestro hermano negro, ha sido Secretario General de la ONU; gracias a esa lucha, Ban Ki Moon es hoy Secretario General de las Naciones Unidas; gracias a eso, allá, Evo Morales, para traicionarnos después, es presidente; gracias a ese proceso de la lucha de 1977. Y, gracias a eso, Barak Obama, el negro, es presidente, por primera vez en la historia de los Estados Unidos. Tampoco no es en vano. Muy despacio, muy lento el proceso, pero hemos podido avanzar algo.

Mi encargo especial como anciano, como viejo, con los ríos repito soy, sino soy rinoceronte, aquí está el dinosaurio para decir: esta generación actual tienen que seguir adelante la lucha. ¿Por qué no vamos a llorar? ¿Por qué no vamos a gritar si la invasión continúa todavía? No, hay que llorar, hay que gritar, hay que decir a Europa: “¡Devuélvanos el poder político!” Porque queremos manejarnos nosotros mismos. Estados Unidos no es dueño de ese lugar. Aquí están los dueños: los Sioux, los Navajos, los Lakotas, los Dene, etc. Son los dueños. Y, en el centro, los dueños son -aquí están- los otros hermanos, los Sumos, los Ramas, los Mayas, los Tenochtitlan, etc. Y, en el Sur, estamos los Aymaras, los Quechuas, los Tupi-Guaraní. Es decir Bolivia no es real. Argentina no es real. Es europeo. ¿Por qué no vamos a gritar? Por eso, a la nueva generación, ahora, encargar de una manera especial: ¡luchen! ¡Den sus vidas! Hay que empuñar para defender nuestro derechos. Y, vayan adelante. Mis queridos hermanos, muchas gracias.

### **Nilo Cayuqueo, Mapuche, Argentina**

[Saluda en mapudungu] *Mari mari Pu Peñi pu Lagmen. Mari Mari Kompuché. Inche Nilo Cayuqueo, mapuche Lof Los Toldos Waría.* Un saludos a todas las hermanas, hermanos, amigos. Soy Nilo Cayuqueo, mapuche de la comunidad de Los Toldos en argentina.

Muchas emociones, estos días, desde que llegué, ayer. Para mí, todavía anoche, casi no pude dormir, pensando a todos los hermanos y hermanas que vi nuevamente, después de tantos años, y me dormí como a las cuatro de la mañana, pensando qué podríamos hacer para seguir esta

lucha.

Y, bueno, las emociones continúan hoy día. Me da mucha alegría escuchar acá a los hermanos, tocar el tambor, que escuché, por primera vez, en 1977, y que, más tarde, nunca me imaginé que podría compartir muchos días y horas de reuniones y el tambor, el sonido del tambor con los hermanos de Estados Unidos y Canadá. ¿Por qué? Porque, cuando hablé aquí, en 1977, el embajador argentino de los militares me llamó y me dijo si era del comunismo internacional por lo que estaba diciendo de Argentina, y mandó un informe a Argentina diciendo que yo había hablado mal del país. A raíz de eso, tuve que estar un poco escondido un tiempo. Finalmente, en 1979, pude salir de Argentina con el apoyo del hermano aquí, lo recuerdo con mucho cariño, Helge Kleivan, que fue el director del Grupo Internacional para Pueblos Indígenas, IWGIA, en Dinamarca. Él y el consulado de Dinamarca me pudieron sacar de Argentina. Y, entonces, estuve viviendo en Perú y Bolivia, compartiendo muchas horas con los hermanos de IWGIA, de reuniones y la cultura. Y, volví acá, en 1981, ya viviendo en Perú, pero ya no pude regresar más ni a Bolivia, porque había un golpe militar, ni a Perú, porque me echaron, ni tampoco a Argentina. Entonces, ¿qué hice? Pensaba ir a México, pero, finalmente, unos amigos me dieron refugio en California. Entonces, fui al país imperialista de que tanto hablamos y ahí pude nuevamente retomar el contacto con los hermanos de Estados Unidos y hermanas, y compartir con ellos nuevamente el sonido del tambor.

Al poco de llegar a California, en 1981, formamos el Centro de Información para los Pueblos Indígenas, en Oakland, California. Bueno, y ahí todo comenzó: todo un trabajo de derechos humanos, de conectar los pueblos indígenas del Norte y del Sur, de trabajar mucho por los derechos humanos. Eran épocas de dictaduras. Las dictaduras continuaban. Porque en todo Sudamérica, en esos años, desde 1975 o '73 que comenzó, '74 con el golpe del general Banzer, en Bolivia, a la cual Constantino, el hermano Taki Mamani, estuvo detenido y torturado. Ahí continuaban los golpes militares, en Argentina, en Brasil, en Chile, y hubo muchos hermanos que murieron, que fueron torturados, detenidos. Tuve la suerte de poder salir del país y poder conocer a otros hermanos y vivir.

Entonces, hay muchas cosas que podríamos hablar, pero podemos decir muy poco en 4 minutos que tenemos. Solamente darles un saludo. Decirles que sí, que estamos dando el mensaje a los jóvenes. Ahí, escribí un poco sobre esta conferencia, lo que pasó alrededor de 1977. Escribí 10 páginas, pero, después, lo reduje a cuatro porque Pierrette había dicho que debía ser 2 páginas. Bueno, hice cuatro. De todos modos, espero que las lean. También quería decirles que estoy escribiendo un libro sobre mi experiencia como persona indígena de una comunidad que salió del campo, que nunca conoció ni siquiera una bicicleta, que fui al cine, por primera vez, cuando tenía 15 años, que nunca conocía, casi no conocía la ciudad. Pero, bueno, esto es toda una historia que estoy contando en un libro sobre mi experiencia de los años, de los fines de los años 60, cuando comenzamos a organizarnos como pueblos indígenas, en Argentina. Y, más tarde, tomamos contacto con los hermanos indígenas de Paraguay, Bolivia, Chile, Perú. Y, ahí, conocí toda esta rica experiencia, estas culturas andinas, amazónicas y de las zonas llanas y de la costa.

Y, bueno, montón de emociones hoy día, estos días, verlos nuevamente y agradecer realmente a Docip por haber organizado este Simposio tan importante. Es un tremendo esfuerzo organizar esto y agradecer también a Carlos Mamani por esta idea tan brillante de juntarnos a todos los viejitos para volver acá, juntarnos, compartir experiencias y transmitir los mensajes para las próximas generaciones. Así que muchas gracias y, estos días, estaremos hablando. Es un gran gusto ver muchos amigos y también un gran homenaje a todos los hermanos con los cuales compartimos, en aquellos años, tantos sueños de trabajar juntos y y tratar deliberarnos como pueblos. Muchos de ellos se fueron, están en el mundo espiritual, hoy día, a los cuales recuerdo con mucho cariño. Parece que los estoy viendo, y me da gusto ver también acá a unos de los organizadores y organizadoras, como Edith Ballantyne, que tuvo una pilar, Romesh Chandra, de la India, del Consejo Mundial de la Paz, que fueron los organizadores de este encuentro, y muchos individuos que más tarde formaron el Docip, Incomindios, IITC, Gesellschaft de

Alemania, NCIV, IWGIA de Dinamarca, y otros grupos de Holanda<sup>7</sup>. Bueno, fue un montón de gente trabajando por los Pueblos Indígenas, para tratar de construir una sociedad más justa. Así que, les agradezco que escuchen el mensaje de los Pueblos Indígenas y ojala que podamos seguir enseñando a los jóvenes, porque, como dijo Allene, uno no sabe cuánto tiempo vamos andar en este mundo de pié, después, pasamos al mundo espiritual, pero, por lo menos, es nuestro compromiso de por vida de enseñar a los jóvenes lo que hemos aprendido, nuestras experiencias, nuestras culturas. [*Agradece en mapudungun*] Muchas gracias.

### **Mike Myers, Seneca, Haudenosaunee Confederacy, North America**

Asking an indigenous person to speak for only 4 minutes, it is like asking to hold their breath for an hour [*laughs.*] Quite a challenge! To the translators: when we speak our own language, it is not in foreign language. Say: “they are speaking in indigenous language”, in the future.

I am really glad to see everyone. In 1976, I was asked to be the coordinator for the very first Conference. I was asked to identify, contact and to facilitate the participation from Indigenous Peoples from North, Central and South America. That was an incredible experience for all of us. But, at that time, we were just talking on the side here. We were the youth, at that time; we were the young guys coming here. The beauty of youth is you take chances, you don't think twice, you do it. I met Bill, his brother Russell, Philip Deer and so many others that have gone ahead of us back to the spirit world because that is what we were doing. We were doing what we knew was right. We didn't stop to think about it. We knew that was our purpose here, as Indigenous Peoples. And so, when this opportunity came for us to come here to the UN, that was the continuation.

I especially want to acknowledge the ones who have gone back to the spirit world, the ones who were our teachers, our mentors, our guidants to see the future, to envision it and to think about what is possible. And so, for the past 36 years, myself, that is what I have worked on: what is possible? What is the future? And, let's do it! Let's push for it, let's obtain it, let's do what we need to do to make it happen. No one gives us our rights, except from the creation. No human gives us our rights. What we have to give ourselves is the compelling belief that these are our rights and that this is what we act on and this is what keeps things going and moving us forward. Only the creation has endowed us with the rights that we have. No human gives it to us. They try to take it away, but as long as we breath, as long as we have children and grandchildren and great-grandchildren and great-great-grandchildren, the rights will continue to exist and we have to ensure those seven generations are empowered to actualize those rights and make them real. So, I look forward to the next four days with everybody. I am glad to see old friends and a lot of new friends and I think I made it within four minutes. [*Laughs*]

### **Armando Rojas Smith, Miskito, Nicaragua**

Gracias. Yo soy Armando Rojas, soy miskito, provengo de la comunidad de Karatá, que es una comunidad en la Región Autónoma del Atlántico Norte, Nicaragua.

Antes de 1977, los Pueblos Indígenas organizados se encontraban alrededor de dos grandes organizaciones indígenas internacionales. Uno, el Consejo Mundial de Pueblos Indígenas, liderado por el gran líder Georges Manuel, de Canadá, y también del Indian Treaty Council, liderado por los hermanos Means, Bill y Russel. También los otros compañeros, han estado siguiendo. Además estaba la American Indian Movement, que es una de las organizaciones, digamos, que hacían acciones concretas para levantar la conciencia de los pueblos indígenas, de sus derechos y cómo gozar de estos derechos.

<sup>7</sup> El Docip fue fundado en 1978, Incomindios en 1974, IWGIA en 1968, GfbV Gesellschaft für Bedrohte Völker o Sociedad para Pueblos Amenazados en 1970, NCIV Netherlands Centre for Indigenous Peoples o Centro Holandés para Pueblos Indígenas en 1969.

Estas dos organizaciones pudieron finalmente unirse en la gran Conferencia de 1977. Aquí, en una de estas aulas, nosotros nos reunimos para gritar al mundo de que los Pueblos Indígenas originarios son los que deben de ir primero hacia determinar valores y culturas para la convivencia armónica en este mundo. Sin embargo, estábamos en la cola, discriminados, marginados, oprimidos. Y, logramos, en 1977, crear las condiciones para entrar en la corriente de las Naciones Unidas, que es lo que ha traído las consecuencias favorables: determinar con la concepción que tenía la Organización Mundial de Trabajadores de su Convención 107, que decía que teníamos que integrarnos en la sociedad nacional.

Logramos cambiar esa realidad. Hoy día, la Convención 169 contiene los derechos que nosotros pregonamos en 1977. También está el Grupo de Poblaciones de las Naciones Unidas. Hoy, ya no existe. También tenemos el Foro Permanente de los Pueblos Indígenas. También tenemos la Declaración Universal de los Derechos Indígenas de la OEA y de la ONU.

Son esfuerzos que salieron de esta Conferencia, en 1977. Y, hoy estamos reuniendo las dos generaciones, la joven y esta generación, que todavía tenemos el aire que nos da el Creador y vamos a dar todo lo que tenemos para que ellos continúen los próximos 37 años que hemos sido separados, desde 1977.

En Nicaragua, hemos avanzado. Tenemos un gobierno autónomo. Tenemos derechos específicos en las Constituciones, pero tenemos mucho que hacer porque las opresiones han cambiado de figura. Ahora, no es la opresión del arma, sino tenemos la opresión de las leyes. Tenemos opresión del modelo económico. También tenemos opresión de no acatar las normas internacionales. En Nicaragua, nosotros hemos luchado y hay un sinnúmero de buenas normas internacionales, pero no llegan, porque los gobiernos nacionales han dicho que los problemas indígenas es ocupación doméstica. Y, ahí es donde nos tienen marginados, a pesar de que afuera tenemos leyes que nos protegen, leyes que nos permiten ser lo que queremos ser.

De manera que yo debo terminar diciendo que tenemos que fortalecer nuestras culturas. Tenemos que luchar para que las leyes internacionales sean aplicables, en nuestros respectivos países. Tenemos que luchar para no permitir la opresión económica, ni la opresión jurídica. En 1977, yo fui relator de la Comisión Jurídica y nosotros, para esa situación, pude recoger, en este tiempo, la problemática que existe en todo el mundo con los Pueblos Indígenas. Hoy día, queremos salir con una declaración concreta y firme de lo que es lo que vamos hacer, a partir de hoy para adelante. Gracias.

### **Marcella (Marcy) Gilbert, Lakota-Dakota, USA**

[*She speaks in Lakota*] My name is Marcella Gilbert, my Lakota name is "*Tashina Gahokawi*", which is "*Flows with the wind*". I am a dancer among my people. I was invited to the UN gathering here, in 1977. I was sixteen when I came. I believe I was the youngest delegate from the indigenous nations in North America. At that time, I was a part of the "We Will Remember" Survival group, which was an indigenous group of young people and we were being taught the importance of who we were and who we are as Lakota and as Indigenous peoples in North America. My visit here, in 1977, was very educational and eye-opening and very empowering as a young person of 16. I realized that in the struggles of our people and the history of the Lakota people, in North America, we were not alone and that taught me to watch, to listen and to learn on a global scale, to watch what was going on in the Western Hemisphere. The Western Hemisphere is brown people and they are all my relatives. I learned that.

Through the years, I watched and I found that what happened to my people in North America continues now and is happening to my relatives in the rest of the Western Hemisphere. The process of colonization has not changed and I teach that information to my children and those who were younger than me : the importance of not only who we are as Lakota, but our relatives in the rest of the Western Hemisphere. So, it was very empowering to come in 1977 because that was one of the first times that the brown people of the world were here, among the United Nations and to be recognized. I learned a lot and I continue to watch and I continue to teach my



children and other young people that we are part of this world and part of the people of this world and that we have a responsibility. So, I am glad that I can be here today and I am thankful that I can be here among my elders and to continue to learn. [*Greetings in Lakota language*]

### **Allene Chockie Cottier, Oglala Lakota, USA**

I am a woman and do not know if I will speak four minutes only! My name is Allene Cottier and everybody knows me better as «Chockie». I came in 1977 as a child of parents who have been fighting all of our life for our rights to exist and fighting relocation, fighting termination of our existence, fighting abrogation of our treaties and then being instrumental in occupying Alcatraz, in the Bay of California, USA. So, I always considered myself a fourth generation activist. That had nothing to do with developing; I just grew up with it. So, I think that as a core of the people that came here, like the Meanses -Bill is my godson, by accident; he is my relative because my mother was sick when she was supposed to be his godmother, so I became his godmother [*laughs*]; it was a family operation that we came here.

What I learned, individually, as a woman, and watching what my parents went through was that this is an international struggle and I learned, when we first came here, in the discussions and trying to find a place for us was: there was no place for us because we, as Indigenous Peoples, have been dealing with policies forever that are genocidal, that are intended to eliminate us and the fact that we continue to exist and that there is no place in the world that has laws that say and acknowledge us in our existence -only our termination of existence-, that's where our fight was and our fight was not in the human rights arena for individual rights, but the fight for our collective rights to exist, the fight to teach our children, the fight to give our culture and our language to our children and all of the relationships that fall within the way we speak to one another, the way we relate to each other. Our prayers and our discussions begin and end with all my relations. All my relations is all of us: animal, grass, vegetable. We are part of that. We are animals but we each have our very unique collective right to exist and I think that was a key to what we came out of here with.

Since then, we also recognized that part of our colonization was to weaken or eliminate the strength of women. We as women said: "Oh, no. We have always been and will continue to be, as indigenous women, the backbone of our existence. Men speak and men are beautiful and gorgeous with all of their regalia and we love them dearly." But it's the women who get the work done, it is the women who got the work done here. So, we didn't want that be forgotten. We started Women of All Red Nations, after we left here, in the USA, which continues to do work. We started more indigenous organizations. We started Indigenous World, so we would have a broader voice. So, we had more heads that couldn't be eliminated when we went back to continue our work and so, when one was knocked down or discredited by the colonial governments we were fighting, we had another one to come up and take its place and that is the work that we want to continue in this arena and I think that is the significance and the message we need to bring to our youth and give them the tools and the mechanisms that did not exist in 1977, to say: "We are here. We continued and we now have an impact, not only on ILO, but everything that happens in each of our respective countries They can't deal with policy, they can't create a new law without considering indigenous. That did not exist before." So, moving forward, our youth have tools that we have created over the last 36 years.

I think if any message at all comes out of that is that we continue to be under attack. We continue to be strong in our battles and our fight and we need to continue to educate ourselves around these tools and how useful they can really be because now we have what has been termed the "imprint", "the indigenous imprint", on everything that happens in the world. We did not have that in 1977.

I do not know if I am exceeding my four minutes [*laughs*]. You know, I will not be here Friday so I am grasping my time. I'm sad to see that we do not have more people here. I'm sad to see that

we do not have enough money to fund this kind of activity. I'm elated to see that we, as people, are still here. Some of our young people are here and they are the young people being educated. That's our role now. One of the things that are ironic to me, that we fought for, is the right to educate our children. We did not have indigenous written books, indigenous authors and educated children. Now, we have more lawyers, more PhD's, indigenous peoples but many of them are succumbing to the brainwashing of the educational universities and institutions. So, we have to fight harder for our own right to educate in our own language and our own values. Those are critical things that are battled now. With my other sister (Roxanne Dunbar Ortiz) we were talking about the policies that are affecting us. Genocide is still in practice in the U.S.A, it is not coming in and killing us anymore but it is diabetes, alcohol, drugs; it is losing our culture and killing our language; no longer having even the traditions of feeding together in a way that we used to do. If a person showed up at your house, you eat because, when you eat together, you share your thoughts, your love, your caring, your obligations and responsibilities and all of that is made clear in that sharing and we have to hold on to those precious little moments. So I will like to give you back my four minutes. Thank you [laughs]

### **José Carlos Morales, Brunca, Costa Rica**

Buenos días a todas y todos aquí presentes. Dos minutos es demasiado poco, pero, bueno, las reglas son así. Mi nombre es José Carlos Morales. Yo soy del Pueblo Brunca de Costa Rica. He pertenecido a infinidad de organizaciones en mi propio país y a nivel internacional. Actualmente, soy miembro de una organización llamada Kus Kura, en la lengua brunca. Nos dedicamos a trabajar con jóvenes y niños indígenas porque sabemos que ahí está el futuro que nos va a relevar en nuestras funciones. ¿Por qué vine en 1977 acá? Yo trabajaba, desde muy joven, en mi país y, especialmente, cuando trazaron la carretera interamericana, la gran vía que viene desde el norte hasta el sur, esta carretera partió nuestro territorio en dos y no nos pidieron ni permiso, ni nos saludaron diciendo quiénes estaban ahí. El gobierno simplemente trazó eso y yo vi el peligro en que estaba mi pueblo y otros Pueblos Indígenas, en mi país, y empecé la lucha muy joven. Tendría 14-15 años. Tuve el privilegio de estudiar en la escuela secundaria y universitaria, después. Eso me involucró a la defensa del derecho de las tierras en mi propio país, sin darme cuenta que, en otras partes de mi propio país y del resto de América y el mundo, estaban viviendo los mismos problemas nuestros pueblos. No paré más. Nunca paré.

Creo que soy, además, una persona privilegiada en esta vida de poder ingresar, en 1977, cuando yo vi que el gobierno de mi país no atendía las necesidades nuestras (igual que lo que ocurre en otras partes), y vine a Naciones Unidas invitado por el Consejo Mundial de Pueblos Indígenas, a quien yo le tengo un gran cariño. Ya no existe esta organización, pero nos legó la oportunidad de participar en estos eventos. Vine pensando que aquí íbamos a encontrar un rayo de luz para resolver nuestros problemas a nivel nacional. Como lo dijo un compañero del '77, los Estados decían que esos eran problemas caseros, problemas internos, que eso no se tenía que discutir en los ámbitos internacionales. Aun mismo así, cuando yo vi a los compañeros exponiendo todas sus ideas en la sala número VII (nunca se me olvida), dije: "Aquí hay una posibilidad." Yo continué. Después de 1977, no sé cuántas veces, perdí la cuenta de las veces que he venido a Ginebra. Le di seguimiento al Grupo de Trabajo después de '81-82. Luego, estuve en el Grupo de Trabajo Intersesional que discutía la parte final de la Declaración. Yo decidí enfocarme en una sola cosa: el proyecto de Declaración sobre los Derechos de los Pueblos Indígenas de las Naciones Unidas. En eso terminé, hasta el 2007. Así que yo tengo una larga trayectoria. Trabajé del año 1995 al 1998. Fui funcionario de esta institución.

Con grandes ilusiones, también, llegué acá. Me di cuenta que un proyecto, una idea que uno tiene necesita de dos a tres años para hacerlo realidad. La burocracia es tan grande que no logra uno entender esas cosas, aun trabajando años en esta institución. Fui punto focal del Primer Decenio de los Pueblos Indígenas del Mundo, un gran honor y privilegio. Cuando se estableció, en el 2007, después de aprobar la Declaración en la Asamblea General, en Nueva York, se estableció el Mecanismo de Expertos sobre los Derechos de los Pueblos Indígenas de las

Naciones Unidas. Tuve el privilegio de ser miembro de este organismo, aquí, en Naciones Unidas, como experto, durante cinco años. Terminé, prácticamente, este año que vino el sustituto mío por América Latina y el Caribe. Realmente que una gran experiencia. Creo que estamos cerrando un círculo. Un círculo que nos tocó a nosotros abrirlo en 1977, en este ámbito de las Naciones Unidas, que no tenía yo ni la menor idea de cómo funcionaba las Naciones Unidas ni de qué hacía, pero va uno aprendiendo. Creo que, a la vez, cerramos un círculo, pero estamos abriendo otro círculo, en el cual estamos involucrados, lógicamente, nosotros, pero la juventud, que aquí nos está acompañando, en nombre de toda la juventud indígena del mundo tiene una enorme responsabilidad de llevar a la práctica todo lo que hemos logrado en teoría: los derechos de los Pueblos Indígenas en el marco de la autodeterminación de nuestros pueblos. Yo creo que ellos son los que asumen esa responsabilidad y no podrán frenar, en ningún momento, todo esto.

Es mi mensaje, digamos, para todos los que nos escuchan aquí y en el resto del mundo, que no hay que parar un instante. Nuestros Estados siguen marginando, maltratando, violando los tratados internacionales que ya tenemos y eso no puede ser. De alguna forma tenemos que frenarlo. La futura generación son los responsables de esto. Yo quería dar este mensaje y decirles quién soy y luego seguiremos compartiendo más, en este día y los próximos días. Muchas gracias.

[Llegada del Sr. M. Kassym-Jomart Tokayev, Director de la Oficina de las Naciones Unidas en Ginebra (UNOG).]

## **Opening ceremony with the UN, Swiss and Genevan authorities**

### ***Ceremonia de apertura con las autoridades de ONU, suizas y ginebrinas***

**Carlos Mamami:** Vamos ahora a empezar con el Acto Oficial. Más tarde reiteramos con las palabras del hermano Willie Littlechild. Entonces, comenzamos con el acto oficial.

Buenos días, hermanos y hermanas. Vamos a dar comienzo con el acto oficial de inauguración, la ceremonia oficial de apertura del Simposio “Pueblos Indígenas y Naciones Unidas: de la Experiencia de los Primeros Delegados a la Autonomía de las Nuevas Generaciones”, que es un homenaje, como ya lo habíamos expresado, a la Conferencia de las ONG sobre el racismo que sufrían los Pueblos Indígenas de las Américas, realizado en esta misma sala, en el año 1977. Tenemos acá la presencia del señor Kassym-Jomart Tokayev, Director General de la Oficina de Naciones Unidas, el señor Pierre Maudet, Ministro del Cantón de Ginebra, el Embajador Alejandro Fasel, Representante Permanente de Suiza ante las Naciones Unidas, y la señora Edith Ballantyne, representante del comité de las ONG organizadoras de la Conferencia de 1977 y miembro fundadora del Docip. Vamos a escuchar las palabras del señor Kassym-Jomart Tokayev. Señor Tokayev: tiene usted la palabra.

### **Mr Kassym-Jomart Tokayev, Director of the United Nations Office in Geneva**

Ambassador Fasel, ladies and gentlemen, it's a big privilege for me to welcome you to the Palais des Nations for this Symposium which highlights the enduring cooperation between United Nations and Indigenous Peoples over the past 35 years. With the support of our host government, at all levels, the international community in Geneva has long played an important role in the discussion and qualification of the rights of Indigenous Peoples. International Geneva has a proud heritage of facilitating multilateral cooperation and coordination on a wide range of key issues and we are pleased to continue this tradition today. In fact, in 1977, the first International NGO Conference on Indigenous Peoples was held here, at the Palais des Nations

and in this very room. Since this first steps, we have walked together to draft the Declaration on the Rights of Indigenous Peoples to establish the United Nations Forum on Indigenous Issues and the Experts Mechanism and Special Rapporteur on the Rights of Indigenous Peoples. Safeguarding these rights for past and future generations has been and remains an important priority of the United Nations. As we recognize what we have achieved, it is also important to acknowledge the challenges that remain. There is indeed much still to do to improve the circumstances of indigenous communities around the world. The utter outcome document mentions issues related to land rights, especially in regard to ancestral and sacred territories, as well as the preservation of cultural practices and the right to be consulted in national decisions affecting indigenous livelihoods. This recommendation represents a good basis for future discussions on these concerns, as we work towards greater national and international cooperation on indigenous rights. In this spirit, I fully encourage the participation of Indigenous Peoples and civil society organizations in the High Level Plenary meeting of the United Nations General Assembly to be held next year, in New York. It would be an excellent opportunity for multilateral cooperation on indigenous rights and it is in itself a positive step towards greater engagement with indigenous communities. It is clear that our achievements from the 1977 Conference to the 2007 Declaration would not have been possible without the active involvement of indigenous populations, NGO's and civil society organizations. Together we strove to ensure that indigenous voices are incorporated into the work of the international community, not only to defend the rights of Indigenous Peoples but on a broad spectrum of issues. I see this Symposium as a commemoration of a long-lasting partnership between Indigenous Peoples and United Nations, for over 35 years. In this light, I'm delighted that Docip has organized the recording of the experiences of several distinguished first delegates from the 1977 Conference in order to transmit this to the next generation. Safeguarding the knowledge and experiences of previous generations is central to understanding our collective history and ensuring we learn from the successes and failures of our predecessors. It is through this transmission that we truly empower coming generations. This Symposium is a poignant reminder that, from the experience of the first delegates to today, Indigenous Peoples will always find a partner in the United Nations. With this in mind, I wish you all a very productive and enriching Symposium. Thank you very much for your attention.

**Carlos Mamani:** Muchas gracias Sr. Tokayev. Este Simposio, como usted acaba de decir, es una oportunidad para nuestros hermanos ancianos y ancianas que vinieron en el año 1977 a transmitir sus experiencias y enseñanzas y también mandatos a los jóvenes. Los resultados serán presentados a la Conferencia Mundial en Septiembre de 2014. Vamos ahora dar la palabra al Sr. Pierre Maudet, Ministro del Canton de Ginebra, que todavía no llegó. Me anuncian que ya llegará, entonces vamos a pedir al Sr. Embajador permanente de Suiza ante las Naciones Unidas que nos dirigirá sus palabras.

**Ambassador Alexandre Fasel, Permanent Representative of Switzerland to the United Nations**

Merci Monsieur le Président, Monsieur le Directeur général de l'Office des Nations Unies à Genève, Madame, Mesdames et Messieurs les représentants et représentantes des Peuples autochtones, Excellence, Mesdames et Messieurs.

C'est avec un grand plaisir que je m'adresse à vous aujourd'hui, dans le cadre de la cérémonie d'ouverture de ce Symposium. La Suisse a toujours attaché une grande attention -une attention particulière- à la promotion et à la défense des droits des groupes les plus vulnérables, dont les Peuples Autochtones font malheureusement souvent partie. Vulnérables car affectés, aussi bien par la pauvreté que par la discrimination et par le manque de reconnaissance de leurs cultures et de ce lien particulier qu'ils ont et qui les lient à leur terre. Je tiens à saluer ici l'engagement et le courage des représentants autochtones qui se sont battus au cours des trois dernières décennies pour défendre et promouvoir leurs droits. L'adoption en 2007 de la Déclaration sur les

droits des Peuples Autochtones est le résultat concret de cet engagement et de ce courage. C'est un immense succès qu'il convient de saluer encore une fois ici aujourd'hui. Pourtant, il reste beaucoup à faire pour soutenir la mise en œuvre de la Déclaration et pour que les Peuples Autochtones puissent effectivement jouir de leurs droits et de conditions de vie respectueuses de leurs cultures et de leur dignité. C'est notre responsabilité à tous d'y contribuer.

Mesdames et Messieurs, la Suisse s'est engagée, dès le milieu des années 90, en faveur des droits des Peuples autochtones sur le plan multilatéral. Elle a activement participé au lent processus d'élaboration de la Déclaration des Nations Unies sur les droits des Peuples Autochtones, qui a finalement été adoptée, nous venons de l'entendre, en 2007. Elle a également soutenu, dès le départ, la création du poste de Rapporteur spécial sur les droits des Peuples Autochtones, dont le travail est essentiel, comme le témoigne l'excellent rapport de Monsieur James Anaya sur les industries extractives et les Peuples Autochtones. Depuis l'adoption par l'Assemblée générale de la Déclaration des Nations Unies sur les droits des Peuples Autochtones, mon pays continue de suivre cette thématique et de soutenir la mise en œuvre de la Déclaration et ce à différents niveaux. J'aimerais vous en donner quelques exemples. Je cite d'abord la coopération au développement de la Suisse qui a pour objectif global de contribuer à réduire la pauvreté et de promouvoir un accès équitable et non discriminatoire de tous les groupes vulnérables aux services de base. Des Peuples Autochtones y en font partie, comme au Népal et au Bangladesh, par exemple. En Bolivie, nous soutenons depuis plusieurs années un programme visant à renforcer l'accès à la justice et au foncier, de même que les capacités des Guaranis à défendre leurs droits. Dans ce cadre, notre bureau de coopération de La Paz a participé, à plusieurs reprises, à l'Instance permanente sur les Peuples autochtones à New York. Sur le plan multilatéral, dans le cadre de l'Examen périodique universel au sein du Conseil des droits de l'homme, ici à Genève, la Suisse veille à faire certaines recommandations portant sur les Peuples Autochtones, comme dans le cas du Népal ou du Brésil. Pour ce faire, nous nous basons en partie, sur les informations que nous recevons aussi bien de nos représentations à l'étranger que de délégations d'autochtones, de passage en Suisse et à Genève et des médias ou des différentes ONG suisses de défense des droits humains, qui transmettent régulièrement des cas concrets à notre intention. La Suisse soutient également financièrement un certain nombre de partenaires ici en Suisse. Je pense notamment au Docip, au CETIM et à INCOMINDIOS, qui tous s'engagent pour contribuer à faire avancer les droits des Peuples Autochtones. Une de leurs actions consiste notamment à favoriser la participation des représentants autochtones à divers mécanismes des Nations unies, dans le cadre desquels sont discutés des questions éminemment importantes et qui ont trait, entre autres, à leurs droits, à la biodiversité, au foncier, à la propriété intellectuelle ou aux ressources naturelles.

Pour poursuivre sur la voie qui a été ouverte par les pionniers et faire face aux nouveaux défis qui ne cessent de surgir, les représentants autochtones de la deuxième génération auront besoin de tout le savoir et de toute l'expérience qui a été accumulée par leurs aînés au cours des 35 dernières années. La Suisse salue donc l'organisation de ce Symposium, car il a pour objectif de favoriser cette transmission de l'expérience et de la mémoire orale des anciens aux plus jeunes et donc de renforcer la capacité d'agir des jeunes générations et des Peuples Autochtones, en général. C'est également une belle occasion de sensibiliser le public sur les droits des Peuples Autochtones, aussi bien en Suisse que dans différents pays dans lesquels ils vivent.

Mesdames et Messieurs, la Suisse a longtemps été très engagée dans la promotion et la défense des droits des Peuples Autochtones. Aujourd'hui, notre engagement sur le plan multilatéral n'est, je l'avoue, plus aussi intense que par le passé, mais nous continuons d'y accorder une grande importance. C'est dans cet esprit que nous allons également continuer de financer le service de secrétariat technique proposé par le Docip, lors des conférences internationales en 2014 et en 2015, dont celui de la Conférence mondiale sur les Peuples Autochtones, qui se tiendra à New-York en septembre 2014. Il ne me reste donc plus qu'à vous souhaiter un plein succès pour la tenue de ce Symposium qui, j'en suis convaincu, en raison de la qualité et de l'immense expérience des participants, tiendra ses promesses. Je vous remercie de votre attention.

*Gracias, Señor Presidente. Señor Director General de la Oficina de las Naciones Unidas en Ginebra, Señora, Señores y Señoras representantes de los Pueblos Indígenas, Excelencia, Señoras y Señores:*

*Me llena de gusto dirigirme el día de hoy a ustedes, en el marco de la ceremonia de apertura de este Simposio. Suiza siempre se ha interesado, con un interés particular, en la promoción y la defensa de los derechos de los grupos más vulnerables, de los cuales, desgraciadamente, los Pueblos Indígenas forman a menudo parte. Son vulnerables porque se ven afectados, tanto por la pobreza como por la discriminación y por la falta de reconocimiento de sus culturas y de ese vínculo particular que tienen y que los liga a su tierra. Deseo aplaudir el compromiso y el valor de los representantes indígenas que han luchado durante las últimas tres décadas para defender y promover sus derechos. La adopción, en 2007, de la Declaración de los Derechos de los Pueblos Indígenas es el resultado más concreto de este compromiso y de este valor. Se trata de un logro inmenso que hay que aplaudir nuevamente aquí, el día de hoy. Sin embargo, aún queda mucho por hacer para apoyar la aplicación de la Declaración y para que los Pueblos Indígenas puedan gozar efectivamente de sus derechos y de condiciones de vida que respeten sus culturas y su dignidad. Todos tenemos la responsabilidad de contribuir a esta causa.*

*Señoras y Señores: Suiza se comprometió, desde mediados los años 1990, a apoyar los derechos de los Pueblos Indígenas en el ámbito multilateral y ha participado activamente en el lento proceso de elaboración de la Declaración de las Naciones Unidas sobre los Derechos de los Pueblos Indígenas, que fue finalmente adoptada, como acabamos de escuchar, en 2007. Asimismo, Suiza apoyó, desde el principio, la creación del puesto de Relator Especial sobre los Derechos de los Pueblos Indígenas, cuyo trabajo es crucial, como lo demuestra el excelente informe del Señor James Anaya sobre las industrias extractivas y los Pueblos Indígenas. Desde que la Asamblea General adoptara la Declaración de las Naciones Unidas sobre los Derechos de los Pueblos Indígenas, mi país le ha dado seguimiento a este tema y ha seguido apoyando la aplicación de la Declaración en diversos ámbitos. Quisiera darles algunos ejemplos. En primer lugar, quiero citar la cooperación para el desarrollo de Suiza cuyo objetivo global es contribuir a la reducción de la pobreza y a la promoción de un acceso equitativo y no discriminatorio de todos los grupos vulnerables a los servicios básicos. Algunos Pueblos Indígenas benefician de este programa, por ejemplo, en Nepal y en Bangladesh. En Bolivia, apoyamos, desde hace muchos años, un programa que se enfoca en consolidar el acceso a la justicia y a la propiedad, así como las capacidades de los guaraníes de defender sus derechos. En ese marco, nuestra oficina de cooperación de La Paz ha participado, en repetidas ocasiones, en el Foro Permanente para las Cuestiones de los Pueblos Indígenas, en Nueva York. En el ámbito multilateral, en el marco del Examen Periódico Universal que tiene lugar en el Consejo de Derechos Humanos, aquí, en Ginebra, Suiza procura hacer algunas recomendaciones sobre los Pueblos Indígenas, como en el caso de Nepal o Brasil. Para hacer esto, nos basamos parcialmente en la información que recibimos tanto de nuestras representaciones extranjeras como de delegaciones de indígenas, de paso por Suiza y Ginebra, y de los medios de comunicación o de las diversas ONG suizas para la defensa de los derechos humanos, quienes nos comunican regularmente casos concretos. Suiza también apoya económicamente a una serie de colaboradores basados aquí. Pienso, sobre todo, en el Docip, el CETIM e Incomindios, que están comprometidos a contribuir para lograr que los derechos de los Pueblos Indígenas avancen. Una de sus acciones consiste en facilitar la participación de los representantes indígenas en diversos mecanismos de las Naciones Unidas, en cuyo marco se discuten los puntos más importantes, los cuales versan, entre otras cosas, en sus derechos, la biodiversidad, la propiedad territorial, la propiedad intelectual o los recursos naturales.*

*Para seguir sobre el camino que abrieron los primeros delegados y enfrentar los nuevos desafíos que se presentan, los representantes indígenas de la segunda generación necesitarán todo el conocimiento y toda la experiencia que han acumulado sus mayores durante los últimos 35 años. Por lo tanto, Suiza aplaude la organización de este Simposio, puesto que su objetivo es facilitar esta transmisión de experiencias y de la memoria oral de los ancianos a los más jóvenes,*



*consolidando así la capacidad de actuar de las generaciones jóvenes y de los Pueblos Indígenas, en general. Se trata también de una buena ocasión para sensibilizar al público sobre los derechos de los Pueblos Indígenas, tanto en Suiza como en los diferentes países donde residen.*

*Señoras y Señores: Suiza ha estado fuertemente comprometida desde hace mucho tiempo con la promoción y la defensa de los derechos de los Pueblos Indígenas. Tengo que admitir que, hoy en día, nuestro compromiso en el ámbito multilateral ya no tiene la misma intensidad que antes, pero seguimos dándole una gran importancia. Es por ello que seguiremos financiando el servicio de secretaría técnica que ofrecerá el Docip durante las conferencias internacionales de 2014 y 2015, incluyendo la Conferencia Mundial sobre Pueblos Indígenas, que tendrá lugar en Nueva York, en septiembre de 2014. No me queda más que desearles mucho éxito durante este Simposio, que, debido a su calidad y a la gran experiencia de sus participantes, cumplirá sin duda alguna sus promesas. Les agradezco su atención.*

**Carlos Mamani:** Muchas gracias, Sr. Embajador. Quiero agradecer al nombre suyo y al Sr. Ministro aquí presente el apoyo que nos han brindado tradicionalmente el Centro de Documentación, Información e Investigación (Docip) sin cuyo trabajo no habría sido posible el estar presentes aquí los hermanos ancianos y ancianas que estuvieron en el año 1977, como tampoco los jóvenes y mi persona, en particular. Lo mismo quiero agradecer el auspicio de la Dirección del Desarrollo y de la Cooperación del Ministerio de Asuntos Exteriores del Gobierno de Suiza, al Cantón de Ginebra y a la Ciudad de Ginebra por su generoso apoyo.

Entonces, vamos ahora pedir las palabras del Sr. Ministro del Cantón de Ginebra, Pierre Maudet. Sr. Ministro tiene la palabra.

#### **State Counselor of Geneva, Pierre Maudet**

Merci Monsieur le Président, Monsieur le Directeur Général, Monsieur l'Ambassadeur, Mesdames, Messieurs. Je suis en effet le représentant des autorités genevoises qui vous souhaitent la plus cordiale bienvenue dans notre ville. Cette ville internationale qui se flatte de recevoir, depuis de nombreuses années, des conférences internationales de premier plan, mais aussi de recevoir, au-delà de la dimension collective, des personnes individuelles qui, comme en témoigne cette assemblée, représentent par leur diversité, la richesse et la variété des origines que nous retrouvons par ailleurs souvent également dans la population genevoise. J'aimerais vous dire ici combien il est important pour Genève, pour cette petite République évidemment membre de la Confédération helvétique, d'appuyer et de souligner les efforts réalisés, notamment par le Docip, dont je salue la continuité dans l'action, les efforts à l'endroit de la cause que vous représentez. En effet, pour notre pays, pour notre canton, l'idée même du transfert de la tradition est une idée centrale. Une idée qui n'est pas acquise, qui ne va pas d'elle-même, qui nécessite un travail sur la durée, qui nécessite une relation entre les générations, qui nécessite aussi une capacité de se retrouver et d'échanger. Si l'on parle de transfert de tradition, il en est une en particulier en Suisse -et vous êtes dans une région de la Suisse, la Suisse romande, où l'on parle français, qui en est le témoin- une tradition, qui est le respect des minorités. Dieu sait si cette tradition est importante et le respect des minorités s'incarne notamment par la capacité d'un État, d'une région, d'un peuple, de transcender les générations, de transmettre l'idée même du respect et de faire en sorte que (ce qui dans le cas de la Suisse et de Genève, a représenté une vraie réussite) l'on ait la capacité de se retrouver dans un pays avec des langues différentes, des cultures différentes, tout en respectant les spécificités. Tout ça résulte d'une volonté sur la durée d'inscrire cette tradition dans une notion d'impartialité, de neutralité et de strict respect, encore une fois, des uns et des autres.

Je voulais aujourd'hui, par ma présence, vous dire toute l'amitié et la sympathie du gouvernement genevois pour votre cause, vous dire toute l'importance que l'on porte à travers cette manifestation au transfert de la tradition dans les âges, dans les générations, mais aussi au travers des différentes régions de la planète représentées et de vous dire que le respect des

minorités, qui est au cœur de la démocratie, au cœur aussi du système onusien, qui est l'incarnation même de la volonté de donner à chacun la possibilité de s'exprimer et de faire valoir ses opinions, et bien c'est une petite flamme que nous essayons, à travers vous, à travers le Docip et l'activité des ONG, à travers votre action dans vos pays ou vos régions respectives de faire vivre. Merci de votre présence, merci de votre action et soyez toujours les bienvenu(e)s à Genève, dans ce cadre ou dans un autre. Merci de votre attention.

*Gracias, Señor Presidente. Señor Director General, Señor Embajador, Señoras y Señores: Efectivamente, soy el representante de las autoridades ginebrinas, las cuales les desean la más cordial bienvenida a nuestra ciudad. Se trata de una ciudad internacional que tiene el honor de recibir, desde hace muchos años, conferencias internacionales de primer nivel, pero también de recibir, más allá de la dimensión colectiva, a personas individuales que, como lo demuestra esta asamblea, representan con su diversidad la riqueza y la variedad de orígenes que, de hecho, encontramos también con frecuencia en la población ginebrina. Quisiera decirles lo importante que es para Ginebra, para esta pequeña República que obviamente es miembro de la Confederación Helvética, apoyar y subrayar los esfuerzos realizados, sobre todo, por el Docip, a quien felicito por su continuidad en la acción y por los esfuerzos que hace por la causa que representa. Efectivamente, para nuestro país y nuestro cantón, la idea de transferir las tradiciones es central. No es una idea que todos conocen; necesita de un trabajo a largo plazo, de una relación entre las generaciones y de una capacidad para reunirse e intercambiar. Si hablamos de transferir la tradición, hay una, en particular, que caracteriza a Suiza y se encuentran ustedes en una región de Suiza, de la Suiza romanda, donde se habla francés y donde se puede ser testigo de esa tradición: el respeto de las minorías. Dios sabe lo importante que es esta tradición. El respeto de las minorías tiene la forma, sobre todo, de un Estado, una región, un pueblo con capacidad para trascender las generaciones, transmitir la idea misma del respeto y asegurarse de que (algo que en Suiza y en Ginebra supuso un verdadero éxito) tengamos la capacidad de vivir en un país con lenguas y culturas diferentes, respetando las particularidades. Todo ello es el resultado de una voluntad, a largo plazo, de inscribir esta tradición en una idea de imparcialidad, de neutralidad y de respeto estricto, nuevamente, de unos a otros.*

*El día de hoy, quería, con mi presencia, refrendar toda la amistad y la simpatía que el gobierno ginebrino tiene con su causa y asegurarles toda la importancia que le damos, con esta manifestación, a la transferencia de la tradición a través de las edades y de las generaciones, pero también a través de las diferentes regiones del planeta que representan. Quiero también decirles que el respeto de las minorías, que constituye el eje central de la democracia y del sistema mismo de las Naciones Unidas y que tiene la forma de la voluntad de darle a cada uno la posibilidad de expresarse y de exponer sus opiniones. Es una pequeña flama que intentamos mantener viva a través de ustedes, del Docip, de la actividad de las ONG y de las actividades que llevan a cabo en sus países o regiones. Gracias por su presencia y por su acción. Sean siempre bienvenidos en Ginebra, en este marco o en otro. Gracias por su atención.*

**Carlos Mamani:** Gracias, Sr. Ministro, por sus palabras y la acogida que tradicionalmente la Ciudad y el Cantón de Ginebra nos han brindado a los delegados que venimos por todas las partes del mundo en busca de justicia para nuestros pueblos que han sufrido de un largo proceso de colonización y agresión en nuestros países.

Vamos proseguir con el programa. Tenemos ahora las palabras de la Sra. Edith Ballantyne, representante del Comité de las ONG organizadoras de la Conferencia de 1977 y miembro fundadora del Docip. Sra. Ballantyne: usted tiene la palabra.

**Edith Ballantyne, also former General Secretary of the Women International League for Peace and Freedom**

Thank you Mr. Chairman. Your Excellencies here on the podium and all my friends from 1977. When we sat here, in this very room, for the opening session and quite all of the other sessions as well -it seems to be strange for me to seat here today. I think the room has been modernized-it used to be a podium right up here and everybody looked down. Now we are at least fairly leveled. I think that is a very good thing to do. So, I thank you Mr. Director General for having changing this because it is wonderful to try to be more equal rather than speaking down to those who are really doing all the work. I want to thank the organizers for inviting me to come to this Symposium and also to ask me to say a few words about the Conference in 1977.

I was one of the representative of women's organizations and we were quite a number of organizations that belonged to a Subcommittee on racism and racial discrimination, which was formed when the United Nations declared its First Decade to Combat Racism and Racial Discrimination. Many of us felt that we should really get together and organize joint collective activities in order to mobilize for the UN Program to Combat Racism and Racial Discrimination. We had a whole series of conferences. One (I think it was the second larger conference we organized) was the International NGO Conference on Racism and Racial Discrimination of Indigenous Peoples in the Western Hemisphere and that addition of "Western Hemisphere" got us immediately into trouble with one of the governments feeling that we were rather discriminating against certain that we considered, basically, colonial countries vis-à-vis the Indigenous Peoples.

The Conference was not easy to organize. First of all, we were a little bit ignorant about many things and you the Indigenous Peoples helped us really to learn quite a lot of what these "Indigenous Peoples" really is in our society today. I could talk for hours actually because there was so many anecdotes and problems and so many successes that it would take hours to say. So, I have to limit myself to just a few minutes but maybe there are occasions to talk more later. I think the Conference, brought together more than a hundred indigenous representatives. Although I learned that Indigenous Peoples do not have representatives, they are there as Indigenous Peoples and perhaps representing their nations but not Indigenous Peoples on the whole. But more than a hundred of indigenous women and men were able to raise money to come to this Conference. It made a tremendous impact on the United Nations at the time. I think it really helped to change the United Nations work in relation to Indigenous Peoples. You know, for I don't know for how many decades, at least one, there was a process of studies being made and they were really on shelves in mimeographed paper -those were the days before we had photocopies and computers, and so on-. I think the Conference suddenly woke up the United Nations Secretariat to what the Indigenous Peoples really were and what their issues were.

I think the UN and many of us saw the whole issue really in more academic terms, never really relating to the people who lived on the land, who were repressed. I am a Canadian and I know a little bit of the situation for Indigenous Peoples in Canada. But this brought a reality to the whole issue and I think it is true things have to happen at the right place, at the right time with the right people and I think this Conference was one of those events. The director of the Human Rights Center of the UN, at that time, was a man by the name of Theo Van Boven, who was a very open-minded person and really extremely committed to human rights issues and to moving forward on more human rights to the people. He followed that Conference but, if he could not be here personally, he had a representative here and I think it made a tremendous difference for suddenly someone in the Secretariat to become so committed and so interested, so involved with what he heard and really felt that the UN had to speed up its work and do something about it. So, that conference certainly has engendered too completely new force to move ahead.

I think at the citizen level, the Swiss authorities were extremely welcoming and very cooperative. I will just give one example: some of the indigenous nations decided to have their own passports and would not travel with the passports of their countries. The Swiss authorities, perhaps for the first time, accepted and recognized those passports and these

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people came in and left on their own national passports. There was a tremendous interest in the community and the City Hall was open to the Indigenous Peoples. I think somewhere there, there still must be one of the beautiful headdresses that were given to the Mayor, I can't remember who he was, but he gave a really wonderful reception speech and wore the feather hat to show that everyone was very welcome. I think it is true that the Swiss authorities, both the municipal, cantonal and federal level are giving support to Docip and also we had this wonderful *Mandat International* where Indigenous Peoples could sleep at a very very reasonable price. Unfortunately, it is no longer there. There was also a tremendous interest among the students at the Development Institute. They gave us their voluntary work. There were professors from the Institute who came and really helped. You know, those were the days when we had to cut stencils to produce your documents, run it on a roneograph machine, they probably had an electrical one by then. You know when I talk about these things, my younger friends say: "what is a stencil?" How technology has changed so fast! We had a tremendous support from friends, from students, from the ethnographic museum; both Mr. Necker and Ruth Kobel-Streib were very active. They came and gave their expertise and their help. So, the impact that Conference made in so many different levels. I thought it would be very good and, I must say, it was.

When the Conference was organized, the initiative came from the International Indian Treaty Council and Jimmie Durham worked with us from beginning until the Conference started but he was unable to come to the Conference itself. We saw ourselves as a subcommittee, which unfortunately no longer exist, I have to admit, but we saw ourselves as facilitating Indigenous Peoples to come really for the first time in a group into this building. Because there has been history of how difficult it was for some of its elders and leaders to even set up a foot into the building. When the Conference started -and I was kind of expecting that today- they met outside the UN and they walked in with a big big drum and I was so scared that the security would come and just chase us all out. I think everyone was so surprised and you saw the faces out and people leaning out of the windows. The whole Secretariat was trying to figure out what was happening down there. We had the opening ceremony. It was such an impressive experience and it is wonderful to see so many of those who were here then and new young women and men to be here and take on from here. It was really the Indigenous Peoples: what they had to say, the way they said it. That made that difference and really changed all our ideas. It would be very good -and perhaps you have thought of that- to make the final declaration of that Conference available because there were a whole series of demands that were made by the indigenous representatives and nearly most of them demands were met no too longer after, perhaps 2 years to have a Working Group on Indigenous Peoples. So, after that the work on the Declaration began because the call was also for the Declaration. Nearly everything or not everything but some of the big issues that were called for action were met by the United Nations, slowly but eventually, they were there. I think the question on land, we had a Conference on the right to land, I think there is much to be done and, as the Ambassador said, there is so much more to be done.

Finally, I mean all these successes and wonderful experiences but what really finally decides whether are moving forward or not is what happens on the ground. And I think there, there is a lot to be done and international norms and treaties are an important step because they are an important point of reference, but how they really apply in reality in the day to day life of people, I think that is the test and there there is so much to do and I hope that in perhaps evaluating those 36 years of activity, since 1977, I think it is important to do that in order to know really exactly where one has to go forward and what the demands have to be today. Thank you very much.

**Carlos Mamani:** Gracias por sus palabras, Sra. Ballantyne. Vamos a tener ahora la ceremonia tradicional que solemos nuestros pueblos hacer para agradecer a la Madre Tierra, armonizar nuestras energías y pedir permiso para este Simposio que estamos haciendo. Entonces,

invitamos a los hermanos Natalio Hernández de México, a la hermana Marjorie Dressyman del Canadá y al hermano Rafael Mashinguishi, Shuar del Ecuador. Por favor, lleven adelante esta ceremonia espiritual.

**Natalio Hernández:** Les pido un poco de paciencia. Es muy complicado para nosotros repetir una ceremonia tradicional, ceremonia espiritual, en un espacio totalmente ajeno a nuestras comunidades. Tan solo para preparar las flores, por ejemplo, en una ceremonia tradicional de mi pueblo, nos llevamos un día. Un día haciendo 5.000 flores, haciendo manualmente cada una de las flores.

Voy a explicar muy brevemente esta ceremonia. Cuando me llegó la comunicación, me parece que a propuesta del hermano José Carlos Morales, de que yo participara en la ceremonia espiritual, me pregunté cómo hacer. Ahora que llegamos, nos han dicho que esta ceremonia espiritual, la llevemos a cabo tres hermanos: el hermano Rafael Mashinguishi del pueblo Shuar de Ecuador y la hermana Marjorie del Canadá. Llegamos a un acuerdo entre los tres pueblos: el pueblo Náhuatl, de México, que yo represento y es el pueblo mayoritario en nuestro país (después, sigue el Maya, el Zapoteco, etc.); el pueblo Shuar, del Ecuador; y el pueblo Cree del Canadá. Los tres pueblos, representados en nosotros tres, llegamos al acuerdo de hacer una ceremonia espiritual mancomunada. Una comunión espiritual para invocar a nuestras deidades, a los señores mayores, a los espíritus mayores que mantienen el cuidado del universo, para que, en esta reunión histórica de 36 años después de 1977, que fue la primera reunión de Pueblos Indígenas en la sede de Naciones Unidas. Les explico muy rápidamente el proceso para que, una vez que empiece la ceremonia, lleguemos al final. Va a ser breve. Necesito un poco de paciencia de todos y, principalmente, de los señores del presidium para que también se integren con nosotros. Traje 20 pañuelos.

Yo voy a iniciar el proceso. Después, sigue la hermana Marjorie y concluye el hermano Rafael. Traje 20 pañuelos. Vienen cinco ejemplares por cada color de pañuelo. Cinco rojos que representan el maíz rojo. Le sigue el pañuelo blanco que representa el maíz blanco. Luego, el azul (es un azul más intenso, no encontré un azul más intenso): hay un maíz azul que, generalmente, tira a lo negro. “Maíz negro”, le dicen algunos, o “maíz azul”, le dicen otros. El azul representa el color del maíz azul. El amarillo representa al color amarillo del maíz. ¿Por qué 20? Porque la cuenta mesoamericana o la cuenta americana de nuestros pueblos es vigesimal. No es de 10 en 10, como en Occidente, sino de 20 en 20: 20, 400, 8.000 y se sigue la cuenta. La cuenta maya, la cuenta náhuatl, la cuenta mesoamericana. Yo les pido la cooperación a todos. Les voy a pedir a los señores del presidium que se pongan de pie, por favor, todos. Voy a pedir la colaboración de Allene y de Marcy. Allene y Marcy van a hacer este recorrido y llegar al punto, allá. Marcy, del otro lado, llega al punto, allá. Van a ir repartiendo pañuelos, empezando por el centro. Les voy a pedir a los señores del presidium que cada pañuelo lo tomen y tomen la punta de una persona a otra. Esto que vamos a hacer es simbolizar un collar de flores. En mi pueblo, hacemos collares de flores, pero es complicado aquí. El pañuelo, hagan de cuenta que es la flor que une a una persona con otra. Vamos a hacer un círculo de flores, que, en este caso, las flores están representadas por los pañuelos. Voy a pedir ahora la colaboración de los delegados de 1977. La mitad, aquí, y la mitad, de aquel lado. Entiendo, hermano Mamani, que se integren los jóvenes, atrás. Yo sé que en este Simposio están invitados los de la nueva generación, que se pongan allá, al fondo. Hasta donde lleguen los pañuelos. Los demás se van a tomar de la mano. Ya hemos hecho el círculo. Ahora, vamos a dar una invocación que recoge el canto tradicional, un pequeño poema tradicional, de Hueyapan, Morelos, México. Yo lo voy a decir en náhuatl.

*Ipan in altepetl timoquetztica,*

*axcan cahuitl ximopalehuili,*

*nochi in Anahuac ihuan Semanahuac,*

*ihuan quen quix tlaltipac chanehque,  
ihuan nochi tlen quitlasohtla,  
in toyesmecayo,  
in toxicnelhuayo.*

### **Nilo Cayuqueo**

*En esta parte de nuestra Madre Tierra,  
te yergues,  
te levantas.  
Bríndale tu ayuda a Abya Yala  
al Universo,  
a los seres que habitan esta Tierra,  
y a todos aquellos que aman tu herencia,  
nuestro linaje.*

### **Oren Lyons**

*In this part of the Earth,  
you lift up.  
Give the energy to Abya Yala  
to the Universe,  
to all the living beings who have our heritage,  
who love our heritage,  
and it's the heritage of our ancestors.*

**Natalio Hernández:** Ahora, nuestra Hermana Marjorie, de Canadá, va a ahumar, va a impregnarnos de humo con un incienso que se usa en mi pueblo. Es un incienso de un copal de un árbol, resina de un árbol. Va a decir una invocación. Finalmente, el hermano Rafael Shuar, el mensaje final. Con eso va a concluir esta parte espiritual, esta ceremonia espiritual. Como dije al principio, es muy complejo para nosotros, en un espacio totalmente ajeno, como lo recordaba la señora Edith. Es muy complicado porque nuestras ceremonias transcurren de manera abierta al Universo, abierta a la Naturaleza y en comunidad. Aquí, nos separa todo esto y tenemos que hacer el esfuerzo. Les ruego su comprensión. Hermana Marjorie, por favor, el incienso y tu invocación.

Se nos olvidaron las flores. Las flores son fundamentales en las ceremonias. Faltó la luz, pero es complicado. Lo vamos a hacer en la clausura. La vela.

**Marjorie Lavalley-Dressyman:** [*She Speaks in Nēhiyawēwin (Cree)*] I will be praying in the Cree language and I ask each and every one of you to say a little prayer to yourself, like we're taught. You pray first for yourself and then for others.

I will pray and if you want to lift your hands up, it's up to you.



[*She prays in Nēhiyawēwin (Cree)*]

«Nēhiyaw ka'késimowin

Mâmâwohtâwîmâw

Kisémanitôw

Kinânâskomitinân anohc kâkésikâk

Sawémimân ka miyopimâtisiyâhk

Nésohkamowinân Tahto késikâw

Mîn iyinîsiwin ikwa

Miyomahcihowin

Hai Hai»

**Natalio Hernández:** Concluimos esta ceremonia muy simbólica con unas breves palabras del hermano Rafael, que trae la voz y la palabra del pueblo Shuar de Ecuador.

**Rafael Mashinguishi:** La sabiduría y el conocimiento de nuestros ancestros, transmitidos de generación en generación, nos enseñaron el principio de respeto, reciprocidad, integración, equidad con la Naturaleza y sus componentes. De alguna manera, directa o indirectamente, hemos irrespetado los derechos individuales y colectivos entre los hombres. De alguna manera, hemos irrespetado los derechos del espíritu de las plantas, del espíritu de los animales. Como hemos irrespetado esos espíritus y esos derechos, es necesario propiciar un ritual para borrar esas ofensas y tener todos y vivir en armonía. Acabamos de hacer una ceremonia, en donde decimos a nuestros ofendidos, entre todos los hombres, de los hombres hacia la naturaleza, de los hombres hacia el espíritu de las plantas, el espíritu de los animales, decirles: “Perdón, queremos vivir todos juntos.” Este es símbolo de este ritual, en el que decimos que todos nos mantenemos en equilibrio entre naturaleza, hombres y sus elementos para vivir en paz. Esta ceremonia nos pone en armonía, en paz y en tranquilidad. Así podemos retornar a nuestros destinos de origen. *Yuminsajrumé*, Gracias.

**Natalio Hernández:** Vamos a concluir esta ceremonia, muy simbólica. No siento la fuerza espiritual que yo siento en mi comunidad, pero yo creo que con la invocación y el rezo que hicimos colectivamente, algo de ese propósito queda aquí. Voy a rogarle a la hermana Marcy e Allene que vengán recogiendo los pañuelos y me los entregan a mí. Vamos a guardarlos para la ceremonia de clausura.

Muchas gracias a todos por su paciencia. Así hemos concluido, con mucho esfuerzo, esta ceremonia espiritual. Les pido un aplauso de alegría para retornar a nuestra reunión [*Aplauso*]

**Carlos Mamani:** Hermanas y hermanos, por favor podemos tomar nuestros asientos. Vamos a proseguir con nuestra ceremonia de apertura. Convocamos al hermano Bill Means. Por favor, convocamos al hermano Bill Means. Vamos pedir cómo está en el programa una lectura de todos los hermanos y hermanas delegadas que estuvieron presentes a la Conferencia del año 1977 y tendremos una proyección muda de los archivos tanto de fotografías como de imágenes acá en la pared, please hermano Means.

**Bill Means:** I will read the names<sup>8</sup>. We may have missed a few. Our apologies, but these are the

<sup>8</sup> La lista esta en anexo – See the appendix

name that we have documented so far. Many of these people have passed on to the spirit world. So we give high reverence to those who have passed on and we respect their contributions to Indigenous Peoples.

**Carlos Mamani:** Muchas gracias, hermano Bill Means, por recordarnos los nombres de todos los hermanos y hermanas que estuvieron en el año 1977 y cuya memoria vamos a honrar en todos estos días.

Quisiera hacerles un anuncio. Los jóvenes que están presentes con nosotros están haciendo la grabación de todo el simposio. Asimismo, los hermanos y hermanas ancianas del año '77 serán entrevistados de manera personal por los jóvenes, por lo que les pedimos su colaboración.

Para terminar esta parte, vamos a tener la interpretación de una música tradicional con el hermano Emmanuel Civelli. Luego, vamos a proseguir todavía porque no hemos terminado con el programa previsto para la mañana. Willie hablará más tarde, pero eso va a ser después del almuerzo. Entonces, ahora, terminamos con la interpretación del hermano Emmanuel Civelli y vamos al almuerzo que tenemos previsto. Hermano Emmanuel: puede pasar usted acá y hacer la interpretación de la música tradicional.

*[Allene Chockie Cottier, Marjorie Dressyman, Bill Means, Bill Simmons, Kenneth Deer, Willie Littlechild sing around Emmanuel Civelli's drum to close the opening ceremony.]*

## **Presentation of First Delegates and Young people**

### ***Presentación de los Ancianos y jóvenes***

**Carlos Mamani:** Muchas gracias por su atención. Vamos a retomar nuestro trabajo por la tarde unos minutos más. Debíamos haber terminado esta sesión en la mañana. Sin embargo, tenemos algunas deudas que cumplir. Hasta mientras lleguen todos los hermanos, quería recordarles que estamos aquí reunidos para celebrar el 36 aniversario de un evento muy importante para los Pueblos Indígenas: la Conferencia celebrada por las ONG en el año 1977 sobre la discriminación que sufríamos y sufrimos todavía los Pueblos Indígenas de las Américas. En lo personal, para mí, este evento es muy significativo porque habíamos, estando en el Foro Permanente, propuesto la realización de un evento que pudiera reunir a los ancianos y ancianas que llegaron en 1977 para hacerles un homenaje, pero también para conocer nuestra historia porque, desgraciadamente, los Pueblos Indígenas no tenemos la oportunidad de escribir nuestra historia y, generalmente, se dice que "la historia la escriben los vencedores." En este caso, nos corresponde a nosotros también escribir nuestra propia historia. Creo que hemos sido vencedores, como muchos hermanos ya lo han dicho, a partir del año 1977, en conseguir nuestros derechos, en este caso, derechos fundamentales, como es el reconocimiento al derecho a la libre determinación, el reconocimiento a nuestra calidad de naciones, de pueblos, como otros pueblos y naciones que existen en el mundo.

También quiero anunciarles que, siendo entonces un evento que fue recomendado en el contexto del Foro Permanente, en el año 2009, vamos a llevar un reporte a la sesión próxima del Foro Permanente, a celebrarse en mayo del año 2014, en Nueva York. El video que están trabajando los jóvenes y el Docip será presentado en lo que se ha llamado la Conferencia Mundial sobre Pueblos Indígenas, o sea, la Sesión Plenaria de Alto Nivel, a celebrarse en septiembre del año 2014.

Como les decía, vamos a proseguir con nuestro programa. Habíamos casi terminado con la lista de oradores. Sin embargo, quedamos justo ahí, en el extremo de la mesa, donde está nuestro

hermano Willie Littlechild. Quisiera también mencionarles que ha sido Willie Littlechild, en sus funciones como miembro del Comité de Expertos, con José Carlos, que apoyaron firmemente la realización de este evento. Creo que es importante reconocer ese esfuerzo demostrado por el hermano Willy. Ofrezco yo la palabra al hermano Willie. Los cuatro minutos que teníamos para que Willie nos pueda contar los motivos que le llevaron o le trajeron aquí, a Naciones Unidas, en el año 1977. Tiene usted la palabra, hermano Willie.

**Willie Littlechild:** Thank you very much, Mr. Chairperson. [*He speaks in Cree*]. First, I bring you greetings in my language to tell you my Cree name which in English “Walking Wolf”, but my English name is also Willie Littlechild, my boarding school name is IRIS n°65. I will tell you that in a way to reflect where I came from and why I came to Geneva, at the request and instruction of our elders and our leaders back home, who are very concerned about that daily violation of our Treaty, Treaty N° 6. So, they said after ceremony and after prayer, after meeting, that we must go back to the international arena to seek justice, to seek respect and recognition of our peoples. So, I was asked to go to the World Conference on Indigenous Peoples, in 1977, that was held in Kiruna, in Sweden, to chair a meeting on the ILO Convention N° 107. I did that and then, after the meeting, they said: “Well, since you chaired this World Conference on the ILO Convention 107, we want you to go to Geneva and get it changed.” An easy task! [*Laughs*] So, I came to Geneva to organize meetings with the ILO Director-General and the chiefs to seek amendment to Convention 107, which is now, of course, Convention 169.

Parallel to that was an upcoming meeting, here in Geneva as well, and a very young organization, at that time, the Canadian Indian Lawyers Association, now called the Indigenous Bar Association, asked me to come here and I thought this assignment would probably be 5 years, at the most. Well, 38 years later, we are still here. So, do we have justice? I asked. Do we have respect? Do we have recognition of Indigenous Peoples? Just to frame the work in terms of the challenges we have facing us going into the future. That's why I came, that's who I am. As far as any messages to the young people, who by the way I want to compliment the young leaders who are here, that for us the goal is self-determination as evidence by and in our Treaties. That's the goal we hand over to you. Thank you very much, Mr. Chairman. [*Applause*]

**Carlos Mamani:** Gracias, hermano Willie, por sus palabras. Han pedido los ancianos del año 1977 poder conocer a los jóvenes que están con nosotros, que pudieran presentarse brevemente. Pedimos a los jóvenes, por favor, acercarse al micrófono y hacer cada uno su presentación. Por favor, los jóvenes que están atrás para que los hermanos mayores los conozcan y puedan desarrollar su trabajo.

[*Los ancianos aplauden a cada uno de los jóvenes que se presenta*]  
[*The First Delegates applaud each of the youth*]

**Alancay Morales:** Mi nombre es Alancay Morales, soy del pueblo Brunca de Costa Rica.  
*My name is Alancay Morales and I come from the Brunca People in Costa Rica.*

**Jacqui Lambert:** Hi my name is Jacqui Lambert and I am an Inupiak Eskimo from the Arctic region of Alaska.  
*Hola. Mi nombre es Jacqui Lambert y soy del pueblo Iñupiak Esquimal de la región ártica de Alaska.*

**Judy Kipkenda:** Hi everyone, my name is Judy Kipkenda. I come from the Ogiek community in Kenya.  
*Hola a todos. Me llamo Judy Kipkenda y soy de la comunidad Ogiek, en Kenia.*

**Sharni Cooper:** Hi everyone, my name is Sharni Maree Hooper and I am from the Muruwari people of Australia.

*Hola a todos. Me llamo Sharni Maree Hooper y vengo del Pueblo Murruwarri de Australia.*

**Morgan Catlett:** Hi my name is Morgan Catlett, I am Eastern Band Cherokee from Northern-Georgia but I am from South Dakota.

*Hola. Me llamo Morgan Catlett. Soy de la banda oriental de la gente Cherokee del norte de Georgia, pero soy originaria de Dakota del Sur.*

**Haydee Banasen:** Good Afternoon everyone. I am Haydee Banasen. I am currently working at the Cordillera Women's Education and Resource Centre. I am from the Cordillera, Philippines.

*Buenas tardes a todos. Soy Haydee Banasen. Actualmente, trabajo en el centro: "Cordillera Women's Education and Resource". Soy de la Cordillera, en Filipinas.*

**Wayanay Mamani:** Mi nombre es Wayanay Mamami y agradezco a todos los ancianos que nos estén pasando su memoria de lo que ha pasado en 1977 para reunir nuestros lazos entre los Pueblos Indígenas. Gracias. Soy Aymara de Bolivia.

*My name is Wayanay Mamami and I wish to thank all the Elders for passing on their memory about what happen in 1977 so that Indigenous Peoples can bond. Thank you. I am an Aymara from Bolivia.*

### **Carlos Mamami**

Agradecemos, entonces, a los hermanos jóvenes por tan breve presentación. Vamos a proseguir. Ahí los tenemos, al frente. Ahora, tenemos tal vez no la obligación de dialogar, pero sí creo que es importante que ustedes transmitan sus conocimientos, sus experiencias y también los sentimientos que los han traído aquí, lo que acaba de decir el hermano Willie, que es nuestra lucha por la libre determinación porque somos naciones. Gracias.

Vamos a proseguir. Tenemos ahora las palabras de nuestra anfitriona, la señora Pierrette Birraux, del Docip, quien se ha dado el trabajo de organizar este evento, de hacernos la descripción y también es un trabajo largo que ella viene haciendo. La primera vez que llegué, hace no muchos años, pero que también ya son bastantes, conocí ese trabajo y, desde esa oportunidad, siempre tuve el apoyo de Docip. Por favor, hermana Pierrette.

**Pierrette Birraux:** Sorry for my bad English. I would like to thank Carlos and to thank the Committee and José Carlos, who suggested that I take the floor. I had not planned to take the floor and it is, of course, a great honor for Docip to have this opportunity. I am here as a Board member of Docip. It is also a great honor to accompany the Indigenous delegations in fact since 1977, because we are a result of the 1977 Conference on Discrimination against Indigenous Peoples of the Americas. We have been created at that time by delegations of Indigenous Peoples and we try to be constant in this work of secretariat and documentation.

It is a great honor but it is also a bit unusual for me because Docip has the policy not to take the floor. What is important for us is that you be able to take the floor, that you be able to be understood and heard. So our work is far more a work of back office, of secretariat, of translation, of production of information, of documentation. It is not so much a work of speaking in plenaries or making any kind of lobby. Why? Because, I think, you do not wish that we do so, first. Then, because we think we cannot do it. We are not living your life. We are not suffering your discrimination. Our land has not been taken from us and we are different people. We have to admit it. We don't have the same spirituality, the same way of looking at the world. Even if we try, personally I try. I like your way of looking at the world, for me it is very important but I am not born in that. I am not born in your land. I have lived with Indigenous Peoples in Quebec, in Brazil, in the tropical forest. So, this allowed me to see how different our lives are. So, we

cannot take the floor on your behalf. We should not lobby. We should not try to interfere. We should not speak on your behalf or telling you what you have to do. This would be completely contradictory to the principle and the right of self-determination, which is your individual and collective right. Of course, if we have been created by Indigenous Peoples, we have to respect their right to self-determination, because if we don't do it we are in total contradiction.

But for us, self-determination is not only a right, it is also a practice and we have to practice it every day. Not to ask the other to give it, but to do it! And it has two sides: you do it, when you come here, when you take the floor, when you fight for your rights; and we, the others, we also have to do it, to respect your words, to work with you. Self-determination must be two sides, to have a kind of reciprocity. If we don't respect your self-determination right, you will not have it completely. So, when we try to support you, we have to do it with a lot of humility. We have to shut our mouth, even if sometimes we would like to speak. We have to work with everybody, not saying: "This one is better or worse." We work with everybody, because we don't take any part. We cannot say who is better and worse. We have sometimes to accept not to understand what you are doing. Sometimes, we have to accept not to understand why you ask us to do that or why you did not answer to us, but we have to admit it because your world view is different and it is a lesson of humility. I think it is very good to have some kind of humility.

This attitude of service that we have at Docip is a little bit a Geneva tradition and I am proud to say it as a Genevan. When Deskaheh came, in the twenties, there already has been an organization of Geneva called "The Society of the Friends of the Indigenous", who supported very strongly Deskaheh. They were a very strong organization respecting Deskaheh as the representative of nations. They respected him as an ambassador and the people of Geneva answered very positively to the speeches of Deskaheh. So, I like to think that we also have such tradition that we have to continue.

Among Docip, continuity is secured. We have continuity. We know that we will continue to work as long as you wish so. The day when you think that we are not doing the work you need, you have to tell us and we will have to finish. I also would like to emphasize the reciprocity relationship that we have, because every time we need your support for funding -because, at the beginning, we worked 13 years voluntarily, but, after we needed funds, we could not continue to work once a week, we had to be constant- you always helped us. The Global Caucus always supported us when we asked this. So, we are in a relationship of reciprocity. We are not paternalistic. We are equal.

I say that the continuity of Docip is secure because we have a young director, David Matthey-Doret. I am the old woman and we have a young director, who is here. *[Laughs]* We also have a very good team of permanent people who are there. I cannot name all of them. Maybe they can stand up. You know most of them. *[Applause]* I would like to emphasize the work of Fabrice Perrin, my assistant for the Symposium. As I have been sick for one month, he had a tough job. He would have been helped by David, but there was the Permanent Forum meeting, there was the Alta Meeting, so he had a very tough job, he did it and I thank him particularly. *[Applause]* I should have begun thanking our Board members who are looking that the orientation of Docip, the ethic of impartiality, service, and spirit be continued. They are also looking at the accounting because it is very important that we are well organized on that.

Now you know who we are. You can always ask everything you need. We have a technical secretariat at Room A541, which is on the right. You will have some computers, if you need that. You know Patricia and Nathalie, they will help you as usual and that is all. I thank you very much for listening to me. *[Applause]*

**Carlos Mamani:** Gracias a usted, Pierrette, por sus palabras y por el apoyo y el trabajo para la organización del Simposio.

Tuesday, September 10, 2013 / Martes, 10 de septiembre 2013

## **Election of the co-chairs of the Symposium**

### ***Elección de los co-presidentes del Simposio***

**Carlos Mamani:** Ahora, vamos a pasar a la elección de los co-presidentes que llevarán adelante el Simposio. Como hemos estado haciendo durante años, y creo que es una tradición para los indígenas, en particular, de las Américas, habrá una co-presidencia entre aquellos que, desgraciadamente, hemos sido colonizados por los ingleses y, por otro lado, aquellos que hemos sido colonizados por los españoles. Desgraciadamente, debemos hablar aquí la lengua del colonizador. Esperamos la moción de dos nombres: un hermano o una hermana del norte y un hermano o una hermana del sur de lo que llamamos “Abya Yala”.

*[Son elegidos Allene Chockie Cottier por América del Norte y José Carlos Morales por América Central y del Sur] [Aplausos] – Allene Chockie Cottier for North America and José Carlos Morales for Central and South America are elected [Applauses]*

**Allene Chockie Cottier:** Welcome everybody. We are going back to historical accounts and our first speaker will be Oren Lyons.

### **Historical accounts:**

### ***Recuentos históricos:***

### **From Deskaheh at the League of Nations (1923-1924) to the Conference at the United Nations in 1977 by First Delegate Oren Lyons**

### ***Desde Deskaheh en la Liga de las Naciones (1923-1924), hasta la Conferencia de 1977, por el Anciano Oren Lyons***

In America, I can only speak for brothers and sisters from North America, what we knew then was that there was no justice in the courts, that we did not have a voice, that American Indians, Native Americans, Onondagas, Cayugas, all the Indian Nations did not have a forum. We knew that previously a leader had come to the League of Nations. His name was Deskaheh. He was a Cayuga Chief and he had come to the League of Nations to lay charges against Canada for removing the traditional leadership of chiefs and replacing them with an elective system. That is why he came. At that time, the League of Nations was meeting down along the lake here [*Geneva*] and he was not allowed to speak there, because he was being blocked by Canada and UK and so the Major of Geneva rallied to his support and had an open forum up in old town where Deskaheh was allowed to make his positions. We knew that, in order for us to be heard, we had to get outside of the nations that were in control of us. So, coming to the League of Nations was coming to an international forum. We knew that. His message for us was strong and it laid the groundwork for the 1977 meeting.

Prior to 1977, we were having meetings across the country. We were having meetings in Canada. We were having meetings in the USA with traditional people, with Indian nations on these issues of not being able to speak and so all of these meetings and events were very lively. As you know, those decades of 1950, 60, 70 and 80 were very lively and so our people were gathering. What we did not know was why we did not have a voice : we were responding to the Declaration on Human Rights in 1948, the Peoples' Declaration on Human Rights and we were peoples, of course, we said. So, why is it that we have no voice? We did not know why. So, we



gathered. We had meetings, Treaty meetings, meetings with Lakota Nations, with Western Shoshone, with the Fishing Nations on the coast.

There were major events that were occurring, but we wanted an international forum and so here, as was pointed out, we had support and began with Augusto Willemsen-Diaz and very important directions that he gave us way back. In 1972, when things were very hard and heavy in North America, we were at the United Nations [*New York*], but we were on the other side of the street, on the First Avenue. We could not cross the street. There was a lack of police and we were rallied around the Statue of [?] and there was not a lot of us, but we were there looking at the United Nations realizing that it was where we had to go. From that position, in 1992, in December 10<sup>th</sup>, it was my obligation and my honor to address to the General Assembly, the first statement. So, between those years 1972 and 1992, there was progress.

It was hard progress to know, unless you were there every one of those years fighting your way through. And, it was here that we knew and we had the invitation. When we received that invitation to come from the NGO's here, all we knew was we had an invitation to come to the United Nations and so we rallied to that meeting [*Onondaga word*] meaning we had to prepare for that. There was a young group, the young AIM group, we said to them: "You boys get over there and lay some groundwork for us." These were the Nations speaking. And that is what they did. They came here under our instruction, not knowing how, how and what to do. This was all by our wits, by our courage and by our determination. And so the meetings were being held prior to coming here.

And prior to that, Willie Littlechild will tell you, that he was at a meeting in Stockholm, in 1972, where they laid down the 10 principles that are the basis of this document that we have, the Declaration. People don't know that. Willie was there, Haudenosaunee people were there, young Tom Cook and from there we went to Rio, in 1992. And in Rio, again, we surfaced and we had a meeting and we held a meeting prior to the Rio meeting and that was held by the Indigenous Peoples. Hosts built a huge meeting house like this, but they built it the way they knew how to build. There was a grass roof, it was a beautiful place. Everybody stayed. We met for a week and we discussed all of this, the Indigenous Peoples, as we prepared to speak at this forum. At the meeting in Stockholm, in 1972, Maurice F. Strong was there and he spoke -and I am sure that Willie will enlighten us as to what was said there. He was very consistent in his presence. He was the Secretary-General of UNCED<sup>9</sup>, in 1992, and he asked me, he said: "Can you explain these seven generations?" I said: "Certainly." And I said it was an instruction to our leaders, over a thousand years ago and at that time the peacemaker who had gathered our leaders said to us: "You, the leaders, when you sit in your council for the welfare of the people, think not of yourself, nor of your family, nor even your generation." He said: "Make your decisions upon the seven generations coming: those faces looking up from the earth, layer upon layer, each waiting their time. That is your responsibility." And, indeed, that is the responsibility of leadership anytime, anywhere and he wanted to understand that phrase. He said: "I wanted to be correct." So, when he addressed the General Assembly of UNCED he used that as a closing phrase to instruct the world leaders that they must look out for the future. It was a voice of an indigenous leader long long, long ago that was speaking to this world meeting.

So it was how we made our way here and we began this long process by persistence, year by year, and we still did not understand why, we did not know why we were not included in the Declaration on Human Rights, but we struggled on and we developed the Declaration from those ten points and the following points that came one by one. That is where it comes from. But anybody who ever says that they were the ones that made that Declaration, they lie. That Declaration was the work of all of these delegates over great years, great struggles, sacrifice. That is where that Declaration came from. And so we knew that what we were doing was for the future. What we did not know was why we were not included in the Human Rights Declaration.

Some time later, our brothers and sisters from Chile sent a telegraph and said: "We have discovered the doctrine of discovery. We have found the basis of why." And it was papal bulls of

<sup>9</sup> UNCED: United Nations Conference on Environment and Development.

the 13<sup>th</sup> century that relegated us to something less than human and that is why, when we came here, when we first formed this union that we have, they ("they" being the UN) finally said: "All right, we will make a place for you." And so it was a Working Group for Indigenous Populations that was not a working group for Indigenous Peoples. But we did not know that at that time. We were happy to have some kind of recognition. But they were using the word "populations" because we were not peoples by the doctrine of the discovery papal bulls of the 13<sup>th</sup> century. That works in Africa, in Australia, around the world: Christian doctrine. Now, we began to study. And so, from that point we understood that we were going to have to fight from the very basis, a background. It was, in my estimation, an undeclared conspiracy against the Indigenous Peoples of the world, undeclared and persistent and constant and, why? It was all about land, all about land. So I remind you that, as long as you say who you are, as long as you hold your Nations, as long as you hold your way of life and your language, your identity, like the Haudenosaunee, like the Lakota, like the Dene, as long as you hold that, they do not have a title to your land.

That's why we are here. That's why you are having such a hard time and, as long as you fight for your land and as long as you hold your land, you will not have a rest, you will not have peace. You will have to fight continually. So, be prepared for the long struggle and you pass it on to the youngsters and they will pick it up and their children will pick it up, on behalf of the seven generations. So, I am just illustrating to you what we did not know, what brought us here and what we found out.

So, the challenge to us today is that doctrine of discovery which was put into US federal law in 1823 (Johnson *vs.* McIntosh). We are learning, but it is a struggle. So, when we first came here, we thought that this was the Land of Oz. We thought that the wizard was here and would know everything and finally we would find justice, but we did find. We found one another and so this forum is important for that and, it rappsports us the time to meet, to gather ourselves, to replenish for the next year's fight. Year by year.

But now, I just want to add one more thing, the broader fight for the survival of the human race, the human species. I am mindful of John Mohawk, who I considered to be the resident intellect of Iroquois, and John said casually one time: "Well, as far as I can see, human beings are still a biological experiment. There is no reason for us to be here. The Earth will survive without us. It does not need us at all. We are here on our own behalf and, if we don't obey the laws, then we will suffer the consequence. Extinction is a way of life on this Earth. Extinction, one after the other, it happens all the time. It does not ensure us at all, only our conduct." So I think what Indigenous Peoples have to offer to the world, at this point, is some common sense and some direction respecting what we live and how to share, to share, equally one dish, one spoon. That is our philosophy: "one dish, one spoon." Everybody shares equally. The inequity today is causing what you see around the world. Human beings are like fleas on a dog. So, we have to understand the reality of what we face. And, if we are going to have a seventh generation, we ourselves have to maintain our own integrity. We have to maintain our own principles for the good of everybody. We are the conscience. [*He Finishes in his indigenous language: "tho ne tha?"*] [Applause].

## **The Treaties between Indigenous Nations and the State by First Delegate Willie Littlechild**

### ***Los Tratados entre Naciones Indígenas y el Estado, por el Anciano Willie Littlechild***

Thank you very much and good afternoon to all brothers and sisters and others. I want to begin

by acknowledging the bold and wise leadership of years past of those that were introduced this morning. Those who are here, it is a great honor to be with you here again. You see, it is like there is four waves and this is the fourth wave. The first wave of leadership was those that came in 1923. We heard this morning who they were. Then there is those that came in 1977, the second wave, and those that came in 1981-1982, the third wave, and yesterday we sit with the young people as the fourth wave of leadership. So, I want to acknowledge that at the beginning and also pay tribute to those who have gone on their spirit journey, many of whom were named this morning and yesterday. Yesterday, one of my own chiefs past away: Chief Jerry Ermanskin. We used to come here to Geneva. So, in his honor also I want to share some words with the next generation of leaders. But I don't want to just acknowledge our own people. I also want to acknowledge the non-indigenous peoples who are in the room: the European support group, Incomindios, we heard of course from Docip and there is others of you who, actually, I would like you to stand up for those in the room, who have supported us over these decades. I want to thank you. Join me all to thank these wonderful people. [Applause] There are other leaders from my community, the late Chiefs Sisso Curry, Chief Leo Cardinal, Harrisson Bull and others who have gone.

Today I'm reminded by our brother elder Chief Oren Lyons, of the time when I had the opportunity, as one of four people to address the UN on the occasion of the 60<sup>th</sup> anniversary of the Universal Declaration on Human Rights. I reminded the Assembly that in 1948, when the Universal Declaration on Human Rights was being adopted, we were excluded. So, it was only because of the 1977 wave of leadership, who fought for our inclusion, who fought so that we could have a voice at the United Nations through studies like the Treaty Study that was done, and I want to acknowledge Isabelle Schulte-Tenckhoff, she was one of the key fundamental of that 9 years study, thank you Isabelle. From the era of no voice at the United Nations to one of marginalization, to one of a fight for inclusion, we now have three mechanisms where we have an indigenous voice. In the early eighties, a meeting was held in Mexico by the Indigenous Initiative for Peace. At that time, the Assembly declared a decade for Indigenous Peoples. They also declared that there was to be an international independent tribunal for Indigenous Peoples issues that later became the UN Permanent Forum on Indigenous Issues and I want to honor Elsa Stamatopoulou, who actually when we went to New-York we had no office, no staff and she was the one who individually built that institution. Thank you, Elsa. [Applause] You see, now we have three voices. Yes, not everyone agrees on this way, on this path of climbing the mountain to justice, but we can all climb the same mountain with several separate paths. We have the Permanent Forum. We have the Special Rapporteur. We have the Expert Mechanism. We have the existing international bodies that we can use. We have existing international mechanisms we continue to use, like the Human Rights Council, the ILO itself, and so on. But, for us, I want to share one story about why we came to Geneva and just show you how we tried to ensure that there was a treaty voice for our people, but before I do that I also want to not dwell on problems, but on the success of Indigenous Peoples.

I will give you four very short specific examples where we did not come to the UN to ask for something, but we came to give something. I remember a meeting where one of our elders spoke and he challenged the United Nations. He said: "Which one of you is going to speak for my brother the fish? Which one of you is going to speak for my brother the bird? The four-legged? Because this is where we are the same. We breathe the same air. We drink the same water. Which one of you is going to argue for that?" You could hear pin drop in that room. In my mind, that was the day the international community started turning their attention to the environment. It was one of our leaders who brought that.

A second gift. I remember I was asked by the Caucus: "Willie you go ask the Chairman if we could open the meeting with our prayer." So, I went to the Chair and I said: "I've been asked to come to see if we can open the meeting with a prayer, with one of our elders offering a thanksgiving, an invocation." She said: "Willie, you know we do not pray at the UN." I said: "Well, maybe we just want to give a thanksgiving?" And, she said: "How long is that going to take?" The next thing was: "You, Indigenous Peoples, you pray for everything, don't you?" But,

guess what? From that day to today, meetings are open with an invocation.

Not only that, the UN was used to saying: "We have five panels of rights: economic rights, social rights, cultural rights, civil rights, political rights." But now there is a sixth panel. They understood the importance of spirituality and now there is spiritual right included at the UN.

The Indigenous Peoples came with the concept of family, extended family and the UN eventually adopted that. Then our people came with indigenous laws: laws of nature, sacred laws that were not recognized or even known about until our elders came here to speak about them. So, you see, we offered many things to human kind through this mechanism, this institution called "UN". In my language: "*Cree word*" is how they describe the UN. So, thanks to those former leaders who, as our elder Chief Oren Lyons just said, brought here our link with Mother Earth, the indigenous views and perspectives so that all the world could indeed benefit.

But, yet, we had to ask for recognition of Treaty Rights. We had to ask for recognition for rights we already had, as our brother remarked this morning. The inherent rights that we have. So, here is a quick story I want to share with you about how Treaty and its importance was eventually reflected in the UN Declaration. In our view, the elders' view, Treaties and the UN Declaration are like the two wings of an eagle. On one wing, you have Treaties, on the other, you have the Declaration and it takes both to fly, for our rights to fly. So, you see, you heard about the first wave, those that were denied access to the League of Nations. Here is a map of our territory and numbered Treaties, as you see [*Willie shows a PowerPoint presentation entitled "Treaties between Indigenous Nations and the United Declaration on the Rights of Indigenous Peoples".*]<sup>10</sup> In Canada, we have three "Confederation Treaties". We have "post-Confederation Treaties" and we have "modern" or "new Treaties". So, you see this whole journey for justice started with **four instructions** from our elders at home. "*Kikpaktinkosowin*": is the right to self-determination and also Cree government. Elders said it is important for the world to know the spirit and intent of "Treaty", that these treaties are sacred agreements: "*Ketchi Oyichikaywina*", they said, and it is important for the world to know how we understand "Treaty". And thirdly, mutual consent: "*Tapihmowin*". How fundamental that principle is in that what we were seeking was peace for coexistence and mutual responsibility to honor these international treaties. In our language, we say: "*Wetaskiwin*" for that relationship.

It is important to recall also the elders reminded us that these treaties, through ceremony and prayer, were entered into for so long as the sun shines and the grass grows and the rivers flow. So, that is why they think it is important. That is why we pursued the reflection and incorporation of treaties in the UN Declaration. So, on the day that the Assembly adopted the UN Declaration, in 2007, you see on a photograph a scoreboard. It's too far away, but you can see four little red lights on that scoreboard. But yet, there was a lot of crying of happiness, some tears of sadness in that room. So, you see, this journey still continues and I wanted to share this with you just quickly in order to conclude.

Room XII, just over here, is where we held our meetings. In this very room. In 1985, the UN decided that there would be no meeting on Indigenous Peoples issues and we said: "We cannot let that happen". So, we went to raise funds and we paid for this very room, so we could have a meeting. I had the distinct honor, some say "smack", to chair that meeting, but after that meeting we consolidated all the drafts of the UN Declaration on the Rights of Indigenous Peoples, in this very room. And it was Dalee Sambo who was selected to go and present it to the Working Group. Thank you, Dalee. So, this room is historic. When you look at the Treaty, what the Treaty elements are about and when you look at that Declaration, you will see that every single article, except the one of the UN Declaration on the Rights of Indigenous Peoples, reflects a Treaty right. That is why we say that it is important to consider both of them. For every inherent Treaty right, there is a UN Declaration article. If you could just skip to the next, the freedoms that are reflected. The Treaty study that I remarked took nine years to conclude, here at the UN. It took into account a very important Treaty principle of mutual consent and it is now called "free, prior and informed consent", but with the wisdom of our elders, it was already

<sup>10</sup> El PowerPoint esta en anexo – See the appendix

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in our Treaty for example in 1876, 1877 and I know that one of our brothers of United States who was placed there at the border, also had similar Treaties.

So, you see the picture, the march into the UN in 1977 and how that symbolizes a very important preamble paragraph in the Declaration. Just to remind us recognizing the urgent need to respect and promote the inherent rights, inherent rights of Indigenous Peoples, which derived from their political, economic and social structures and from the cultures' spiritual traditions, history and philosophy, especially their rights to their lands, territories and resources. That to me captures how we understand "Treaty". After 25 years here, we had a little similar reunion as this. Sadly, only thirteen of the 1977 wave could be here. There is a picture of that, when we re-enacted the march into the UN. It was remarked this morning maybe that we should re-enact the march again this week. Because we had the drum here this morning we could lead the way again. But in a preamble, it recognizes also the urgent need to respect and promote the right of Indigenous Peoples affirmed in Treaties. Importantly, considering that the rights affirmed in Treaties between States and Indigenous Peoples are, in some situations, matters of international concern, matters of international interest, matters of international responsibility and character. I chaired the meetings that drafted these articles here at the UN. I could not convince the States then to consider Treaties as international law, but I think if you read the body of this preamble paragraph, that one word, "law", is captured in this whole paragraph. Considering also that Treaties and the relationship they represent are the basis for a strengthened partnership. They are a basis for strengthened partnerships.

Finally, we got to the Declaration article itself, the operative paragraph. I want you to see the picture. The picture talks about the Queen's representatives, the red coats, the chiefs and also the song. You see, the songs carry our Treaty story. Our ceremonies carry our Treaty story. At home, we have a ceremony that takes four days and four nights. The Treaty-keepers are women and, in a four day ceremony, they transfer the story to four other women. That is how the oral tradition, the oral understanding of Treaty is kept alive in our community so Indigenous Peoples have the right to the recognition, observance and enforcement of Treaties. At this point, we could not get them to agree, as understood by Indigenous Peoples, or according to the original spirit and intent. I remember one of the States' representative said: "I like that wording, 'spirit and intent of your Treaty', because our intent was to steal your land." So I said: "Well, maybe that's not such a good phrase to put it in there". [Laughs] The Declaration also calls on us to work together. Well, what we did not succeed at the UN, we succeeded at the OAS, just recently, because now the OAS Declaration, which was accepted and adopted in Washington, captures what we could not get at the UN where it states that: "Treaties concluded with States and their successors, in accordance with the true spirit and intent, in good faith, are to have the same respect and be honored by States. States shall give due consideration to the understanding of the Indigenous Peoples in regard to Treaties." So, the dream of our elders for us coming here is now reflected in those Declarations. It was thanks to you, for your support, that that was possible. [He speaks in Cree] "Hai Hai" ["Thank you"]. [Applause]

**Allene Chockie Cottier:** Thank you, Willie. Now, for the continuing story, I hope you're holding to these precious moments of education and summation that you're getting because they're very important for all of us. Now, we'll have Bill Means speaking on the Cold War and the impact of the 1977 Conference and where we're going from there.

**The Context of 1977, including the Context of the Cold War and its impact on the 1977 Conference by First Delegate Bill Means**

***El contexto de 1977, incluyendo el contexto de la Guerra Fría y sus consecuencias sobre la Conferencia de 1977, por el Anciano Bill Means***

[*He speaks in Lakota*] “*Hau! Mitakuyapi. Anpetu ki le chante mawaste nape ciyuzapelo*”. I’d like to give the tradition greeting in one of the classical languages of the Western Hemisphere, known as “Lakota”. [*Laughs*] I said: “Hello, my relatives. Today is a good day. My heart is strong and I extend my hand in friendship.” That’s one of the traditional greetings that we have. I am an Oglala Lakota on my father side and Ithanktoha Yankton on my mother side. I come from the land of Red Cloud, Crazy Horse and Russell Means. [*Laughs*] And I come from the Chief, known as a Feather Necklace on my mother side. So, we have a long history with United States Government, a history of resistance to genocide, to acculturation and to assimilation.

In 1862, in Minnesota, our relatives, the Dakota, were at war with the State of Minnesota that was robbing the commodities. They were robbing the guaranteed food and goods that were guaranteed through Treaties. They were selling them to the local trading post instead of passing them to the Indian people, as guaranteed in the Treaty. So, when the chief by the name of Little Crow, went to an Indian agent - in a small town there in a reservation - and he said: “Our people are starving. We can’t leave the reservation to hunt anymore. We need that food and that clothing that is in the warehouses to get ready for the winter.” And the traitor said: “As far as I am concerned, you Indians could eat grass.” So, the next morning they found the traitor dead with the mouth full of grass and that started the 1862 war, where people did defend their territory. When the war was over, the United States hang 38 Sioux warriors in Mankato, Minnesota, the largest mass hanging in the Western Hemisphere and 6 years later, because we knew that we had to stand our ground, we signed the 1868 Fort Laramie Treaty, over in Wyoming, in the Western part of South Dakota East, what is now the Eastern part of Wyoming. That was after a long war of probably about 25 years of war with the United States cavalry and our people.

Shortly after 1868, a lieutenant colonel by the name of George Custer discovered gold in the Black Hills and our people would begin to be removed onto reservations and the Black Hills was illegally taken by active Congress in 1877. This is the place of our origin. This is where we were created as a People. This is the Jerusalem. The Black Hills mean as much to our people as the Vatican means to the Roman Catholic Church or Jerusalem means to Christians, Muslims and Jews. But yet, they offered us 117 million for all the federal land as left there and we were the first Nation to reject a settlement by the Court of Claims. And even they raised it to 117 million with interests, our people still rejected. It sits in Fort Knox in the Treasury of the United States and they mined gold, the largest gold mine in Western Hemisphere. They mined it for over 100 years. It only closed about ten years ago.

So, this is the history we have with the United States and as we went further on, in 1890, because we gave that Lieutenant Colonel Cluster a sensitivity training session. [*laughs*] On June 25<sup>th</sup> 1876, at a place called Greasy Grass that became known as Little Big Horn in the history books of America, United States Army took revenge in 1890 and killed over three hundred men, women and children on a reservation place called Wounded Knee. So, that is the background of our relation.

Our governmental relations with the USA culminated in 1973, the modern era. Many of us had served in military. We came back and it was a time of unrest in America, to set the context of this time. We had the Civil Rights Movement, Doctor Martin Luther King; we had the Chicano movement, the women’s movement, the movement for the rights of our people throughout America, the movement for the children’s’ rights. This is the context of the times. And so, for 71

days we battled the USA forces at Wounded Knee and again the Haudenosaunee, brother Oren Lyons, led a delegation into Wounded Knee and helped to save many lives, because they felt it was time to sit down Nation to Nation in front of the world, because we had the world attention. A small band of Indians, what they called a "ragtag bunch of militant dissidence" came to the reservation in South Dakota to defend our Treaty Rights, as you heard from Mr. Littlechild. We too had Treaties: 371 Treaties signed by the United States and Indian Nations throughout America. Every single one has been broken. So, that is the background, the context, the resistance that led us here.

After we had the attention of the world, in 1973, at Wounded Knee, our chiefs and headsmen said: "We cannot stop. We have the attention of the world. We need to take our Treaties to the United Nations." So, we held a conference, in 1974, in the Standing Rock Indian reservation with the instructions: "Go to the United Nations to seek recognition of our Treaties". Our Treaties stand as a document assigned Nation to Nation. If you look at Article 6 of the United States Constitution, you see that treaty law is the supreme law of the land. Our Treaty was discussed; it was voted on by the Senate of the United States and was signed by the President. So, it has a very high standing in law, both domestic and international. So, our chiefs had the wisdom. They had a foresight. They had the knowledge to use that, to create our legal standing at the United Nations and when we came to the United Nations, there was a president by the name of Jimmy Carter. He was going all over the world accusing people of human rights violations: in Latin America, in Africa, in Asia and it was just a perfect timing, as they say: "When the time is right, things happen." So, every time Jimmy Carter talked about human rights violation we stick our Treaty in the door of United Nations.

Eventually, they had to open it out. Somebody wanted to read it because United States was accusing them of human rights violations. So, we brought those Treaties in the front door of the United Nations and we began that battle, working day by day, every day. And it took us two and a half years from 1974 to 1977 to become the first indigenous organization to be recognized "Category" II status as a non-governmental organization. So began our dream to enter the United Nations, here in Geneva, the home of the Human Rights Commission, as it was known at that time. So, we came here in 1977 working with the Haudenosaunee, the First Nations People of Canada, the NGO's, the non-Indians, the World Council of Churches, the National Council of Churches, World Peace Council, Women's International League for Peace and Freedom. These are the allies that we were able to have based on justice. All of them were involved in the Civil Rights Movement. All of them were involved in human rights. And we learned here this issue of human rights is not an issue that set in law. Human rights are basic inherent rights that are inalienable rights. Human rights cannot be given to you by a government, by a law. Human rights, you are born with. Every human being has a human rights, except, we found Indigenous Peoples.

At the time, the United Nations here was divided into two camps primarily : the Socialist block, led by the countries of the Soviet Union, known at that time; and then, of course, the Western or the Capitalist block led by the United States. So, everybody wanted to use Indigenous Peoples. United States come up and said: "We take care of our Indigenous Peoples. We have the Bureau of Indians Affairs. We have the Indian Health Service." And then the Socialist countries say: "We have ethnic minorities, which we take care in our countries. We don't need a Declaration on the Rights of Indigenous Peoples, because it is against the UN Charter to interfere with internal affairs of a Member State of United Nations, therefore, these are internal issues." So, they refused to recognize that Indigenous Peoples should be part of the existing Human Rights Law and human rights documents. We did our research and we found that the Universal Declaration of Human Rights passed in 1948 had one of the American president's wife as one of the primary authors. Her name was Eleanor Roosevelt and even her husband, the President of the United States, opposed her, just like they opposed the Declaration on the Rights of Indigenous Peoples. So, human rights has always been a sort of issue with the United States because, it pulls the veil of legitimacy of the genocidal history of dealing with Indigenous Peoples. So, we came under that context with the socialists calling us "ethnic minorities", the

capitalist calling us “populations”.

So, we had to fight for our recognition. We said: “If you won’t recognize us under existent Human Rights Law, then we will create our own.” And we began to develop the Declaration. 30 years, from 1977 Conference to 2007 it took to pass! So, the UN is kind of like the turtle: it moves pretty slow. *[laughs]* But, at the same time, it is a powerful medicine if it is used in appropriate ways to unite our people. We no longer felt isolated at Wounded Knee, where 500 of us were charged with various federal crimes. I myself was facing 85 years with federal charges. We had four different federal courtrooms going simultaneously, trialing our people. But here we met people like CISA. We met people in Central and South America. We found out that over five countries in Central and South America were overwhelmingly majority Indian. It made us feel good. And after the 1977 Conference, we expanded that movement to worldwide and now we work with 375 million indigenous people.

So, we have made some progress, but that context that we went through at the time, when even conservative tribal governments in United States called us communist, because we talked about self-determination. We talked about collective rights as opposed to individual rights. They said we were outside urban Indian agitators. They put many labels to try to discourage us, but I felt pretty proud. When I came back here, I met two young ladies who are from Peru. They work in a Peruvian mission to the United Nation. I met a young Chicano girl who works in the Human Rights Division of the US Embassy, graduate of UCLA. They are working every day on these issues. They came here to learn this history of how we came about with the Declaration, one of the most important historical document in the history of the UN, to get Indigenous Peoples all over the world to agree on the language. Not everybody agreed that is why it took thirty years. But look at the Universal Declaration, that took many years as well and that was by the Nation States. So, we can compete on any level because we have the truth. We have the Treaty rights and that is what brought us here in that context, as Indigenous Peoples, in 1977. When we brought these principles, in our language we say *[Mitakuye oyasin]*. That is the principle of life we brought here. What that means is: “we are all related”. We are related to the animals, to the grass, to Mother Earth. That is the concept that we brought to the industrialized world of the United Nations, to the industrial military complex that rules the policies that hang over Indigenous Peoples.

These are the contexts. This is the way we built this great movement of Indigenous Peoples. We have not done yet and in conclusion I give a challenge to the young people. We have got two specific tasks that we want to accomplish in your lifetime. Number one is: we want observer status for Indigenous Peoples as a first step. Going from the Permanent Forum on Indigenous Issues, we have the forum. We have the experience. We know how to work within the system. The UN knows how to deal with us. We have got Docip working as always, copying the documents, organizing the history. It is not that hard. Many seats are vacant now in the observer status and, from there, we move to the Declaration. We want that Declaration to become an international treaty, to become what they call a “convention”, as it is known in Human Rights Law; to take the Declaration up some steps; the recognition from Declaration to Convention, just like the Universal Declaration of Human Rights. So, this is the charge that we challenge for our young people: to keep this horse on the trail, to keep this mighty movement heading in the right direction for our peoples.

Even that word, “peoples”, was a struggle. Some of you remember here, might even been in this room. They didn’t want to use the word “peoples”. They kept with that word of “populations”, the “ethnic minorities”. So you can’t have protest here. So, some of us, we got this big paper downtown and we put a big “S” on that white paper and at a proper time, when they came up we had people standing in the back and we all put up the “S” on that white paper to make a point about “peoples”. There we are. So, the Declaration proved one thing: that Indigenous Peoples are indeed human beings, because they did not recognize us as human beings, because all human beings have human rights and a right to self-determination. But now that we have the Declaration we came up a step. We are now human beings and we are now looking back as



forward ever, backward never. [Lakota words : “Aho! Mitakuye oyasin”] (We are all related) [Applause].

**Allene Chockie Cottier:** Thank you Bill. We scheduled a coffee break and after that we will have contributions and discussions on the part of the First Delegates on the situations and expectations of Indigenous Peoples before and during the 1977 Conference. So, we now have the background. We have some of the struggles. We have direction. Now, how do we bring that into fruition given that, even as Indigenous Peoples, we have very different diverse needs in how we reclaim our lands and exercise our rights to exist collectively? I think that is a key issue. “Peoples” is collective, so, even if we are forced by some nation’s policies, like in the United States to relocate to urban areas or to force poverty to move to where we can survive, we remain Indians and belong to a collective. And that is what we have to continue forward with because that is one of the issues that continues to be undermined and misunderstood and that is also a unique status in the United Nations and the world and that we were there first. So, have your coffee break and come back and we will continue this discussion. Thank you very much.

[Coffee break]

**Allene Chockie Cottier:** Hello, please take your seat so that we get started, I just find out that we have a time limit, so we need to be finish at about 6.30 so now we are in a rush and we have some extra thing to deal with. So, please hurry and come in.

It comes to our attention that there are people who participated in the Conference 1981 and 1982 and we would like to give you an opportunity to speak for a few minutes. First, I would like to know how many are present who were participating in 1981. [She counts down in the room]. Eight people. If you would like to speak, please come up and present your name so that everyone recognizes you and say a few words, 3 to 4 minutes maximum.

## **Presentation of First Delegates at the 1981 Conference<sup>11</sup>**

### ***Presentación de los Ancianos de la Conferencia de 1981<sup>10</sup>***

**Bill “Jimbo” Simmons:** My name is Bill “Jimbo” Simmons. I am a Choctaw from Oklahoma and I had an opportunity to attend the 1981 Conference. I also would like to reflect back that I was present at the 1977 Conference, when the delegates were selected and I was also a delegate at that time, but unfortunately I was unable to raise the money to make it. It wasn’t until four years later that I was able to come.

I just want to say that in 1977 was an education for me just having to get out of the military and had served some time in a penitentiary, in a military. It was one of the action that I went to. And it was there that I begin to study or learn more, listen. I was laughing earlier, because I was trying to put the earphone on my ear and it fell out, but I remember when I used to stay on there all the time and I was not listening too much! But, anyway, I just want to say it is really an honor to really walk in the footsteps of our ancestors, to walk in the footsteps of many of those people that came here, prior to here, to this conference and these gatherings. I remember the prayers and it is the prayers, I think, that I always try to acknowledge because there was many times that I came here to the United Nations as a Treaty Council representative and as

<sup>11</sup> International NGO Conference on Indigenous People and the Land. Geneva, September 1981. Conferencia Internacional de las organizaciones no gubernamentales, los pueblos indígenas y la tierra Ginebra, septiembre de 1981.

representative of the American Indian Movement.

My work started in 1981, but it also started in 1982 and 1983 at the Human Rights Council, the Human Rights Commission. And I participated in that Human Rights Commission for over 25 years. It was the Human Rights Commission that I begin to get more in depth, feeling what was actually happening in the world. It was many issues and, of course, this is when we began to document and testify that Indigenous Peoples had human rights as well. I always try to tell people that, when I talk about this work, that it is beyond the political and civil rights. It is beyond the Declaration and the Treaty rights and human rights. We want our natural rights and that is what I have learned throughout my lifetime is natural rights. Beyond natural rights too, when we talk about sovereignty, it is very simple: it is a way of life. And so, it is that sovereignty and that way of life that as an indigenous person, as a Choctaw, that I begin to learn more and more about who I am. But more so being part of the resistance. In 1978, I was one of the first walkers to walk across the United States. And then again, I got involved in many of the other actions throughout North America. And these issues that we were talking about today are still going on.

To me, I think the Declaration needs to be stronger. I have looked out a lot of documents, I looked out of a lot of documentaries and I am convinced the first delegation that came here, in 1977, they were looking for a convention. And as Cobo Martinez recommendation was, in 1983, a declaration and a convention as moving forward and I would like to try to encourage that to those next people that are going to be continuing to do this work. We need something stronger, much more stronger, and the way I looked at the prayers and the way I looked at every time we come here, because I was asking myself too: why was our traditional leaders, why was our spiritual leaders investing into a bureaucracy such as the United Nations? What would our voice be? Would our voice be lost? Would it be recognized? So, today it makes me happy to see the efforts of Docip, the efforts of all the support groups. There are many support groups out there. Part of my walk was solidarity. I had an opportunity to visit many parts of this world, but it was in the interest of solidarity, but solidarity not only as American Indian movement, but as a liberation struggle. Solidarity with all Indian movements and movements in the world, to bring together and that is what I have seen and that is why I believed that, as Indigenous peoples, as Bill Means mentioned, Wounded Knee woke up the world. And so, we owe it to many of our ancestors, we owe it to many of those peoples that have gone on before us to have a strong Convention. Thank you. To all my relations [Applause].

**Michael Eckford Aka Anderson:** [He speaks in Euahlayi] “Ngia-yher ngu Euahlayiburrah, ngi ngummar ngu Euahlayi, ngi boydjarrool Gomeroi, boydjarrool dthane ngu Gomeroi nghee gwalli-ngu ngean yilli”. What I said is in my language, the Euahlayi of Australia -I am one of many three hundred different languages in Australia- and I said I come from the Euahlayi people, which is my mother and I am a Gomeroi man on my father side and we still speak our language. Some of us speak our languages simply because our people took it underground. It was the only way in which we could survive and keep that survival going for future generation such as myself. We also took our culture and our ceremonies underground, because we had too many white ethnographers coming around, trying to learn our culture and our experience. In those early days of settlement there was just absolute manslaughter of people, because we simply wouldn't move over and get out of our lands and let them run their cattle and sheep. We were killing them just as we were killing the whites, but we were people who fought in the dark. We never fought during the day, because they had the power of the gun. As a member doing loon, in Australia, we did in fact succumb to the pressure of our elders to say: “Give up and just lay and wait for another day.” And so, we have done that. In doing that, we also kept the culture going through selected people and the ceremonies through those selected ones. Of course, all the time, telling the whites and the ethnographers and anthropologist that we know nothing and that that story of the dream time that belongs to us is something that is passed now and that is no longer here. Much to their surprise, we have now stood up with many languages, with many

ceremonies and with their song lines.

We are unique people in that we have 300 different languages, just like Europe. We can't talk to each other mostly. My neighbor, Sharni, her people is the Murrawarri. They are just across the river from me. If they walk in the other side and speak in their language, I cannot understand them, just across the river. And so, we are very diverse groups of people. So, when I talk about Australia being a country with very diverse in cultures, we were that, we were a multicultural society well before the whites even thought of that word, talked about multiculturalism.

Coming here in 1981, for me, as a young man, I was sent here by the elders, simply because they felt well maybe we should get over there and find out what is going on, what is it that the United Nations can offer to our people. I was talking about the fact that for two days our elders debated in Canberra whether or not we should come in 1981. Just the same as the Maori from New Zealand, who did not come. Because we don't want to come to a place where we have to talk to our oppressors and asked them for permission and asked them to recognize us, when we already know who we are. Why should we come here and give them credo and credence to their illegitimate regimes that ruled over us? There have been many of us who have taken on different positions and different attitudes in this regard. There are a lot of people who have maintained a sense of hope that if we continue the work within the United Nations, maybe we can break new ground and maybe we can find a pathway and find some friends within the UN, who might wish to push our cause.

But you see, when we begin to talk about sovereignty, just as our brother just mentioned early here, you see, one of the problems that we have back home right now with the Declaration - whilst it is a magnificent achievement on the part of all of those who participated in it and to get it where it is and to get to that position of at least having a Declaration on the Right of Indigenous Peoples- we are grounded and floored by one section, one article, within that Declaration and that is that if we want our rights recognized we must acknowledge and recognize the territorial integrity of the State, of our parent State. For us, we don't want that. We are not going to recognize the territorial integrity of our British colony called "Australia", because they are an illegitimate people. They are the first boat people to arrive in our country illegally. We want them to go back to where they come from. That's going to be not possible, but we will fight to stand for who we are. We are not going to give up and we will work within the United Nations, within certain limits, of course, we understand our limits. For the young ones: there is a long fight ahead of you. I hope that you can find friends in those Nation-States who will recognize the sovereign rights of the Indigenous Peoples and our inhabitants. Thank you [Applause].

**Joji Cariño:** Good afternoon everyone. I am Joji Cariño. I am an Ibaloi Igorot from the Cordillera Philippines. At that time, in 1981, we were asked by the elders in the whole Chico Valley to write the story of our struggle against four dams being built on the Chico River. So, we had to go from village to village and get the testimonies of what was going to happen to our home land if the dams were going to be built. So, we came to the United Nations seeking justice for our homelands. We wanted to tell the world what was going to happen to our people who were treated and called "national minorities" in the Philippines. So, at that time, there was no recognition of Indigenous Peoples. There was this problem of national oppression, whereby our lands, resources and our peoples were being sacrificed for the rest of the nation, the bigger country. So, that is why I came for to the UN and what I discovered were the indigenous nations of the world and here I heard that we are the indigenous nations. We will stop calling ourselves "national minorities". From that time on, people from the Cordillera Philippines have been coming to the United Nations to participate in the Working Group and we began a very strong program in the grassroots and among the young people of the story of the Indigenous Peoples of the Philippines. So, I am very happy and grateful for that meeting, what I learned from the elders at that time and we are very very firm that we will walk with the rest of the Indigenous Peoples of the world in this common struggle of ours. So, it is a story of great solidarity and

learning. Thank you very much. [*Applause*].

**Tomás Condori:** Buenas tardes, hermanos. Me llamo Tomás Condori. Yo soy del pueblo Aymara, en Bolivia. Yo llegué aquí, a Suiza, acompañando a un grupo de músicos. Estando en Ginebra, conocí al hermano Jimmie Durham, en 1972. El amigo practica y estudia escultor. Yo era un músico. Entonces, nos hemos entendido culturalmente. El amigo Jimmy dice: “Vamos a buscar apoyo. Necesitamos para salvar nuestro pueblo porque nuestro pueblo está humillado. Está despojado de sus tierras.” Fuimos a otros pueblos de Ginebra: a Lucerna, a Zurich, con el amigo Jim. Encontramos gente que querían vernos, algo así. De eso sale el grupo Incomindios, que se formó más tarde y se continúa.

Más tarde, en 1977, como soy músico, he venido aquí a la Conferencia. Entonces, aquí los encontré, no conocía a muchos, pero les he visto, les he escuchado lo que querían los Pueblos Indígenas. De esa manera, yo, mucho más interesado, asistí a otras reuniones donde se hablaba, donde se encuentran los pueblos. Después del 1981, yo les he conocido más. En 1981, he organizado, para acompañar la Conferencia, un grupo de danza y música que se ha hecho presente. Ahí distinguimos cuál es la música de los Pueblos Indígenas, cuál es la cultura del mestizaje, porque utilizamos vestimentas occidentales. Mi hermano Constantino tiene su poncho, eso es nuestra artesanía. Después de 1981, más tarde, conocí a Mario Ibarra. Somos los dos que nos presentamos aquí, en los Derechos Humanos, Mario Ibarra y yo. Él representaba al *Indian Treaty Council* y yo al Consejo Indio de Sudamérica. Los dos asistíamos mucho, pero raras veces llegaban también los hermanos aquí. De esta manera también conocí al hermano Roberto Cruz, al hermano Toni González y a otro hermano de Canadá. No me acuerdo su nombre, el de los métis. También conocí al hermano Littlechild, al hermano Oren, cuando hemos sacado la Declaración. Hay muchos cuentos que se les pueden contar.

Lo que tenemos que hacer es un trabajo muy especial, un trabajo de conocimiento, un trabajo de conocer lo que somos, nuestra identidad. Muchos hermanos no tienen identidad, sino que tienen otros objetivos. Nosotros, como Pueblos Indígenas, tenemos que tener nuestro interés de defender a nuestros hermanos. Vamos a seguir continuando y luchando por la Declaración, por el Convenio 169. Eso también lo conocemos cómo ha pasado, como mi hermano Samuel Coronel, ahora ya está fallecido. ¿Quiénes que lo rompió en las Naciones Unidas en 1981? Este papel no nos sirve a nosotros. Este papel, el Convenio 107, no nos sirve. Los hermanos lo votaron y así lo han aplaudido los hermanos. Se decidió en la conferencia de la OIT que íbamos a renovar el Convenio 169. Ese ha sido la división del Convenio 169. La Declaración que hemos hecho, tantos años de trabajo. En el primer año, se trabajó en el Grupo de Trabajo. Después, con los Estados se trabajó 10 años. Ese es todo el trabajo que se ha hecho. Desde ese momento, no me he despegado de los Pueblos Indígenas, en representación, aquí, en Naciones Unidas. Yo soy representante del Consejo Indio de Sudamérica, con estatus consultivo. Mantenemos nuestros estatutos para defender a nuestros hermanos. Vamos a seguir luchando, hermanos. Gracias [*Aplausos*].

**Ron Lameman:** [*He speaks in Cree*] Just a greeting from our people, same people as Willie Littlechild comes from. I am a Cree from Canada and I am really glad to see the elders here, the delegates that sort of kicked that door down for us here at the UN. And Bill and the others always tell me about the way it was here in 1977. And although I was not able to come here in 1977, I had the opportunity to come here in 1981. So, I know what the youth here today are faced with.

When we first came here, I was thinking about what one of the ladies was saying about the old and ancient equipment that we had to use here. I was one of the technical people and I would have to type and draft up the papers that would be presented and we were running up and down these halls and going to these lounges that were made available for us. Thanks so much to Docip, INCOMINDIOS and the students that used to help us. They really helped us a lot. I am

pretty good in typing, but some of the young ladies used to take over and just... I would actually handwrite documents and they would do the typing for me. So, it was very interesting times, but today in the "computer age" it is going to be so much simpler, I think, for the young people. Back then, if you made a mistake you had to go all over again and retype it because you wanted to be it presentable. It was a good experience for us.

It was back in the days, when we were in London, England, doing some lobbying again. I was a technical person there and then we came over here again seeking the help that our elders told us that we must reach out to the international community.

I am really glad to be here today. Some of my colleagues that were here back then are no longer with us. My brother Ed Burnstick Senior, my good friend Sam Bull and I noticed that his parents were here in 1977, Mr. and Ms. Bull, Chief Robert Smallboy. Many many important people from our part of the world. So, it is good to be able to walk in their footsteps and to be able to carry on this work. So, I just want to encourage the young people and I was glad to see José Carlos. His son is now taking over his father's work. In many cases too, that happens in a lot of our own nations, like my son he is a filmmaker and he is in sort of following in my footsteps. I am also a communicator. That's the training that I took when I went to college. So, it is really good to see each and every one of you and I look forward to the next few days together. Thank you [Applause].

**Allene Chockie Cottier:** Thank you very much and, if there are any of you who are here and haven't spoken today, we will try to find time. Let us know that you want to speak and we'll try to find some time tomorrow. As it is now, we'll move on to the announcement of the next item.

**José Carlos Morales:** Continuando la agenda, tenemos ahora el acto histórico presentado por el Jefe y Anciano Constantino Lima Takir Mamani: "Los títulos de propiedad de la corona española", una contribución y debate por parte de otros ancianos y ancianas sobre la situación y las expectativas de los Pueblos Indígenas antes y durante la Conferencia de 1977. Le va acompañar Nilo Cayuqueo, otro hermano que ha participado desde 1977.

### **Back to the historical accounts:**

#### ***Retornando a los Recuentos históricos:***

#### **Land Titles and the Spanish Crown by First Delegate Constantino Lima Takir Mamani**

#### ***Los títulos de propiedad de la corona española, por Constantino Lima Takir Mamani***

Mi exposición va a ser más prioritariamente para poder hacer una orientación hacia que la invasión continúa. No podemos despojarnos ni olvidarnos de que la invasión está continuando 521 años, exactamente, desde 1492. Esa es mi principal preocupación, hasta acá. La exposición que voy a hacer va a estar orientada a que nosotros estemos tomando en cuenta eso, como algo importante.

El Papa Alejandro VI, en nombre de Dios, ha tomado nuestros territorios del continente Abya Yala, entre paréntesis, América. Lo que nosotros no podemos aceptar, América, el nombre de un verdugo nuestro, como es Américo Vespucio. El nombre verdadero de nuestro continente es Abya Yala. Abya Yala. Alejandro VI se ha apoderado de nuestros territorios, en nombre de Dios. Yo no lo conozco. No sé dónde está ese dios. Nunca lo he visto. Nos han despojado. Nos han acaparado. Eso, hoy en día, continúa normalmente. Uno de esos puntos es que quiero demostrar. Lo que, en mi lugar, está ocurriendo, de una u otra manera similar, seguramente, en todo el continente. Una de las pruebas para eso es que, en todo el continente Abya Yala, no hay un solo país que se

hubiera reconstituido ancestralmente. Todos esos países son invasores. Ahí está la prueba contundente de que la invasión continua. La demostración es cómo, porque el Papa se ha apoderado en nombre de Dios de nuestros territorios, ha vendido o ha regalado, no sé a quiénes, a gusto y sabor de ese interesado. En nuestro lugar<sup>12</sup>, por ejemplo, la primera compra de nuestros territorios, del cual nos han dado aquello que se dice “títulos ejecutoriales”, en el año 1565. La primera compra cuando, en Lima (Perú), el virrey Francisco de Toledo estaba manejando y administrando, seguramente, con todo su equipo de sojuzgadores. Hay varias compras<sup>13</sup> que se han hecho. Es un poco difícil porque hay confusión en los documentos<sup>14</sup>. La segunda compra, más o menos, casi inconfundible, es en 1642. La tercera compra que también se considera como inconfundible es en 1742, casi a cien años. En otros casos, 40 años después, 60 años después, ha habido otras compras, pero en los documentos no aparece claro. Por eso, estamos solamente señalando las que, más o menos, están aclaradas. La última compra considerada es ya a Bolivia. Ahí está, Bolivia es invasor, ¿no? A Bolivia hemos comprado. En 1866, empezó la compra y terminó en 1883. Durante el gobierno de Melgarejo, empezó y, creo que, no sé si era Belzu, pero con ellos termina, en 1883. ¿Cuál fue el precio con que habríamos comprado cada propietario? Cada propietario hemos pagado 4 fanegas de oro puro. En otros casos, plata pura, pero oro y plata, en ese tiempo, eran completamente iguales. Ahora, el oro cuesta más y la plata cuesta menos. Cada propietario, repito, cuatro fanegas de oro puro o de plata o su equivalente. Seguramente nos han extendido un título, llámese lo que se llame, pero, digamos, ejecutorial. Si nosotros tomamos en cuenta, en total, cuatro compras, cada fanega era de 50 kilos de oro. A eso sumamos cuánto ha pagado cada propietario, en total. Hay que sumar eso. En mi lugar, exactamente, que se llama Ayllu Phasax somos 186 propietarios. Eso hay que multiplicar por cuantos kilos que se hace. No es un concepto completo. Es un concepto parcial. Hay que tomarlo muy en cuenta. Es parcial porque las cartas, espadas y tantas otras cosas, hasta en ese concepto, habíamos sabido pagar los hábitos para las monjas, los hábitos para los sacerdotes, las armas para los militares para sojuzgarnos a nosotros mismos y sucesivamente. Eso estaría sumando muchísimo dinero porque equivalía a ese tipo de compras. Eso es fuera de los ingentes tipos de impuestos que nos habrían cobrado.

Precisamente por eso, hoy en día, en 1990, ya nosotros habríamos presentado a la Organización de las Naciones Unidas, a la Corte Internacional de Justicia, a la OIT también, al Convenio 169, la hemos hecho conocer y a otras partes más, la demanda indemnizatoria. En ese tiempo, en 1990, a ojo de buen cubero, no estaba científicamente calculado. Después, en el año 2000, ya hemos hecho un estudio científico, por lo menos, más o menos científico, y hemos sacado alrededor de 42 diferentes conceptos, de los cuales hemos preferido rebajar, reducir, simplemente a 15 conceptos resarcibles. La demanda indemnizatoria, sin contar cartas y espadas, sin contar los intereses, sale 2.357.082.000.000.000 de dólares. La falsa historia dice que podía haberse hecho, con la plata que han llevado, tres puentes de plata pura desde Potosí hasta Sevilla. En oro, un puente podría haberse construido desde Potosí hasta Sevilla. Cuando nosotros hemos sacado, científicamente, son 13 puentes de plata pura que podrían construirse desde Potosí hasta Sevilla y tres puentes de oro puro desde Potosí hasta Sevilla. En eso nos estamos basando. Este precio que estoy leyendo es nada más que a 13.000 dólares el kilo. En estos momentos, ha llegado incluso hasta 43.000 dólares el kilo, pero estaríamos

<sup>12</sup>Constantino Lima es miembro del Ayllu Pása, marka Qalaquto de la nación Jach'a Suyu Pakajaqi. Como todos los miembros del ayllus cultiva la tradición de cuidar los documentos de las compras hechas a España y las nuevamente logradas de la república. [NdIR a partir de una información de Carlos Mamani.]

<sup>13</sup>Constantino Lima se refiere al mismo concepto de terra nullius, incluido en la Teoría del Descubrimiento, que afirmaba que las tierras indígenas eran dadas por Dios (a través de bulas papales) a los reyes cristianos siendo los indígenas considerados sin dios, sin ley y sin rey y sus tierras, vacías. Esto ha permitido a los reyes vender a los indígenas sus propias tierras. Esto ocurrió varias veces en la historia de Bolivia, cuando los reyes necesitaban dinero [NdIR.]

<sup>14</sup>Los títulos otorgados por la corona de España, se llaman Títulos de Composición. Desde el año de 1881, la república de Bolivia entrega Títulos Revisitarios, por que el estado hace una revisitación, una nueva visita. Con la reforma agraria de 1953, la república entrega títulos por las mismas tierras vendidas por los reyes de España los Títulos Ejecutoriales, que menciona Constantino Lima. Finalmente, el gobierno de Evo Morales esta «saneando» la propiedad de la tierra y entrega nuevamente títulos. Las compras y re compras confirmaban la propiedad de la tierra [NdIR a partir de una información de Carlos Mamani.]

hablando, en términos promedio, de 40.000 dólares el kilo. Nosotros decimos: sí, es terriblemente incomprensible, pero cierto, que si cobráramos los intereses y las cartas y espadas, seguro que Europa ni desplumado como la gallina va a poder pagarnos. En cambio, sus cerca de 3 trillones, o si eso se dobla con la nueva demanda que estamos teniendo, de 5 a 6 trillones, puede pagar Europa como quitando un pelo al gato. Es muy barata todavía esa situación.

Ahí está concreta la situación. Como ustedes ven, en los títulos ejecutoriales que nos habrán dado en esos 6 puntos, 5 puntos o, mínimamente, 4 puntos, la invasión continúa porque los Estados (el Estado boliviano, en este caso) siguen haciendo prevalecer esos títulos extendidos desde 1565 y durante la República hasta 1883. Más contundente en este punto, en el que la invasión realmente continúa al 100%.

Esta demanda que estamos hablando, hagamos un poco de conciencia. ¿Es injusto lo que estamos pidiendo? ¿Esta demanda? ¿O es justo? Hay que hacer un análisis a conciencia. Que cada cual haga el estudio. Nosotros creemos que es realmente justo. Cuando la primera demanda que hemos presentado, algunos embajadores, entre ellos, el Embajador de España dijo: “Los indios tienen todo el derecho y es justa la demanda indemnizatoria que han planteado. Lo único que podemos decir es que es muy caro.” Cuando era realmente demasiado barato, más bien. Ahora, sí, podemos decir un poco caro. Y eso que está sacado a 13.000 dólares, simplemente, el kilo de oro. A nosotros nos da mucha pena -y que Europa escuche bien esto que voy a decir- cuando Evo, antes de posesionarse, se trasladó a España y a algún lugar de Europa, los reyes de España y el Presidente de España le preguntó: “Evo, cuando tú tomes el juramento a la presidencia, el 22 de enero, ¿nos vas a cobrar la indemnización?” Nosotros decimos: qué respuesta más errada, porque el tipo dijo: “No. Yo no he venido a cobrar esas cosas, pero hay que tomar en cuenta, dice, las heridas están curadas. Lo pasado es pisado.” Ah, caramba. Qué barbaridad. ¡Qué horror de respuesta! ¿No, señor? Ratificamos que esto, los daños y perjuicios, no solamente los que se han ocasionado, sino los que se van ocasionando a lo largo y ancho de los más de 500 años, se tiene que pagar. El nativo, el aymara, quechua, tupi-guaraní de la parte de la monstruosa situación de Potosí, mal o bien, tiene un poquito de historia, mientras que del oro puro de La Paz, no se dice absolutamente nada. La historia de todo eso tiene que pagar. No nos puede dejar así. Cuando el Papá va a Haití y no sé a qué otros lugares, pide perdón a los indios. ¿Acaso se pide perdón a boca seca? El perdón, se dice, hay que poner una taza de café, por lo menos, un sándwich para comer un poco y para intercambiar un poco la conversación y decir: “Mira, te podemos pagar tanto. El resto, perdónenos.” Eso es pedir perdón. No es decir: “Perdónenos”, y se arregló todo. Imposible. No. Tantos daños y perjuicios. Tantos asesinatos. Tanta riqueza saqueada de nuestros lugares. No pueden quedar impunes. Tanto exterminio. Nuestros principales líderes asesinados. No puede quedar impune. Hay 42 conceptos terribles, espantosos, que podemos quedarnos siempre estupefactos. Hemos reducido, como quien dice, hemos rebajado a 15 conceptos, nada más. Consecuentemente, estemos con la conciencia de que, quiérase o no, los invasores tienen que pagar. Evidentemente, entre esos está, porque la indemnización no se puede pagar a Bolivia. No se puede pagar a Estados Unidos. No se puede pagar a Argentina. Ellos tienen que tener la cuota-parte para pagarnos a nosotros, porque ellos son los mismos administradores del sojuzgamiento a nuestra nación, a nuestra raza.

Entre tanto, no se puede decir que lo pasado es pisado. ¿Por qué? Quiero poner un ejemplo. Aquí, en Europa, son cristianos, ¿no es cierto? Son religiosos, ¿no es cierto? Pero, si a ese nombre, nos están sojuzgando, a ese nombre nos han acaparado todo, a ese nombre nos están asesinando, exterminando, etc., a ese nombre nuestro oro, nuestra plata, nuestro estaño está siendo saqueado constantemente y nosotros vamos a decir, en nombre de Dios, pero, si creen en nombre de Dios, si dicen que lo pasado es pisado, me gustaría mucho de que los europeos agarren la Biblia, porque lo pasado es pisado. Pisen a la Biblia. Atícenla al fuego. Entonces, podremos entrar en un diálogo un poco diferente. Si ese es el instrumento para sojuzgarnos, no lo van a pisar nunca. ¿Por qué nos van a decir que lo pasado es pisado? No. Imposible de los imposibles. Escuchan ustedes a Constantino Lima Takir Mamani Lark'a. Tiene la boca abierta como la ballena. Porque solamente estamos hablando la verdad y nada más que la verdad. No

podemos callarnos jamás de una humillación de tantos años. ¿Acaso España estuvo sometida por los turcos 700-800 años? Y, nosotros, estamos en 523 años todavía. Tenemos todos los derechos de reconstituir nuestros Estados ancestrales. Eso este viejo va a gritar hasta la muerte, hasta sus últimos respiros de su vida. Desde chico, desde mis 7-8 años, he entrado en esta conciencia. No lo voy a dejar jamás. Y, a mis hijos, que son como 10 millones, en estos momentos, en el lugarcito que se llama Bolivia: tienen que seguir reclamando.

Finalmente, quiero pedir a esta sala, muy cordialmente, lo siguiente: si el inicio del acaparamiento ha sido con la bula papal de Alejandro VI, esta sala debería declarar al Papa Francisco, decir: "Levante esa bula papal." Que no me esté diciendo: "Esa es una cosa obsoleta." No, señor. Que levante primero la bula papal. Ese sería un pequeño incentivo para, después, empezar a dialogar, pero no puede engañarnos este engaño tremendo que están haciendo con nosotros. Esto es muy por cierto gritado de nuestros derechos acaparados desde el 12 de octubre de 1492. Para esto, no tiene que necesitarse ningún trámite burocrático legal. ¿Por qué? Porque para sojuzgarnos a nosotros, ha bastado una resolución prepotente y nos han sojuzgado. Nos han invadido. Así también tiene que ser. Con una resolución, los arreglos tienen que hacerse. ¿Para qué ir a los estrados judiciales? ¿Acaso con trámites a nosotros nos han acaparado nuestros territorios? Sin trámite alguno. Ahora mismo, las leyes, ¿quién las hace? El blanco mestizo, menos los indios. No las conocemos. No sé si, en Guatemala, en Perú, en algunas partes, tal vez. Pero, allá, no. Es mentira y falso que quieran decir de que hay concurso nativo. No es así. Definitivamente. Además, esa ley que han aprobado ha ido de Europa. Tan lo mismo y semejante como que de Sevilla ha ido la ley. Así está. Estamos en ese mismo tiempo. Hermanos y hermanas: hagamos conciencia de este asunto con estas palabras, en este punto determinado. Muchísimas gracias.

## **Massacres and Disappearances in Latin America by First Delegate Nilo Cayuqueo**

### ***Masacres y Desapariciones en América Latina, por Nilo Cayuqueo***

**Nilo Cayuqueo:** Gracias, Constantino. Cada vez que escucho a Constantino, me trae muchas cosas: el recuerdo de las cosas que vivimos cuando éramos jóvenes, las cosas que leímos, las cosas que nos contaban nuestros abuelos. Nos contaban muchas cosas: las masacres que ocurrieron en toda la zona andina y, más tarde, lo leímos en los libros. Por ejemplo, Eduardo Galeano habla que 8 millones de hermanos quechuas y aymaras murieron en la explotación del Cerro Potosí, en Potosí. Ocho millones de personas, de seres humanos, que murieron antes de los 30 años por la sola explotación, trabajando 20 horas por día sin comer y sin dormir. Yo creo que sí, que es tiempo, que de aquí sería bueno que saquemos algún documento solicitando al Papa, o exigiendo, demandando, que sí, que anule la bula papal porque sigue en vigencia. La bula papal está en vigencia, hoy día, en este año 2013, después de todos estos siglos de colonización. No la quieren abolir. Sigue la bula papal en vigencia, donde el Papa ordena y vende los territorios de nuestra Abya Yala a los europeos: a los españoles y portugueses para que la exploten como ellos quieran. Entonces, creo que es importante seguir avanzando en este proceso. Hay hermanos que han estado trabajando en este tema de la bula papal. Nosotros, un poco también, en Argentina.

Bueno, esto todo viene a colación porque, en Argentina, en este momento, y en otros países de Latinoamérica, estamos trabajando muy duro, tratando de refundar estos Estados. No estamos diciendo de abolir los Estados porque ya están conformados. La mayoría de la población en algunos países como Chile y Argentina no son indígenas, sino son blancos, mestizos, como dice Constantino. Entonces, lo que estamos tratando de refundar son estos Estados coloniales que fueron fundados hace 200 años con el código y los códigos europeos. El tema de justicia, de educación, de historia, de religión fue impuesto hace 200 años, más o menos. Poquito más o



poquito menos. Casi todos los Estados de la llamada "Latinoamérica". ¿Por qué le llaman "Latinoamérica"? Porque ignoraron a nuestros pueblos para sojuzgarnos, como diciendo: "Ya no hay más indios. No hay más pueblos originarios. Ahora, es Latinoamérica porque fue conquistada por los latinos." Por lo tanto, a veces, también estamos repitiendo nosotros que somos latinos. Había un hermano indígena que se presentaba como latino, de Perú. Bueno, es un error grande. A veces, estamos colonizados nosotros también. No somos latinos. Latinos son los de Europa. Nosotros somos pueblos originarios de Abya Yala. Eso es lo que somos y tenemos que cambiar ese nombre de "latinoamericanos" que se dicen muchos. Desgraciadamente, no tenemos un nombre, a veces, cuando hablamos de México para abajo para denominarnos. Pero, sí, hay todo un interés, un movimiento muy fuerte en todos los países, especialmente, en Sudamérica, de refundar esos Estados. Bolivia da algunos pasos en ese sentido. Evo, últimamente, ha dado algunos pasos un poco para atrás. Correa, también, en Ecuador. Sin embargo, los pueblos están avanzando. En Argentina y en Chile, estamos haciendo propuestas concretas.

En Argentina, tenemos un movimiento bastante interesante de pueblos originarios de los sectores progresistas para refundar el Estado. Se han hecho varias reuniones. Tuvimos una cumbre de pueblos originarios, hace tres meses, en la Provincia de Formosa, en el límite con Paraguay, donde hemos propuesto todas estas cosas que estamos hablando de reformular todos estos Estados, cambiar la Constitución y dar pasos a una constituyente y dar pasos a un Estado que responda a la diversidad cultural, a las necesidades de la gente, al medioambiente, al futuro de nuestros hijos, a las culturas y a la autodeterminación de los pueblos originarios. Esto es un trabajo que, quizás, no lo vamos a ver los de 1977 y 1981, pero, sí, las próximas generaciones. Y, nuestros hijos, nuestros nietos, ojala que lo puedan construir y disfrutar.

Como dije, los Estados son nuevos, relativamente. Comenzaron a principios de 1805, 1810, 1815, las independencias, llamadas, de la Corona española. Hasta ese entonces, estábamos bajo dominio de la Corona española. Pero, miren qué ironía. La Corona española, después que nos sojuzgó, nos liquidó, nos mató, nos masacró, designó territorios para los pueblos originarios del centro y el sur de América, para que pudiéramos vivir por lo menos tranquilos, porque ellos pensaban que había suficiente territorio para todos. Entonces, ellos seguían explotando, enriqueciéndose, pero reconocían ciertos territorios de pueblos originarios mediante las llamadas "mercedes indivisas", cesión que hacía la Corona española a los pueblos originarios. Cuando se forman los Estados, llamados "latinoamericanos", hace 200 años, anulan todos estos acuerdos, todas estas "cesiones" que hacía la Corona española a los pueblos originarios. Entonces, pasamos a ser chilenos, argentinos, guatemaltecos, mexicanos y todo eso. Nuestros territorios autónomos que nos habían cedido, por lo menos, dejado trabajar la Corona española, no lo eran más. Éramos todos chilenos, argentinos y todos tenían el mismo derecho. Por lo tanto, nuestros territorios no fueron reconocidos. Ese es un tema que nosotros estamos peleando hoy día, porque tenemos los documentos firmados por la Corona. También queremos que se cambie la Constitución para que se reconozcan esos territorios. No hablamos de "tierras" nosotros. No hablamos de "reforma agraria". No hablamos de "tierras". Estamos hablando de "territorios", pues somos territorios como cada nación tiene su territorio. Cada nación tiene que construir, reconstruir sus vidas, sus sociedades de pueblos originarios, su cultura, sus idiomas y formar una sociedad para el futuro, para sus hijos, de acuerdo a su cultura. No importa el tamaño del pueblo: si son 500.000 o 1.000 personas. Todo el mundo tiene derecho a la autodeterminación. Es un derecho que nosotros tenemos consagrado aquí, en la Declaración de Naciones Unidas, también, en el Convenio 169 y en algunos convenios, en la Declaración Universal, también está. Sin embargo, los gobiernos que han sido signatarios de estos encuentros no lo han aprobado nunca. O sea, no lo aplican ni tampoco lo reconocen.

Quiero hablar, así, muy rápidamente, porque no tenemos mucho tiempo, pero nosotros, el pueblo Mapuche, ha sufrido una gran masacre entre 1850 y 1890. Casi un 40 % de nuestra población fue aniquilada por los ejércitos de Argentina y de Chile. Hubo grandes masacres. A raíz de eso, nuestro pueblo fue totalmente desparramado. Tuvieron que escaparse por la montaña. Yo soy de una comunidad, Los Toldos, que quedó en la Provincia de Buenos Aires, una

de esas comunidades que también se vino de la Patagonia, un poco escapando de los militares. Una época muy triste de nuestra gente: fueron esclavizados, masacrados. Mataban a los hombres, a las mujeres, las prisioneras y les sacaban a los niños. En Argentina, se habla mucho de desaparecidos. Nosotros, los del pueblo Mapuche, somos los primeros desaparecidos en la llamada "Argentina" de hoy día. Nuestros niños eran llevados y entregados a familias ricas. Las mujeres a la esclavitud y los hombres que quedaban vivos, los mandaban al norte a trabajar en los ingenios azucareros como esclavos. Esta masacre ocurrió y nunca se sanó esa herida, ni el Estado argentino reconoce todas esas masacres que cometieron en contra de nuestra gente. Acá hay un Peñi que también es de la Patagonia que también lo puede confirmar. Esto es un poco para que tengamos un conocimiento de la historia, de lo que pasó con nuestra gente. Lo que pasó, la guerra que tuvimos que sufrir por parte de estos Estados y, no solamente eso, sino que las guerras continuaron. Por ejemplo, Constantino lo sabe muy bien, en 1832-1837, hubo una guerra totalmente fratricida entre Paraguay y Bolivia donde a los hermanos guaraníes y otros pueblos que vivían en la frontera, los hacían pelear entre sí por una guerra que no les pertenecía, que no era de ellos. Murieron miles de hermanos indígenas y, en 1973, cuando nos reunimos en Paraguay, por primera vez, los Pueblos Indígenas, en el Primer Encuentro Sudamericano del Cono Sur, los hermanos guaraníes de un lado y otro de la frontera lloraban porque sus padres habían muerto. Algunos de ellos, peleando entre ellos, haciéndolos pelear los Estados de Bolivia y Paraguay por intereses de la élite de esos dos países, masacrando a los pueblos originarios de la frontera.

Eso también es parte de un libro que estoy escribiendo sobre la memoria del Pueblo Indígena y mis memorias, en particular, que comienza alrededor de 1969, cuando yo era muy joven y trabajaba en mi comunidad. Toda esa historia, tenemos que conocerla y la tiene que conocer las próximas generaciones porque, hoy día, muchos jóvenes están hablando que, a veces, es fácil para ellos conseguir una beca, poder viajar a Ginebra, Naciones Unidas, a Europa y estudiar. En nuestra época, nunca existía nada de eso. Todos teníamos que trabajar con nuestros propios esfuerzos para poder solventar la organización, la comunidad, para viajar y organizar las comidas, todo eso. No teníamos un peso de nadie. Nadie nos daba nada porque no existía el dinero para nosotros, y lo que es peor no se reconocían nada de nuestros derechos. Hoy en día, es más fácil y eso es producto de las luchas que hemos llevado a cabo por muchos años, que hemos comenzado hace 40, 50, 60 años, cuando el movimiento indígena comienza a trabajar políticamente en la arena nacional, en los países, y a nivel internacional. A partir de 1973, comienzan los golpes militares en Sudamérica, más que nada, y, después, en Centroamérica. En Chile, en 1973, hubo un cruel golpe militar donde decenas de hermanos indígenas mapuches fueron asesinados, masacrados, durante este golpe militar del General Pinochet. Muchos vinieron para Argentina, pero también fueron asesinados en Argentina porque después vino un golpe militar en Argentina, en 1977.

En 1977, después que yo estuve acá, en este encuentro, el Embajador argentino, acá, de los militares me llamó cuando hablé en Ginebra, por primera vez y me preguntó si yo era de la subversión del comunismo internacional porque había hablado muy mal del país, según él. Yo le dije que no, que hablé de la realidad de lo que pasa allá con nuestras comunidades, con nuestra gente. Eso me costó que, al regreso, mis compañeros, mis hermanos, me dijeran: "Cuídate porque te andan buscando los militares. Dicen que fuiste a hablar mal de Argentina en Ginebra." Eso fue en el '77. Después de ese tiempo, estuve un poco medio escondido. Ya no iba a la organización. Mis compañeros estaban con mucho miedo porque masacraron gente, más de 30.000 muertos en Argentina, entre 1976 y 1981. Tuve la suerte de poder salir del país y tengo que reconocer, como dije esta mañana, a un hermano, un amigo, como fue Helge Kleivan, Director del Grupo Internacional para Asuntos Indígenas, de Dinamarca (IWGIA), quien fue quien me dijo: "Mira, ándate porque te van a matar. En Argentina, están matando mucha gente y no te estás dando cuenta. No seas inconsciente. Tienes que irte. Voy a hablar con el consulado para que te paguen el pasaje." Así fue. Yo hice las gestiones con el Consulado de Dinamarca y querían que fuera a Dinamarca, pero yo no quería venir a Europa. Entonces, me quedé en Perú y ahí organizamos el Primer Encuentro del Movimiento Indígena. Seguí trabajando con los

hermanos indígenas, con los quechuas, aymaras, y con Constantino, acá, que trabajamos mucho tiempo juntos, en Bolivia y en Perú. Formamos el Consejo Indio de Sudamérica (CISA), en Ollantaytambo, Cuzco, en 1980, el cual, el hermano Tomás Condori está representando hoy, que está un poco débil y que ahora hay que fortalecerlo, ¿no, Tomás? En algún momento, o revivirlo. Pero, bueno, eso fue un poco la historia. Nos trasladamos a Bolivia y Constantino y el MITKA, que era el Movimiento Indio Tupac Katari, nos apoyaron. Pusimos una oficina, pero vino el golpe militar de García Mesa y tuvimos que salir de Bolivia. Otra vez, escapando, de vuelta a Perú. Muchos vinieron refugiados aquí, otros nos quedamos a Lima. Y, después de ocho meses, el Gobierno peruano me negó extenderme la visa y vine a la segunda Conferencia de Naciones Unidas, en 1981. Ya no podía volver ni a Bolivia, ni a Perú, ni a Argentina. Estaba tratando de ir a México. Finalmente, fui a Estados Unidos, donde viví más de 20 años como refugiado. Bueno, nunca fui refugiado. Me fui allí como inmigrante y empecé a trabajar de peón ilegal. Fui a la embajada norteamericana en París, cuando vivía en Francia, después de 1981, y les dije que tenía que ir a una conferencia a Nueva York y me dijo: “¿Cuánto necesita?” Dije: “tres días.” Dice: “Le voy a dar dos semanas.” Pero me quedé más de veinte años. Toda esa anécdota, un poco, la estoy contando en el libro. Eso me permitió, a pesar de la tristeza del exilio, fuera de la familia, de mi hijo, que quedó en Argentina y de todos mis hermanos en la comunidad, poder tener la oportunidad de conocer muchos hermanos en todo el continente, porque formamos un centro de información con los hermanos indígenas de Estados Unidos. Especialmente, en California, en Oakland. Tuvimos el Centro Indio de Oakland, formamos un centro de derechos humanos para los Pueblos Indígenas. Alguna vez, la madre de Q'apaj nos fue a visitar. Teníamos un programa de invitar a líderes indígenas sobre derechos humanos y recorrer y hacer contacto con los hermanos indígenas de Estados Unidos. Así que tuvimos la oportunidad de conocer a los iroqueses, a Dakota del Sur. Por todos lados anduvimos visitando con ceremonias, reuniones. Bueno, eso es toda una historia muy larga. Quería decir que ahí tuvimos la oportunidad también de conocer las masacres de nuestros hermanos mayas, en Guatemala. Estuve bastante tiempo trabajando en Guatemala con los hermanos mayas en derechos humanos. Fueron masacres horribles.

Hay un montón de cosas que tenemos que hacer. No solamente que nos juntemos. Ha sido muy emocionante todo esto, pero creo que somos gente de acción. Siempre lo hemos sido y hemos estado hablando con otros hermanos y hermanas de la posibilidad de que aquí elaboremos un documento con algunas propuestas, tomando en cuenta que el año que viene va a estar la Conferencia Mundial sobre los Pueblos Indígenas. No sé si es conferencia o reunión. No estoy seguro, porque le han quitado algunos significados de esto. Hay propuestas de que la Declaración se convierta en una Convención, pero también hay mucho cuestionamiento a este documento que salió en Alta y que es un poco blando. Podemos reforzarlo. Ojala que podamos tener algunas propuestas acá, tomando en cuenta que, acá, todos los hermanos que han venido tienen mucha experiencia, mucha capacidad, mucha visión para el futuro y que este grupo de los del '77, como queramos llamarlo, pueda ser un cuerpo de apoyo, de asesoramiento, y poder influir en la política de los pueblos originarios en todo el mundo. Ojala que podamos tener este grupo, inclusive, con los hermanos y hermanas que no han podido venir, incorporarlos y darles a conocer un poco las propuestas nuestras y empezar a trabajar para hacer propuestas, no solamente para el año que viene, sino para el futuro de nuestros pueblos: cómo refundar los Estados, luchar por la autodeterminación, por el territorio, por la salud de nuestra gente y para el futuro. Bueno, es un poco la visión que tenemos en Sudamérica. Dicho sea de paso, tengo muchos hermanos que estaban contentos de que venía acá porque decían que me iba a reencontrar con la gente que estuvo acá y es verdad. Ha sido muy emocionante para mí. Anoche casi no he dormido porque estaba pensando qué podríamos hacer todos estos días. Así que, no sé si José Carlos o Chockie quieren abrir un poco alguna discusión para alguna propuesta para el año que viene y para formar este grupo, elaborar un documento. Me parece que es muy necesario que podamos elaborar un documento con algunas propuestas para la Conferencia del año 2014, en Nueva York, y también para el futuro. “*Chaltu mai*” [“*Muchas gracias*”, en *mapudungun*].

## **Closing the first day of the Symposium** ***Clausura del primer día del Simposio***

**Allene Chockie Cottier:** We have two more things. This session is closing with remarks on the need to be in harmony. I apologize to everyone because I haven't had any advisement as to the organizing of that aspect of what is wanted or desired. So, I have tried to consult with Oren and everybody around me. We all know that we have different elements that we have to work with. One is a practical element of we having very different regional issues that may cause the direction of what we would like to happen, some of them conflict, and we need to find ways to find that common threat that makes the Declaration relevant, no matter what the regional differences are, to help to smooth out whatever conflict might be, policy conflict, that we'd have to deal with going forward.

The other is that we know in each of our respective regions and countries that we are still fighting an uphill battle and we are fighting it against very well-funded, very well organized governments. So, we need all the allies and friends to continue this work because it is going to take another hundred years to get to anything that even looks like what our dreams are about in terms of Indigenous Nations and returning to an indigenous world, because that is ultimately what we are talking about. The foundation of our existence as human beings and all of the other beings on Mother Earth are functioning through indigenous eyes and through indigenous lands. So, we are moving towards that through the United Nations, through our local work and everything else.

I think the biggest question we have to ask ourselves going forward is: in our respective places the issues of policies that are thrown at us, that are further policies of colonialism and subjugation and genocide and elimination in a very very subtle way and it's being done through indigenous organizations, very often, or indigenous representatives and the biggest lack of harmony that we have experienced isn't what we want, but it is trying to fight off the people who are trying to undermine the work we are doing. So, now we are doing that through indigenous faces. Even in the very beginning there were indigenous faces who were representing the others. So, I think we don't have time for a significant discussion on that, but I think that, if we want this to succeed and we want to hand our children for the next seven generation work, we need to find ways and mechanisms and show them how to use the tools and how to work with our allies and friends and supporters to eliminate that kind of disruption to the harmony of our work that has to move forward.

That's all. I haven't developed this thought long enough to give you a whole lot of detail on it, but I think it is a question we each have to ask ourselves and then in our workshops, when we see how we are going to move forward, maybe we can talk about some of those things and some of the real practical experiences we have had in certain areas and maybe how we might overcome them or how we might teach our young people, who are less experienced, how to recognize what is going on and how to look behind the words, because a lot of those people are using the terms "self-determination", they are using the term "human rights", they are using the term "sovereignty", saying that they are fighting for our right to self-determination, they are recognizing our right to self-governance, but what they are actually doing is not. So, we need to teach our youth how to recognize what is really going on so that the work that they take on and commit themselves to is a positive work and continues with the direction that we have been working on for the last 36 years. Thank you.

**José Carlos Morales:** Pienso en línea con Chockie y también este párrafo de la necesidad de estar en armonía, se refiere mucho a las grandes fricciones también que tuvimos nosotros en todo este proceso de 36 años entre nosotros mismos, Pueblos Indígenas, y también contra los

Estados. Muchas veces, deseábamos tener una bomba y sacar a un Estado de la sala. Creo que todo eso fue un aprendizaje que tuvimos en el seno de Naciones Unidas, en Ginebra, para aprender un poco la diplomacia, un poco de cómo el diálogo y las relaciones nos llevan, muchas veces, a resolver grandes conflictos que posiblemente nunca hubiéramos resuelto en la sala.

Yo recuerdo, en el transcurso del proceso de la Declaración, especialmente, que hubo fricciones muy fuertes entre los propios hermanos indígenas. La verdad es que esas energías no deben existir más. Los jóvenes deben conocer que eso era una cosa normal que se presentaba en las discusiones que tuvimos acá, pero que, para el futuro, sepamos que hay maneras y maneras de buscarle soluciones a los conflictos. Recuerdo muy bien que, cuando terminó el proyecto de Declaración, en el Grupo de Trabajo, y pasó a la Comisión de Derechos Humanos, a través de la Subcomisión de Derechos Humanos, en la primera intervención, en la primera sesión que tuvimos, los Estados dijeron que ellos no habían redactado ese proyecto de Declaración y que, por lo tanto, iban a realizar uno nuevo y que el proyecto que venía de la Subcomisión era una base simplemente. Eso generó una situación incómoda, de mucha fricción, de cólera entre los Pueblos Indígenas contra los Estados. Nunca olvidaré dos grandes líderes maoríes que estaban en esa oportunidad. No recuerdo el nombre del compañero, del hermano indígena, pero, sí de una mujer muy fuerte, muy valiente, muy dispuesta a la lucha. Ella se llama Pauline Tangiora. Yo le tengo mucho respeto a ellos y ellos decidieron que, a raíz de esa decisión de la Comisión de Derechos Humanos, renunciaban para siempre y que los maoríes nunca más volverían a la sala de discusiones. Hasta esos extremos se llegó. Y, ellos de verdad nunca más volvieron. Probablemente, tenían sus razones de peso, pero era un proceso de negociación. Había que, algunas veces, transigir una coma, cambiar una coma, cambiar algo, pero no la esencia del proyecto de Declaración. Ellos tomaron esa decisión. La respetamos todos. Ellos nunca más volvieron. Los hermanos maoríes se incorporaron de nuevo a las discusiones en la etapa final del proceso de la Declaración, en la Comisión de Derechos Humanos. Creo que ejemplos de estos se presentaron. Nos dolió mucho. Nos sentimos frustrados, muchas veces, en las grandes reuniones, acá, del grupo de trabajo, de la Comisión de Derechos Humanos. Aún, todavía, faltando pocas horas para la aprobación de la Declaración en Nueva York, recuerdo que había compañeros que no estaban conformes porque no es tal vez un instrumento ideal, pero es un mínimo que se tenía que lograr en esa oportunidad.

Otro ejemplo es que teníamos ocho sesiones de discusiones sobre la Declaración, aquí, en Ginebra, y siempre los Estados estaban tranquilos porque nosotros mismos manifestábamos divisiones internas. Eso nos llevó muchísimo tiempo. En esa sesión, en la 8ª o 9ª, no recuerdo ahora, hicimos un pacto de hermanos, de compañeros indígenas, de que tendríamos una única posición cuando entráramos a la sala para discutir determinados artículos de la Declaración. Fue una lección de un gran aprendizaje porque, en el momento que ingresamos de manera unificada, aún con la diversidad de criterios que teníamos en las discusiones de diferentes Pueblos Indígenas del mundo, llegamos unificados y quienes se dividieron fueron los Estados porque entramos como un bloque y ellos terminaron como en cinco bloques. Eso fue uno de los pasos esenciales dentro de las discusiones para nosotros avanzar en la aprobación del proyecto de Declaración de las Naciones Unidas sobre los Derechos de los Pueblos Indígenas.

Lo traigo a colación porque creo que para los jóvenes debemos dejar una enseñanza de que hay que reflexionar mucho, pensar que la unidad nos puede llevar al éxito, muchas veces. Por lo general, eso se cumple. Esa experiencia que tuvimos acá en Ginebra, en las discusiones, en la famosa Sala XX, nos llevó al éxito y, únicamente cuando logramos unificar criterios, para los Estados fue un golpe. Se dividieron en bloques ellos. El dividirse en bloques nos permitió penetrar a muchos bloques y aprovechar de esa situación para lograr el producto final, que fue el proyecto de Declaración que luego se fue a la Asamblea General, donde también tardó un año. Un año que lo lamentamos muchísimo los Pueblos Indígenas, pero creo que ese año también fue una gran lección porque le permitió! Como se hablaba mucho ya en la Asamblea General del proyecto de Declaración de las Naciones Unidas sobre los Derechos de los Pueblos Indígenas, muchos Estados que nunca escucharon nada en Ginebra, se preocuparon allá y empezaron a estudiar el proyecto. Yo creo que ahí valió la pena hacer conciencia con Estados que nunca se

habían preocupado por los derechos de nuestros pueblos, especialmente, los países del continente africano y algunos del Este también. Creo que hubo un avance ahí porque se tomó conciencia.

Así que la idea de esta frase, yo lo entiendo así, de que los jóvenes conozcan que se van a presentar con grandes problemas, en el futuro, sobre todo, para la aplicación porque yo siento que (y mañana lo retomaré de nuevo) los Pueblos Indígenas estamos ante una amenaza muy grande porque hay una situación -yo lo vivo en mi propio país y en muchos países de Latinoamérica, lo acaba de decir el hermano Constantino Lima- hay como una carrera, en vista de que hay unos instrumentos que protegen nuestros derechos, hay una carrera por parte de los Estados y de las transnacionales para explotar los recursos que quedan en nuestros territorios. Eso es muy peligroso, pero tenemos que ser muy hábiles para negociar, para sentar con responsabilidad y seriamente nuestras posiciones y defenderlos porque ya tenemos los instrumentos y nos van a servir. Va a ser más difícil que logren masacres como las hacían en el siglo pasado con nuestros pueblos. Tenemos que buscar esa forma con los jóvenes que van a asumir su responsabilidad pronto o ya. Ya la han asumido. Se van a encontrar con estos problemas. Hay que negociar. Hay que buscar una armonía. Los que nos peleamos durante los últimos 30 años, acá, la discusión, eso pasa a la historia. Trabajemos juntos todos: del norte, del sur, del centro, del este, del oeste. Todos los Pueblos Indígenas trabajemos juntos por llevar a la práctica, la realidad, los derechos establecidos en la Declaración.

Quería agregar estas palabras porque yo creo que de eso se trata: de limar asperezas. Todos somos hermanos acá. Yo le tenía mucho miedo a los indios de Norteamérica. Los veía demasiado grandes cuando se enojaban y nosotros también bravos porque ellos tenían posiciones distintas, pero, creo que todos estamos en el mismo vehículo, en el mismo camino ahora para la realización de nuestros derechos. Muchas gracias.

*[El primer día del Simposio termina con un rezo de Joseph Deom, Mohawk de Canadá.] – This first day of the Symposium finishes with a prayer of Joseph Deom, Mowhak from Canada)*

**Joseph Deom:** *[He prays in his Mohawk language]*

## Opening thanksgiving

### *Acción de gracias*

**Allene Chockie Cottier:** For the opening statements, I would like to invite Michael Anderson of Australia up for a few remarks. We're trying to distribute our blessings and they do blessings somewhat differently than what we've seen so far. It's another indigenous blessing. Thank you.

**Michael Eckford Aka Anderson** [*blessing*]: Hi. Good Morning. “*Yarmah !*”. Where I come from, in Australia, we don't offer blessings of a religious kind, even though all of our ceremonies take place for seven months of the year, which are of religious nature, paying homage to Creators and we travel from tribe to tribe and conduct ceremonies and put people through the law. But essentially, when we travel into other peoples country, we ask people to be respectful of that country, to be respectful of those peoples whose country you are on and observe their laws and be mindful that at all times you are there as a guest. You are not there as an owner and you must of course be observant of those rules and what we say is: [He speaks in Euhalayí] “*Gubbar-nga dhourí kurruburrah Switzerland, ngi gwalli nummer nummer euahal.*” That is: “Whilst you are visiting this land of Switzerland, we ask you not to misbehave and to be good whilst you are here.” Thank you.

## Historical account

### *Recuento histórico*

#### **The process of promotion of the rights of Indigenous Peoples at the UN: from 1977 to today by First Delegate José Carlos Morales**

#### ***El proceso de promoción de los derechos de los Pueblos Indígenas en las Naciones Unidas: desde 1977 hasta nuestros días, por el Anciano José Carlos Morales***

**José Carlos Morales:** Muy buenos días a todas y todos. Me asignaron una tarea bastante difícil de tratar de hacer un resumen de 36 años del proceso aquí, dentro de la ONU, y también fuera de los Pueblos Indígenas. Es un poco difícil hacerlo en 30 minutos. Yo traté de resumir un poco. Yo sé que muchas cosas van a quedar fuera del contexto. Tal vez no les he dado seguimiento, pero trataré de darles alguna información de qué es lo que ha acontecido en el proceso de la promoción de los derechos indígenas en el sistema de las Naciones Unidas desde 1977 hasta nuestros días.

Primero que todo, quería retomar la propuesta que aprobó el Foro Permanente, en Nueva York, en su VIII periodo de sesiones, haciendo una recomendación (la 073, en el 2009; la presentó el hermano Carlos Mamami, en ese entonces, miembro del Foro Permanente) que dice: “El Foro Permanente acoge con beneplácito la organización de un taller por el Docip en reconocimiento del papel histórico desempeñado por los Pueblos Indígenas en el sistema de las Naciones Unidas.” Creo que fue muy oportuno retomar, traer a la memoria qué ha pasado o qué pasó en 1977 y también hasta nuestros días. Yo supongo que esto va a ser muy interesante para los jóvenes, muchos de los cuales quizás no han seguido el proceso desde 1977. Es bueno que tengan en sus mentes, para el futuro desempeño de sus labores, cómo ha sido todo lo que se ha logrado hasta el día de hoy.

De esta forma, reunidos del 20 al 23 de noviembre de 1977 (justamente vamos a cumplir los 36 años acá, en Ginebra) se marca un hito histórico en el proceso de internacionalización de los derechos de los Pueblos Indígenas con la realización de la conferencia internacional que se llamó: “Conferencia Internacional de Organizaciones No Gubernamentales sobre la Discriminación en contra de los Pueblos Indígenas en las Américas”. Recuerdo que así era el nombre. Si me equivoco, pues me lo corrigen, pero no era propiamente el nombre de los derechos de los Pueblos Indígenas. Creo que llegamos cerca de 150 delegados indígenas, en ese entonces. Yo diría que esta reunión tuvo un carácter pionero y revolucionario, donde había unos 250 delegados entre delegados indígenas y observadores y más de 50 organizaciones internacionales no gubernamentales. Por primera vez, era la más grande representación de los Pueblos Indígenas que nunca antes se había dado aquí, en el Palacio de Naciones. Habían unos representantes indígenas de unos 15 países, sobre todo, de las Américas porque esta reunión, más que todo, reunió a los representantes de las Américas, desde Canadá hasta la Argentina. Las demandas fueron lo que más tocó la conciencia de los gobiernos ahí presentes. Había varios Estados presentes y las violaciones presentadas por los delegados de los Pueblos Indígenas. Recuerdo muy bien que el Dr. Romesh Chandra era el Presidente de la Conferencia. Un hombre que realmente dio todo su apoyo. Era muy humano. Se presentó él ante todos nosotros presentes y eso hizo que abriera una confianza con las ONG internacionales. Creo que teníamos muy claro el panorama. Después, vinieron los cambios, la revolución interna, dentro de las Naciones Unidas.

Los logros de esa conferencia: se discutió mucho todo el tema de los derechos territoriales de los Pueblos Indígenas, lo que estaba pasando, y también acordamos que, cuatro años después, se realizara una segunda conferencia con mayor participación de otras regiones de los Pueblos Indígenas del mundo. En esa, yo no recuerdo más cuánto, creo que los Sami, había gente de Asia. No estoy seguro, pero fue mucho más grande la Conferencia de 1981<sup>15</sup>. Estaba en paralelo desarrollándose también un estudio por el Relator Especial, el Embajador Martínez Cobo, que también ayudó mucho para la reunión de 1977 y la del '81 porque nos permitió hacer solicitudes muy concretas. Recuerdo que, en 1981, se concretó la demanda del establecimiento de un grupo de trabajo sobre Pueblos Indígenas. Era nuestra insistencia, pero no se logró. Se logró que se llamara “Grupo de Trabajo sobre Poblaciones Indígenas”. Una cosa no definida, pero hubo que aceptarla. Este grupo de trabajo se conformó en 1981 y empezó a funcionar en el 82. En realidad, no teníamos idea tampoco de cómo participar porque habían reglas muy estrictas dentro de Naciones Unidas. Creo que uno de los grandes pasos que dimos, primero, para participar en este grupo de trabajo era que se permitiera a los delegados indígenas participar a través de sus organizaciones o a título personal, o como quisieran, que no fueran solamente las organizaciones que tuvieran categoría de rooster o de consultativas dentro del sistema de Naciones Unidas. El Grupo de Trabajo, que empezó en el '82, conformado por cinco expertos, creo que lo presidió el noruego Asbjorn Eide, una persona muy humana, como experto. Estaban Don Miguel Alfonso Martínez, de Cuba, la Señora Irene Erica Daes, de Grecia.<sup>16</sup> Tuvo dos sesiones el Grupo de Trabajo, en 1982-1983, donde fue conformando su tarea que, básicamente, era hacer los análisis de los avances jurídicos en los diferentes países. La meta era elaborar un instrumento sobre los derechos de los Pueblos Indígenas, dentro del sistema de las Naciones Unidas. Tenía como tarea esto el Grupo de Trabajo y empezó a trabajar en ese sentido en '82-'83. Ya, en 1984, creo que habían aportes de los propios Pueblos Indígenas. Por aquí, mencionaban los del Movimiento Indio Americano, las propuestas que traían desde la reunión que tuvieron en Dinamarca o Estocolmo, no sé por dónde, en alguna parte de ellos. El *Treaty Council* tenía algunos aportes y hubo también un aporte de los Pueblos Indígenas de Latinoamérica que nos reunimos con motivo de la 4ª Conferencia

<sup>15</sup> Basándose en las listas de participación, es posible censar, en 1977: 38 ONG, 8 organizaciones nacionales y más de 90 delegados indígenas. En 1981, el censo asciende a 41 ONG, 48 organizaciones nacionales y más de 120 delegados indígenas.

<sup>16</sup> Alfonso Martínez y Erica Daes empezaron a trabajar en el Grupo de Trabajo en 1984. En 1982, participaron el Sr. Asbjorn Eide, el Sr. Mohamad Yousif Mudawi, el Sr. Ivan Tosevski y el Sr. Nasser Kaddour.



Mundial de Pueblos Indígenas, patrocinada por el Consejo Mundial de Pueblos Indígenas, en Panamá. Se escribieron 20 principios. Algunos ya estaban también contemplados en otros documentos. Esos 20 principios, ustedes los pueden encontrar en el libro “Los Pueblos Indígenas en el derecho internacional de los derechos humanos”, del actual Relator Especial, Jim Anaya. Ahí están los 20 principios que se presentaron, que se discutieron con un comité, en Panamá, coordinados por la Dra. Daes que ya era la Presidenta del Grupo de Trabajo. Ella, muy amablemente, colaboró en esa reunión y se escribieron estos 20 principios, que, luego, se retomaron en las discusiones de 1984. Ahí, arrancó el proyecto de Declaración de las Naciones Unidas sobre los Derechos de los Pueblos Indígenas.

Creo que también es importante el mérito que muchas personas acá, por ejemplo, las ONG que asumieron esa responsabilidad de tener la reunión para los Pueblos Indígenas acá, en Naciones Unidas, que nos permitió entrar. Habían varias. Yo recuerdo el Consejo Mundial por la Paz. El Consejo Mundial de Iglesias estuvo presente en esa y muchas más. Eran no sé cuántas. Aquí los historiadores deben tener más claro las ONG que participaron en la organización de esto y el pedido que hicieron muchos hermanos indígenas para la organización de este trabajo.

Luego, de 1984 al '94, se trabajó como la columna vertebral del Grupo de Trabajo, como tarea principal la Declaración. Hubo discusiones sumamente importantes que fueron abriendo la mente de muchos de nosotros que no teníamos claro tampoco para dónde íbamos, pero creo que este proceso abrió las puertas, tanto físicas, dentro de las Naciones Unidas, como mentales, para los representantes indígenas, de por dónde podíamos ir. Era el proyecto de Declaración sobre los Derechos de los Pueblos Indígenas. Ahí, tenemos que recordar también la participación decisiva de personajes como Don Augusto Willemsen-Díaz, que, posteriormente, creo que van a pasar un video de él. Él era funcionario de planta, aquí, en la Secretaría de la Comisión de Derechos Humanos. Un hombre, realmente, que dio alma, cuerpo y corazón para elaborar este proyecto sobre los derechos de los Pueblos Indígenas. Todavía vive Don Augusto. Está bastante mayor. Debe tener más de 90 años ahora. Lo vi recientemente, en diciembre pasado, en Guatemala. Estuvimos conversando. Su mente muy clara todavía. A este hombre, realmente, le debemos mucho todo el empeño y la dedicación que le puso al proyecto de Declaración. Él era el secretario o asistente de Martínez Cobo. Por eso, el informe de Martínez Cobo, los cinco volúmenes del informe de Martínez Cobo, recoge muchísimo de las situaciones que vivían y que viven todavía los Pueblos Indígenas hoy, en el 2013. A este informe, vale la pena que también se le dé una revisada porque nos enseña muchas cosas de lo que acontece actualmente con los Pueblos Indígenas.

La Señora Érica Irene Daes es otra persona que también le dio alma, cuerpo y corazón al proceso y que recuerdo muy bien que muchos de nosotros decíamos: “Bueno, pero, ¿qué tiene que hacer una señora de Grecia con relación a los derechos de los Pueblos Indígenas? Creo que no hay indios en Grecia.” Había una serie de críticas, pero, realmente, la Señora Daes se merece un monumento de parte de los Pueblos Indígenas porque le dio todo lo que profesionalmente ella tenía por los Pueblos Indígenas. Esa es una señora que, recuerdo que, en otros eventos dentro de Naciones Unidas y fuera de Naciones Unidas, defendió los derechos de los Pueblos Indígenas, como decimos, a capa y a espada. Siempre la escuché en ese sentido y, quizás, muchos de nosotros no lo hemos hecho en esa forma, pero la Señora Érica Irene Daes, así lo dio. Dio todo. Al final de este proceso, cuando se terminó la redacción del proyecto de Declaración, donde nos peleamos muchos, entre nosotros mismos también, durante este proceso, era lógico. ¿Cómo hacer una convergencia de cientos o miles de Pueblos Indígenas en el mundo? ¿Cómo converger con los conceptos y el sistema de Naciones Unidas? Muy difícil, pero se logró. Yo creo que eso fue un gran triunfo que se llevó a cabo durante este proceso, aunque tardó más de 20 años, 23 años, más exactamente, pero se logró converger esos intereses alrededor del planeta entre Pueblos Indígenas y Estados, por un lado, y el propio sistema de Naciones Unidas. Realmente fue un aprendizaje enorme que tuvimos durante ese proceso. Al final, también tengo que recalcar aquí el papel que jugó el Embajador de México, después del cambio institucional que hubo acá de la Comisión de Derechos Humanos al

Consejo de Derechos Humanos. Creo que ahí fue. Jugó un papel importantísimo el Señor Luis Alfonso de Alba, Embajador de México, quien dio todo. En reuniones privadas, nos dimos cuenta de que él estaba dispuesto a sacar el proyecto de Declaración, como así sucedió, hasta llevarlo a la Asamblea General, en Nueva York. Este hombre se merece, dentro de su campo también, el respeto, la admiración de los Pueblos Indígenas porque, sin él, creo que hubiera sido un poco difícil que hubiéramos dado el paso trascendental de ser aprobado, primero, en el Consejo de Derechos Humanos, cuando habían Estados totalmente opuestos a que este proyecto se aprobara en el propio Consejo de Derechos Humanos, antes de llegar a la Asamblea General. Pero, él lo logró y también creo que le debemos mucho respeto a Luis Alfonso de Alba.

En 1995, lógicamente, cuando se terminó el proyecto de Declaración, en la primera etapa de la Subcomisión, con el Grupo de Trabajo, y pasó a la Comisión, vino un cambio muy fuerte, muy frustrante, cuando la Comisión dijo que ellos tenían que elaborar el proyecto de Declaración porque en el proyecto anterior no tenía nada oficial de parte de ellos como Comisión. Eso frustró a muchísima gente. Realmente hubo compañeros que dijeron: "Aquí, no volvemos más porque esto no va para ningún lado." Habíamos algunos cabezas duras que decíamos: "Hay que seguir. Hay que seguir. Algo podemos lograr en el futuro." Otros decían: "No. Aquí se termina esto. La Comisión va a despedazar el proyecto. Lo va a partir. Lo va a cambiar. Ya no va a responder a nuestras necesidades. Así que esto se termina." No fue así. Yo creo que la insistencia de todos nosotros, la persistencia de todos los años, de venir acá, un grupo tan grande (porque llegaban más de 1.000 delegados acá, para las discusiones) ayudó muchísimo. Esa energía conjunta ayudó muchísimo a motivar a los Estados para que, al final, siguieran los pasos del proyecto de Declaración y le hicieran pocos cambios. Ahí, aprendimos que había que dar, recibir o transigir ciertas cosas porque, si no, no íbamos a avanzar. Ayer, les decía la histórica situación que ocurrió cuando nosotros estábamos divididos en varios bloques, los Pueblos Indígenas. Y, luego, cuando hicimos un solo bloque, cómo dividimos a los Estados y pudimos avanzar más. Finalmente, esto salió. Son cosas que pasan en un proceso de negociación y creo que muchos de ustedes tienen esas experiencias en otros campos de la vida.

A la par de este proceso, dentro del Palacio de Naciones, ocurrieron acontecimientos muy importantes. Ya lo mencionaba aquí Bill, ayer, cómo, aquí, recuerdo los gritos que se daban contra el Convenio 107 de la OIT, que era un convenio asimilador, integracionista, eliminador de la existencia de los Pueblos Indígenas, prácticamente. Eso ayudó para que, en 1986-1987, la OIT tomó una resolución en la Asamblea General de revisar el Convenio 107 que finalmente salió el 169, con la participación de muchos delegados indígenas. Por eso, el Convenio tiene otro enfoque. Hay algo interesante que ocurre con este Convenio 169. El Convenio 107, en menos de 10 años, tenía más de 140 países que lo habían ratificado. Lo ratificaron inmediatamente, el Convenio 107. En cambio, el Convenio 169, en casi 24 años que tiene actualmente, solo 22 países lo han ratificado. Es para que se den cuenta y analicen esa situación: ¿por qué solo 22 países en 24 años cuando el Convenio 107, en menos de 10 años, habían más de 140 países que lo habían ratificado? Eso es muy significativo y es por el contenido, la filosofía que tienen ambos Convenios. Uno era asimilacionista. El otro es el respeto a los derechos de los Pueblos Indígenas, los derechos colectivos, etc. Hay una gran diferencia y es digna de analizarse esa situación.

La evolución fue rápida, pero no tan rápida. Tardaron varios años, desde que empezamos acá, en el '77, pero teníamos la gran preocupación de que el Grupo de Trabajo, en cualquier momento, lo eliminaban, como sucedió, creo que en el año 1986 o 1985, por ahí. No pudo sesionar. Las Naciones Unidas decían que no tenían fondos, que por eso no podía sesionar el Grupo de Trabajo. Creo que, si la mente no me traiciona, Amnistía Internacional, en Londres, ofreció financiar a los expertos para que el Grupo de Trabajo sesionara. Cuando hubo esa oferta, contestaron que no, que definitivamente era una decisión política, que el Grupo de Trabajo no sesionaría. Eso nos dio una gran preocupación porque podría, de esa manera, en cualquier momento, desaparecer el Grupo de Trabajo. Por eso, se luchó, ya en la Conferencia Mundial sobre Derechos Humanos, en Viena. Se discutió de que deberíamos tener una instancia en un nivel superior, dentro del sistema de Naciones Unidas, que garantizara

plenamente el tratamiento de los derechos de los Pueblos Indígenas. Fue así como se propuso. Creo que fue la Ministra de la cultura y de educación de Groenlandia, Henrietta Rasmussen, que propuso, en la Conferencia Mundial, en Viena, el establecimiento de un foro al más alto nivel dentro del sistema de Naciones Unidas. No sabíamos qué nombre se le iba a poner. De todas formas, ahí hubo la idea y también propuso el establecimiento de un fondo voluntario para los Pueblos Indígenas, para las poblaciones indígenas (no aceptaban el nombre de “pueblos”) que pudiera brindar ayuda económica a delegados indígenas de las diferentes partes del mundo para que asistieran al Grupo de Trabajo sobre el Proyecto de Declaración en marcha. Creo que hubo una tercera recomendación. Era aprobar el proyecto de Declaración. Creo que era eso lo que había propuesto Henrietta Rasmussen, en Viena.

En 1999, mediante resolución de la Comisión de Derechos Humanos, se estableció la creación del Foro Permanente. Finalmente, el nombre que proponían los delegados indígenas era “el Foro Permanente sobre los Pueblos Indígenas” o “sobre los Derechos de los Pueblos Indígenas”, algo así. No lo aceptó el ECOSOC, ni la Asamblea General, y le pusieron “el Foro Permanente para los Asuntos Indígenas.” Una cosa muy general, muy global, pero ahí está el Foro. Ya lleva funcionando desde el 2002, que tuvo su primera sesión, hasta hoy. Creo que es un órgano subsidiario del ECOSOC. Está a un alto nivel. En esa misma época, también en esos mismos años, se luchó (y creo que el *Treaty Council* tiene mucho crédito en esto y luego lo apoyamos todos) para que se estableciera el Relator Especial sobre los Derechos de los Pueblos Indígenas, que empezó sus funciones en el 2000, a cargo del gran maestro, Rodolfo Stavenhagen, de México, quien fue, durante seis años, Relator Especial, y tuvo grandes enfrentamientos con los Estados al visitar situaciones críticas en los diferentes países que él pudo visitar durante su gestión. Lo escuché, más de una vez, presentando su informe ante la Comisión de Derechos Humanos, donde algunos delegados, representantes de gobiernos, de Estados, donde él había estado prácticamente lo querían eliminar a Rodolfo, de la noche a la mañana, por haber dicho la realidad de lo que estaba aconteciendo en sus países sobre los derechos y las violaciones de los derechos de los Pueblos Indígenas. Creo que fue una gran oportunidad tener a un hombre como Rodolfo Stavenhagen al frente de la Relatoría Especial sobre los Derechos de los Pueblos Indígenas. En el 2007, terminó sus funciones. En el 2008, se nombró al actual Relator Especial, el Dr. Jim Anaya, de los Estados Unidos. Es de origen indígena. Creo que todo el mundo lo conoce aquí, al Dr. Jim Anaya, quien también ha tratado de mantener el ritmo que tuvo Rodolfo Stavenhagen y aun mucho más, creo. Jim ha sido (le digo Jim, tenemos bastante buena relación) muy fuerte en sus críticas. Ha visitado muchísimos países. Él ha logrado tener sus recursos propios para movilizarse y tener su propio equipo en la Universidad de Arizona, donde él vive.

Finalmente, en el 2007, al ser aprobada la Declaración, había la posibilidad de que el Consejo de Derechos Humanos (ya no era Comisión, sino el Consejo de Derechos Humanos) no dejara una instancia que continuara la discusión de los derechos humanos de los Pueblos Indígenas. Eso preocupó muchísimo a los Pueblos Indígenas, a los delegados. Logramos venir un grupo como de 50 compañeros, acá, durante la última sesión del 2007, después de aprobada la Declaración, y trabajamos para el establecimiento de una instancia dentro del Foro Permanente que pudiera discutir y, especialmente, enfocarse en cómo desglosar los términos establecidos en la Declaración de las Naciones Unidas sobre los Derechos de los Pueblos Indígenas, porque es muy fácil ver un derecho ahí contemplado y saber que lo tenemos, pero, ¿cómo lo llevamos a la práctica? Pensamos que había que contar con un instrumento de esa naturaleza. Por eso, se estableció el Mecanismo de Expertos sobre los Derechos de los Pueblos Indígenas, en el 2007. Su primera sesión fue en el 2008. Creo que fue en julio no, fue en agosto y ahí, nos dimos cuenta que, en agosto, la mayoría de los oficiales, de los embajadores, de los representantes de los Estados, acá, en Ginebra, están de vacaciones y no asisten. Vienen funcionarios de otra categoría a participar en el Foro Permanente. Nos interesa mucho que sean, muchas veces, los propios embajadores que estén presentes para buscar soluciones de los problemas que padecen los Pueblos Indígenas en sus respectivos países. El Mecanismo de Expertos lo forman cinco personas. Tuve el privilegio de ser electo por parte de Latinoamérica

y el Caribe en el primer grupo de expertos. También fui reelecto para un segundo periodo. Yo terminé este año mi compromiso con el Mecanismo de Expertos. Hicimos varios estudios. Yo diría que son documentos de orientación de cómo se puede implementar, al ser recomendaciones a los Estados, a los Pueblos Indígenas, al sistema académico, al sistema de Naciones Unidas, etc., las recomendaciones que salen de estos estudios. Los invito para que se pongan en contacto con la página Web de la Oficina del Alto Comisionado para los Derechos Humanos y el Mecanismo de Expertos. Ahí, salen todos los estudios que se han realizado, las recomendaciones. Muchos de ellos ya están ayudando, en algunos países, cuando se trata, por ejemplo, del tema del derecho de los Pueblos Indígenas a la educación. Ahí, ven ustedes cómo se le recomienda a los Estados que deben cambiar sus propios sistemas, dentro de los países, cosas que son cambios que van a durar muchísimos años. No se logran de la noche a la mañana, pero en ese camino vamos. Luego, el segundo estudio que realizamos ahí fue el derecho de los Pueblos Indígenas a participar en la toma de decisiones. Un derecho fundamental. Nos dimos cuenta que, durante 500 años, como lo decía aquí el hermano Constantino Lima, durante 500 y más años, los Pueblos Indígenas no han estado participando en la toma de decisiones de su propio destino. Son otros los que toman las decisiones. Eso tenemos que cambiarlo. Es un estudio que creo que da muchas luces de cómo se puede empezar a organizar este proceso de cambio del derecho a participar en la toma de decisiones. El otro tema fue el derecho a la cultura y las lenguas de los Pueblos Indígenas. Muy interesante también porque muchísimas de las lenguas de nuestros pueblos están en vías de extinción y creo que hay que dar algún paso para salvar eso porque se pierde una lengua en el mundo y se pierde una cultura. Eso no puede ser. El último estudio en el que yo participé y que creo que este año lo va a aprobar el Consejo de Derechos Humanos, ahora, este mes, la próxima semana, es el derecho al acceso a la justicia de los Pueblos Indígenas. Es un tema crucial para nuestros pueblos. Yo invito a los jóvenes que van a entrar o ya entraron en esta cuestión que le den una revisada a todos esos documentos, así como muchos de los documentos del Foro Permanente que creo que dan luces para ir implementando la forma de poner en práctica los derechos que están contemplados en la Declaración.

¿No sé cuántos minutos me quedan?

**Allene Chockie Cottier:** You have done it. [*laughs*]

**José Carlos Morales:** Paralelo a esto, tenemos que darnos cuenta que venían algunos organismos del sistema de Naciones Unidas abriéndose, poco a poco, para contemplar la participación de los Pueblos Indígenas. Recuerdo bien la Organización Mundial de la Salud, la OMPI (la Organización Mundial de la Propiedad Intelectual) había abierto ya. No solo estábamos en la Oficina del Alto Comisionado, sino que habían otros: el ECOSOC, por supuesto, con el Foro Permanente. En la parte del CDB (el Convenio sobre la Biodiversidad), también está el famoso artículo 8 en discusión, que creo que hay un Grupo de Trabajo donde están participando los Pueblos Indígenas. Yo desconozco esto porque me enfoqué con la Declaración y, después, el Mecanismo, así que estoy un poco en ayunas con las otras instancias. Está el ECOSOC, la UNESCO, la UNICEF, la cuestión del cambio climático. Ahí, están participando los hermanos indígenas.

Por otro lado, también los entes financieros, por ejemplo, el Banco Mundial. Desde los años '90, por ahí, el Banco Mundial ya había establecido, de forma unilateral, una guía sobre los derechos de los Pueblos Indígenas, pero lo decían sobre "las poblaciones indígenas". Luego, ya discutimos directamente, en la sede del Banco Mundial, gracias a la apertura del Presidente, en ese entonces, del Banco Mundial. Se estableció una guía de cómo los proyectos que el Banco Mundial le financia a los Estados estaban afectando, de manera decisiva, en la vida de los Pueblos Indígenas. Eso tiene sus cosas beneficiosas, pienso yo. Por ende, también, además del Banco Mundial, cuando ya se aprobó la Declaración, en el 2007, estaba muy preocupado

también lo que se llama la Corporación Financiera Internacional, que tiene su sede en Washington, creo. Ellos son los que financian el sector privado. Todo lo que son las grandes transnacionales, es ahí donde tienen el dinero guardado, con el IFC. Tuvimos una reunión en el 2011, creo, entre el Presidente del Foro Permanente (en ese entonces, estaba el hermano Carlos Mamami), yo estaba como Presidente del Mecanismo de Expertos y el Relator Especial de cinco horas, en Washington, con esta institución. Estaban muy preocupados, porque nos dijeron todo lo que estaban pensando para el futuro, que se les podían venir grandes problemas con los Pueblos Indígenas porque las corporaciones están entrando o estaban dentro de los territorios indígenas. Recuerdo muy bien el caso de la mina de Guatemala, Marlin, así se llama, donde fue paralizado por intervención del Relator Especial y otras autoridades. Nos dijeron que estaban perdiendo dinero, tanto la compañía como también la corporación y que eso no podía continuar así, que tenían que establecer una guía, "guidelines". Está en la página de la Corporación Financiera Internacional, la pueden ustedes ver. Creo que está en inglés. No la he visto en español, pero es un documento que vale la pena revisarlo porque son los organismos financieros los que ayudan también al desastroso proceso que hay con los territorios indígenas, no solo en América, en el mundo entero con Pueblos Indígenas. Denle un vistazo a eso también.

En el ámbito regional, después de 1977, al menos en las Américas, existía lo que se llama el Instituto Indigenista Interamericano. Su filosofía era exactamente la misma que el Convenio 107: asimilar, incorporar, integrar a los Pueblos Indígenas. Esa era la filosofía del instituto. No han todavía derogado, eliminado la resolución que establece al Instituto Indigenista Interamericano, pero está engavetado, en estos momentos. Ya no funciona. Justamente por la intervención de los hermanos indígenas. Dijimos, en la OEA: "Este instituto es realmente el enemigo número 1 de nosotros, en las Américas." Lo engavetaron, después de 40 años o más de funcionamiento. En Latinoamérica también tenemos la sede de la Comisión Interamericana de Derechos Humanos, en la OEA, y la Corte Interamericana de Derechos Humanos, cuya sede está en San José, Costa Rica, en mi país, donde tenemos que tomar en cuenta el desarrollo institucional y jurídico que ha establecido especialmente la Corte con las resoluciones de conflictos entre Estados y Pueblos Indígenas, entre Estado y corporaciones internacionales. Hay varios casos, como el de Sarayaku, de Surinam, de Paraguay. Hay dos o tres casos resueltos: en Nicaragua con los Awás Tingni y la famosa resolución, en el campo político, que no permitían a los hermanos miskitos participar en la política porque los consideraban no sé qué minoría o no sé cuánto. Hay una resolución sobre el caso Yatama. Es una resolución política que realmente se desconoce en el mundo indígena y que abre la posibilidad para que los propios Pueblos Indígenas tengan sus partidos políticos o su política propia de cómo resolver sus asuntos de carácter político. Esa resolución es muy importante y debe ser revisada por los jóvenes, por todos los que estamos acá, del precedente que se sienta con ese fallo de la Corte Interamericana. Hay muchos más. Recuerdo que, en la Comisión Interamericana, antes tenían un *file* de más de 100 casos en proceso de demandas de Pueblos Indígenas contra los Estados, hace unos cuantos años. No sé qué procesos han seguido porque a la Corte van llegando después de que la Comisión llega o no llega a una solución amistosa.

En 1989 (ya tiene 24 años), iniciamos un proceso de discusión del proyecto de Declaración Americana sobre los Derechos de los Pueblos Indígenas. Ahí, hay, como lo decía por aquí un compañero, adoptado parcialmente (porque eso no está adoptado por la Asamblea General) algunos artículos que son mucho más avanzados que lo que se logró en las Naciones Unidas. Hay que ponerle atención a todo esto también: el proyecto de Declaración Americana. Yo pienso que está ahora en *standby*. No le quieren dar más corriente al asunto porque se está poniendo un conflicto muy serio con el famoso principio de la consulta y el consentimiento previo, libre e informado. Ese es el nudo gordiano que tienen los Estados actualmente con todos los Pueblos Indígenas, no solo en las Américas, sino en el mundo. Eso fue obra y producto de la Declaración sobre los Derechos de los Pueblos Indígenas con la participación de muchos de ustedes acá.

Creo que, en la Comisión Africana sobre los Derechos de los Pueblos, hay un grupo de trabajo.

Aquí, los hermanos de África saben más de esto. En Asia, recientemente, me decía Joji Cariño, que se había establecido la *Association of Southeast Asian Nations*. Todavía no han entrado ellos en el proceso, pero, probablemente, se abra una puerta en esta región del mundo para proteger los derechos de los Pueblos Indígenas en un futuro. Probablemente, los hermanos están trabajando en ese sentido. La Unión Europea, aquí, en Europa, el Parlamento Europeo, desde hace muchos años, están involucrados en este proceso de cooperación y de ayuda a la aplicación de los derechos de los Pueblos Indígenas. Yo trato de resumir un poco. Se me escapan algunos otros eventos que están en proceso, probablemente: toda la cuestión de Río, todo este asunto que yo no le he dado seguimiento. Más o menos quiero dejarles la idea de que, muchas veces, decimos: “Bueno. No hemos avanzado. Está en el papel. Está en la teoría.” Pero vemos ahora que los organismos de las Naciones Unidas están presionando, en muchos Estados, la implementación de los derechos de los Pueblos Indígenas y todo esto ha sido producto desde 1977 para acá, dado al privilegio que tuvimos de participar acá, en esa reunión, muchos de nosotros y, luego, que se incorporaron miles y miles de hermanos indígenas que vinieron de todas partes del mundo, de las cinco regiones geopolíticas de las Naciones Unidas. Yo quiero dejarles así un panorama rápido de que debemos ponerle atención a ciertos aspectos que ya son precedentes. Un fallo de la Corte Interamericana puede servir de modelo para África, para Asia, o simplemente de justificación, cuando ustedes lo necesiten en esos lugares del mundo y cómo se está tratando de implementar, muy lentamente, es lógico. Si tardamos 23 años en finalizar la Declaración, no vamos a tener la resolución de los problemas en una semana. Hay que continuar y esto será tarea de los jóvenes que están acá, representando a la juventud indígena y a la niñez que, dentro de 10 o 15 años, también estarán aquí presentes, dándole seguimiento a esto.

Espero no haberlos confundido con tantos datos, pero, más o menos, seguí un poco la trayectoria de los últimos 36 años. Se quedan algunas cosas muy importantes, probablemente también, que están ocurriendo en el mundo con respecto a los derechos de los Pueblos Indígenas. Gracias [*Aplausos*].

**Allene Chockie Cottier:** Thank you. I think that was an absolutely excellent presentation and sequence of why we should work with International Organizations and why we reach out and it leads into our discussions extremely well and give us a foundation and especially for the youth who haven't had the experience.

I would like now to quickly move into the screening of the video about Don Augusto Willemsen-Díaz. He was at the Human Rights Center officer in 1977<sup>17</sup>. So, he was there from the very beginning.

## Interview with Don Augusto Willemsen-Diaz

### *Entrevista con Don Augusto Willemsen-Diaz*

**Don Augusto Willemsen-Diaz**<sup>18</sup>: Me contrataron y me asignaron a trabajar con la Subcomisión de Prevención de Discriminaciones y Protección a las Minorías, así se llamaba el órgano. Era un órgano dependiente de la Comisión de Derechos Humanos. Entonces, la

<sup>17</sup> Funcionario en la Secretaría de la Comisión de Derechos Humanos en la ONU. Fue asignado a la sección que trabajaba con la Subcomisión para la Prevención de la Discriminación y la Protección de Minorías.

<sup>18</sup> Extracto de la conversación sostenida en su residencia en la Ciudad de Guatemala, el 26 abril de 2013, con Carlos Mamani, Rafael Quispe, Bettina Cruz, Zulma Villa y Anabella Sibrián. Edición: Jhonathan Jiménez.

Comisión se ocupaba de cosas grandes, pero le empezó a encargar a la Subcomisión preparar ciertas cosas. Me integré al equipo de la Subcomisión que, entonces, estaba preparando el estudio de discriminación. Había ciertas disposiciones de las Constituciones de la India y de Pakistán que se ocupaban de las poblaciones tribales de ambos países. Entonces, dijeron: "Las tribus tendrán tales y tales, tales derechos." Entonces, a mí me pareció que eso era pertinente en relación con lo de los Pueblos Indígenas porque muchas cosas que se podrían mencionar como, digamos, el hecho de hablar su idioma, solo su idioma, no hablar el idioma del país, no fue un obstáculo, sino que se dijo: "Se va a contratar a esa persona, pero se compromete a que, dentro de tres años, ya sabe el idioma nacional." Entonces, esto me pareció que eran cosas importantes que se podían aprovechar para el estudio de los Pueblos Indígenas. Como usted sabe, aquí tenemos 24 idiomas, en Guatemala. Me pareció importante que gente no que dominaba el español pudiera, en algún momento, acceder a un puesto público

**Carlos Mamami:** ¿Usted participaba en los estudios? O, ¿usted solamente hacía su trabajo como funcionario?

**Don Augusto Willemsen-Diaz:** Ya, mire, mi contrato fue para hacer estudios y preparar documentos sobre material de derechos humanos. Para hacer estos estudios que le estaba contando, de la Subcomisión, se instituyó la monografía. Así se llamaba, "monografía", que era un estudio específico de un país concreto, verdad. Había un temario: tales temas se van a consultar. Tenía uno que buscar información que respondiera ese tema del temario y ponerla en la monografía. Esta monografía se enviaba al gobierno para que comentara. El gobierno tenía la posibilidad de decir tales y tales cosas. No siempre se obedecía al gobierno porque, a veces, decía: "Esto no debe aparecer porque no es conveniente." Decíamos: "El gobierno contestó. Esto no debe aparecer porque no es conveniente." Sin embargo, el Relator Especial solo quería explicar. Es que los miembros de la Subcomisión nombraban a uno de ellos para que se volviera el encargado de cada estudio.

Cuando fue el siglo XVI, se radicalizó y se empeoró completamente el aspecto de la discriminación racial con el descubrimiento de América. Yo empecé a hablar y Santa Cruz<sup>19</sup> me decía: "No, hombre. No moleste." En definitiva, yo le insistía porque nos habíamos hecho medio amigos cuando trabajábamos el tema de los derechos políticos que había preparado él. Entonces, en definitiva pues, yo insistía y seguí insistiendo, y fui convenciendo gente de que, en realidad, era muy importante que se consideraran los Pueblos Indígenas. Entonces, al fin y al cabo, me dijo: "Bueno. A ver. Prepara pues algo sobre Pueblos Indígenas." Preparé el capítulo 9 y le puse "Medidas adoptadas en relación con la protección de los Pueblos Indígenas." El escogimiento de la palabra "pueblos" fue muy deliberado porque yo tenía la intención de reclamar la libre determinación de los Pueblos Indígenas. Esto se preparó, aquí está el capítulo 9, y se terminó el estudio. Hay conclusiones y propuestas. Entre las conclusiones y propuestas, yo había planteado que había que hacer un estudio sobre Pueblos Indígenas, que esto era un ensayo, pero que había que hacerlo. Entonces, me dijo Santa Cruz: "Está bien. ¿Qué quiere pues? -Que se haga un estudio sobre Pueblos Indígenas." Entonces, el párrafo 1102 se ocupó de los derechos de los Pueblos Indígenas, de acuerdo con el capítulo 9, pero ya a él le habían hablado de que los pueblos tienen el derecho de libre determinación, que era peligroso usar el término pueblos. Entonces, él puso "poblaciones". Esto es bien interesante porque yo le dije: "Mire, yo puse "pueblos" y yo usé "pueblos" muy deliberadamente en el capítulo. Usted, ahora, puso "poblaciones". -Sí, pero así va a quedar."

Y, así quedó: "Problemas de las poblaciones autóctonas." Fíjese cómo fue cambiando. Ya no solo fue "poblaciones", sino que quitó "indígenas" y puso "autéctonas". Entonces (en la página 329), yo, por supuesto, ¿le había sugerido esto? No, no me pareció el tono del párrafo.

**Carlos Mamami:** ¿329?

<sup>19</sup> Hernán Santa Cruz, Relator Especial de la Subcomisión de Prevención de Discriminaciones y Protección de las Minorías, Órgano de la Comisión de Derechos Humanos.

**Don Augusto Willemsen-Diaz:** 329. Le hice pues un estudio, con la terminología utilizada por ellos.

**Carlos Mamami:** 27 y 29.

**Don Augusto Willemsen-Diaz:** Aquí está. “Poblaciones indígenas”. Aquí, pues, fue terrible cómo se cambia totalmente la terminología y se propone que se haga un estudio sobre las poblaciones autóctonas y, además, hicieron el capítulo sobre poblaciones indígenas, que no dice “poblaciones”, sino dice “pueblos”. Yo se lo dije. “Sí, pero déjelo.” No había forma. Cito solamente una parte del estado general sobre discriminación racial:

El tema no ha sido ni mucho menos agotado. Por ejemplo, la información de que dispone el Relator Especial, no le ha permitido determinar con precisión cuál es el tipo de políticas vigentes en los diversos países en relación con las poblaciones indígenas. [¡“Poblaciones”!] Aun cuando se ha podido afirmar que la mayoría de los países ha adoptado la política de integración. Para definir más a fondo los términos del problema y las medidas nacionales e internacionales que se requieren para resolverlo, estima el Relator Especial que es necesario que los órganos competentes de Naciones Unidas, con la colaboración de los organismos especializados, como son UNESCO, OIT y FAO, y por el hecho de que la mayoría de las poblaciones indígenas están ocupadas en actividades agrícolas, también el Instituto Indigenista Interamericano, deberán realizar un estudio completo y comprensivo del mismo problema.

Esto de “completo y comprensivo” había sido parte de mi sugerencia, pero el resto desnaturalizó la propuesta. Entonces, de esto, de aquí, se pasó a la Subcomisión y se presentó esta propuesta de que hubiera un estudio. La gente había propuesto un estudio sobre minorías porque la Subcomisión se llamaba “Comisión de Prevención de Discriminaciones y Protección de Minorías”. Entonces, dijeron: “Ahí, con el estudio de minorías, se va a poder finiquitar lo de los Pueblos Indígenas.” Fui a la Subcomisión y dije, cuando me tocó hablar, que me gustaba mucho que se hubiera reconocido la necesidad de hacer un estudio, pero que, ya que me daban la intervención, yo me tomaba la libertad de decirles que no todas las poblaciones indígenas eran minorías y que, entre las minorías y los Pueblos Indígenas hay muchas cosas en común, pero muchas cosas de diferencia también. Entonces, yo sugería dos estudios. Uno de minorías y uno de Pueblos Indígenas, pues. Estaba esto así. Se adoptó la resolución. Se fue a Ginebra y, en Ginebra, estaba Carlos García Bauer, guatemalteco, que había integrado la Comisión de Derechos Humanos. En definitiva, allá, en Ginebra, me dice: “Compañero: yo lo veo muy ocupado. Usted está muy ocupado. ¿Por qué no almorzamos juntos – Pues, vamos.” Fuimos. Entonces, le conté lo que estaba haciendo y le dije: “Creo que nos ayudaría mucho que haya un estudio de Pueblos Indígenas si usted hiciera una declaración.” Porque se había visto que había un trato preferencial con él.

**Carlos Mamami:** ¿Qué cargo tenía él?

**Don Augusto Willemsen-Diaz:** Era miembro de la Comisión. Me dijo: “Bueno. Pues, con todo gusto.” Entonces, dijimos: “En Bolivia y en Guatemala, las poblaciones indígenas son la abrumadora mayoría. Así que, no es cierto, como se había dicho, que todos los Pueblos Indígenas eran minoría. Esto es muy importante y aquí está el estudio demográfico de Naciones Unidas que muestra esos porcentajes que se han mencionado.” Esto impresionó mucho a la gente porque, como decía, tenían un trato muy diferencial con él. Entonces, se logró que se adoptara la resolución diciendo que hubiera un estudio sobre Pueblos Indígenas y un estudio sobre...

**Carlos Mamami:** ¿Eso fue el año 1969-1970? ¿Qué año fue?

**Don Augusto Willemsen-Diaz:** Fue en el año 1971. Se pasó esto a la Subcomisión y la Subcomisión dijo que sí, que se hiciera el estudio y nombraron a José Ricardo Martínez Cobo, del Ecuador, como Relator. Le dijeron: “Tú no has hecho ningún estudio. Nosotros ya tenemos



dos y tres. [Otros habían hecho uno.] Te toca a ti. – No, no yo no quiero, yo no sé nada de indígenas. Yo fui Ministro de Educación, pero no me interesa. – Pues, te fregaste, viejo, porque te vamos a dar el estudio.” Entonces, en definitiva, él dijo (y esto consta en la grabación): “Muy bien. Si se entiende que Augusto haga el estudio y yo lo defienda, pues ya está. Yo lo acepto en ese sentido.” Entonces, se adoptó que el estudio lo hiciera yo y que él iba a hacer la defensa política del estudio.

Quiero decirles que nunca se hizo defensa política del estudio.

**Carlos Mamami:** Don Augusto, ¿el estudio empezó en el año 1971 y concluyó en el año 1984-1985?

**Don Augusto Willemsen-Diaz:** No, mire, en 1972, se adoptó el estudio. En 1973, se debía presentar un proyecto. Entonces, yo presenté capítulos, en 1973. Fue en 1982 que se terminó el estudio. En 1983, se estudió, pues, por la Subcomisión.

**Carlos Mamami:** Pero, el estudio, en sí, ¿le tomó a usted cuántos años?

**Don Augusto Willemsen-Diaz:** Bueno, de 1973 a 1982. Cuando se habló del estudio, yo sugerí que hiciéramos visitas a países.

**Carlos Mamami:** Con el Relator.

**Don Augusto Willemsen-Diaz:** Con el Relator, fuéramos a países a hablar con los Pueblos Indígenas para recoger directamente la información de ellos, verdad. Fuimos a 11 países, a su país también, a Perú, a México, a Guatemala, a Brasil, a Paraguay y a Chile. Dijeron: “Ya que tiene mucho menos páginas que el resto [son 58 páginas], esto se va a imprimir. Y, esto, se seguirán sacando copias.” Hasta que dijeron: “Ya no más”. Al principio, se sacó copia en ruso, en francés, en español y en chino.

**Carlos Mamami:** En los seis idiomas.

**Don Augusto Willemsen-Diaz:** Por supuesto, en la segunda, ya solo hicieron francés, inglés y español. Esas fueron las que hicieron. Esto es el capítulo final de conclusiones, propuestas y recomendaciones. Éste sí se imprimió y se hizo de acuerdo con todas las normas de Naciones Unidas. Se escribía al gobierno y el gobierno decía: “Sí. Ahí voy a mandar.” No mandaban nada.

**Carlos Mamami:** ¿Era con los institutos indigenistas, en ese tiempo, Don Augusto?

**Don Augusto Willemsen-Diaz:** Sí. Se escribió a todo el que se imaginó que podría tener algo.

**Carlos Mamami:** Una pregunta, el trabajo del Relator Especial, usted estima, ¿cuántas páginas o qué aportó el Relator Especial? O, ¿todo el trabajo es enteramente suyo, Don Augusto?

**Don Augusto Willemsen-Diaz:** Totalmente. Totalmente.

**Carlos Mamami:** ¿Solo puso una firma?

**Don Augusto Willemsen-Diaz:** Él llegaba un día a Ginebra. A los 20 minutos, me decía: “Ya leí los 3 documentos.” Jamás hizo sugerencia de ninguna clase.

**Carlos Mamami\_** ¿Cómo se estableció el Grupo de Trabajo?

**Don Augusto Willemsen-Diaz:** Lo que pasa es que yo decía: “Pues, aquí se necesita un grupo de trabajo para que no entreguemos cosas a la Subcomisión y la Subcomisión los pasa y nadie los estudia. El Grupo de Trabajo, como es su única atribución, va a tener que estudiarlos.” Entonces, me decían: “Sí, pero es que no.” Entonces, en 1974, nos pasaron de Nueva York a Ginebra porque estábamos con base en Nueva York y pasamos a Ginebra. Yo llegué a Ginebra en noviembre de 1974. La Sociedad Anti-esclavista y de Protección a las Poblaciones Aborígenes, así se llamaba, había establecido un foro para estudiar el futuro de las sociedades tradicionales y se hizo en la Universidad de Cambridge, Inglaterra. Ahí, se pelearon los

participantes y se hicieron un lío. Total que, en definitiva, no hubo ni informa ni nada. Yo había llegado allá para informar que estábamos haciendo esto, que, en cierto sentido, las comunidades indígenas eran sociedades tradicionales. Dije yo: “Yo tengo ciertas sugerencias sobre un grupo de trabajo, pero no las puedo plantear aquí porque eso tiene implicaciones económicas.” Hay una norma, en Naciones Unidas, que, cuando algo tiene implicaciones económicas, se tiene que pedir permiso al Secretario General porque va a tener que erogar. Él da el permiso y ya cuando se tiene el permiso, se puede plantear. Yo dije, nada más: “No puedo plantearlo por normas de Naciones Unidas.” Pero estábamos a cinco metros del bar de la Universidad, y ahí abrí una gran mesa. Les dije: “Yo les ruego que, quienes quieran enterarse de esto, pasen conmigo y luego vamos a charlar.” Así lo hicimos: se acababa la reunión. Entonces, expliqué todo esto y dije que se escogiera uno por grupo socio-geográfico: uno por Latinoamérica, uno por África y Asia, uno por Europa Occidental y uno por Europa Oriental. Que estos estuvieran trabajando constantemente sobre el tema de Pueblos Indígenas y que se les pudiera exigir. Yo, ahí, creí que algo fundamental es que los indígenas que lleguen al Grupo de Trabajo, sean verdaderos, genuinos indígenas en la lucha por sus derechos. Entonces, dije: “Se pondrá como requisito que los sugieran las comunidades indígenas. Queremos que vaya nuestro compañero fulano de tal. Sus antecedentes son estos y estos.” Después, se hizo realidad eso, verdad. Yo sugerí a todos: “Traten de obtener estatuto consultivo. Con eso, todos vamos ampliando.” Muchos solicitaron. Hubo como 15 ONG.

**Carlos Mamami:** ¿De indígenas?

**Don Augusto Willemsen-Diaz:** Indígenas, sí. Se dijo: “Vamos a convocar a unos 50-60 indígenas que vengan y hablen y digan qué es lo que quieren.” Allá, en Ginebra, había un comité de derechos humanos, que controlaba el Consejo Mundial de Juristas. Una señora [¿?] Mobilidague [¿?] extraordinariamente activa, que era la Secretaria de esa ONG. Todos esos se pusieron a trabajar y se logró que llegaran más de 100.

**Carlos Mamami:** ¿Delegados?

**Don Augusto Willemsen-Diaz:** Sí. Fue la primera vez que se reunieron solo indígenas para tratar aspectos de derechos indígenas y sacar resoluciones sobre ese tema.

**Carlos Mamami:** En ese tiempo, ¿usted era parte de Docip? ¿Cuándo se fundó Docip?

**Don Augusto Willemsen-Diaz:** El Docip se fundó en esos años. Existía ya cuando se celebró el primer Grupo de Trabajo.

**Carlos Mamami:** Para 1983<sup>20</sup>.

**Don Augusto Willemsen-Diaz:** El Docip lo creamos y fue una experiencia muy linda: cómo se pueden hacer cosas sin dinero. Ahí, contribuíamos. “Yo tengo tres francos. – Yo tengo cinco. – Yo tengo uno.” En frente, había el Instituto de Estudios de Desarrollo. Ellos nos vieron trabajando y nos dijeron: “Nosotros tenemos cuatro fotocopadoras. Queremos contribuirles fotocopias gratis a ustedes.” Entonces, nos dieron 1.000 fotocopias al mes. Imagínate. Porque nosotros anunciábamos: “Tenemos documentos indígenas, libros sobre indígenas. Si usted quiere conocer la lista, con todo gusto se la mandamos. Mándenos un documento que le interese.” El correo nos puso una tarifa mínima. Entonces, hacíamos las fotocopias gratis y mandábamos con el mínimo del correo las cosas. Así que, por un franco al año, tuvimos seis oficinas y un salón grande. Ahí se puso el Docip. Se hizo también que el Docip fuera la secretaria no oficial del Grupo de Trabajo.

**Carlos Mamami:** ¿Usted trabajó hasta que año en Naciones Unidas?

**Don Augusto Willemsen-Diaz:** El '83.

**Carlos Mamami:** En '83, se instala el Grupo de Trabajo y usted termina de trabajar. ¿Cuántos años? ¿10 años o más?

<sup>20</sup> El Grupo de Trabajo sobre Poblaciones Indígenas se reunió por primera vez en 1982.

**Don Augusto Willemsen-Díaz:** Estuve 29 años.

**Carlos Mamami:** ¡29 años!

**Don Augusto Willemsen-Díaz:** Sí, yo me retiré de Naciones Unidas, pero me eligieron, en el Fondo Voluntario de Contribuciones Voluntarias. Entonces, yo estuve presidiendo ese fondo hasta el '96.

**Bettina Cruz:** Sí quisiera preguntar si esa investigación que usted dice, esos tres o cuatro tomos de investigación, ¿los ha hecho usted siendo abogado de profesión? Porque, ahora, ese tipo de estudios, se hacen equipos que se llaman “multidisciplinarios”, “interdisciplinarios”, con antropólogos, sociólogos, filósofos, abogados de todo tipo. ¿Cómo fue que usted logró hacer ese trabajo tan completo y comprendiendo todas esas partes de los Pueblos Indígenas?

**Don Augusto Willemsen-Díaz:** Mire, el deseo de ayudar. El deseo de ayudar era muy grande.

*[La intervención de Don Augusto Willemsen-Díaz es seguida de una gran ronda de aplausos]*

*[Don Augusto's Willemsen-Díaz intervention is followed by a round of applause]*

**Nilo Cayuqueo:** I just would like to say that I am very very happy that Augusto is alive. Somebody told me he died, but he is not. I just told this morning to Elsa Stamatopoulou, who was the President of the Permanent Forum<sup>21</sup>, that I was very happy to know that he is alive. I would also like to ask Elsa why is so important Augusto Willemsen-Díaz in the participation of Indigenous Peoples at the UN bodies, if you have some words about that.

**Elsa Stamatopoulou:** Thank you Chair. Just to say that Augusto Willemsen-Díaz completely changed the practice of UN studies, because UN studies used to take three to five years maximum and they were just comparative law studies that were done amongst governments with hardly any input. He completely revolutionized these explaining about monographs and it took this study - instead of three to five years - it took twelve years and this was the participatory research that we are advocating today as a methodology on indigenous issues is what he instituted. Something that we need to always pay tribute to and, as I was saying to you this morning Nilo Cayuqueo, when Martínez Cobo was presenting the study, in 1982, because he didn't know much about it, he was very nervous and trembling, Augusto was on his right, I was on his left. He was trembling because the political responsibility was tremendous and, as Augusto said, he never really took it. So, we need to pay tribute to Augusto, because he completely revolutionized the institution from within because he was the first person at the UN to deal with Indigenous Peoples' rights with tremendous commitment and he was my mentor. I always pay tribute to him. I think we need to always recognize him and I am very glad that he is alive and well and he's been interviewed and that he continues to share to all of us. Thank you.

**Allene Chockie Cottier:** This morning has been really full of information and showing us the importance of what is possible in a world that is presented to us as impossible. Initially, that had no place for us there. It was just another displacement of our issues. What we have done through the help of people like Augusto Willemsen-Díaz and all of the others that have been mentioned this morning, I mean, we are changing the world and it is our world that is directly affected by their help. I think that is a message that is important for the youth to recognize and move forward with and incorporate into the body of the United Nations wherever possible. So thank you very much.

<sup>21</sup> Elsa Stamatopoulou has been the Chief of the Secretariat of the UNPFII from 2003 to 2010.

**Oren Lyons:** I don't remember whether I mentioned that yesterday, my conversation with Willemsen-Díaz here in Geneva many years ago. We met by accident on a corner, in the streets, and we had a conversation and I asked him: "How many friends that we have at the UN?" and he said: "None." I never forgot that. I just don't remember if I mentioned that yesterday or not. He told me then. He said: "None, you have none." So, that was good information for me. [Laughs]

**Willie Littlechild:** Thank you very much and good morning to all delegates, first of all. [*Some words in Cree language*] I think that mainly to the students, I wanted to direct perhaps a couple of suggestions. First of all, what you hear about what happened, within the walls of these institutions (the United Nations, the ILO) is an amazing story, when we just witness it. But what is important also is to look at the parallel history of indigenous activity during this time. For example, what was the role of the American Indian Movement? What was the role of the World Council of Indigenous Peoples throughout this? And, by the way, we have a former president of the World Council sitting back there, Clem Chartier, and I think he has got history to tell, too. José Carlos Morales, too. The Indian Treaty Council, the Inuit Circumpolar Conference, the Sami Parliament, what was the role of these people during this time? Because it is significant not to exclude that. The Asian region development, the African region. What was going on in those regions? Let's not forget about the indigenous contribution to this history. It's important. For example, why is it, why is it that Declaration on Minorities took only seven years? Why is it that the Declaration on Indigenous Peoples took 25 years? So, the distinction that Augusto Willemsen-Díaz is making between minorities and Indigenous Peoples is very significant. Not to forget that. Don't forget, if you ever want to stop a meeting here at the UN, call for Indigenous chair. Because I remember asking for Indigenous co-chair here, at the UN, and they stopped the meeting for the whole day. The reason was they had to get a legal opinion from New York and, with the 6 hour time change, they had to stop the meeting. So, I am just saying to the young people: don't ignore our own history on this. The Indigenous Initiative for Peace, what was their contribution in this whole movement? I just wanted to make that comment. Thank you.

**Dalee Sambo** [*She speaks in Inupiaq*] I think what I have to say follows what Willie has just shared. We were asked earlier about what compelled us to participate in the work of the United Nations and for Inuit (which I am Inupiaq from Alaska) it was all of these world events taking place around us, world politics. You know, the Arctic, nobody wants to go there. Thank goodness for us. No one wants to live there, except us, but, to a large extent, it is world politics and events that caused us to pay attention to what was happening in international community, reaching as far back as the 1933 Eastern Greenland case where the doctrine of *terra nullius* was applied. The debate between Denmark and Norway, because of their economic interest in harvesting fish and shrimp, they determined, in that case (which was a case of the Permanent Court of International Justice, an agency related to the League of Nations) that Greenland was *terra nullius* and Australian Aboriginal People and other indigenous Peoples around the world know about this particular doctrine. I think that the history certainly of the Sami people - I feel like to have a sense of responsibility because we don't have any Sami representatives here, but they are my Arctic brothers and sisters -. The Sami Council, formally the Nordic Sami Council, organized in August of 1956, one of the longest standing organizations indigenous political organization uniting the Sami in Norway, Sweden, Finland and, later, when the Russian Sami were able to join. This is a very significant political development and, of course, they had their own struggles: fighting the Alta dam project, for example. I think Willy referenced to the fact that we have to remember the contribution of Indigenous Peoples, including the Inuit and the Sami.

I also wanted to just briefly mention, in terms of the compelling reasons for participation in the United Nations work is, as Bill Means was speaking, about the impact of the Cold War. For

Inuit, throughout the Russian Far East, Alaska, Canada and Greenland, this is highly significant. And, again, world politics and the impact upon Indigenous Peoples of the Cold War meant for Inuit an actual separation of blood relations between the Alaskans and those in the Russian Far East, in Siberia. This was a really significant impact. The construction of the Distant Early Warning sites on our homelands, the accidents that took place, the militarization of the Arctic Ocean, the militarization of the Arctic region. For example, the 1968 accident causing a hydrogen bomb to be located into Greenland, again as a part of a Cold War activity. These were our homelands, you know, the Inuit suffered because of Cold War politics basically and so again these types of activities, the encroachment upon our territories, prompted us to pay attention to what was going on in the international arena and with Nations-States.

I think that it bears, at least from my perspective, a need to draw attention to the Arctic Peoples Conference that took place in 1973 amongst Sami and Inuit, as well as the International Indian Brotherhood. Also the involvement of Inuit and Sami in the World Council of Indigenous Peoples, as Willy Littlechild has mentioned here, has really significant political development in terms of Indigenous Peoples attempting to unite and bring forward a unified voice over these encroachments. The Sami and the Greenlandic Inuit shared a seat originally within the WCIP, the representative Aslak Nils Sara. In particular to the WCIP, some of you remember him and his participation. Though I was not present in 1977, simultaneously the Inuit were organizing. In June of 1977 was the first Inuit Circumpolar Conference that brought together the Inuit of Alaska, Canada and Greenland, but because of the Cold War, the Russians were absent but we left an empty seat for them and eventually they joined us. That was a significant development, again, going on simultaneously with the organizing and preparation of the 1977 Conference here.

We had our own business in the Arctic and, as far as contributing to the international work and participating, Inuit have been consistently at the table with regard to the human rights standards' setting and contributions of a distinct nature from the Arctic region and our perspective with regard to how we conceive of our rights and our world view from this unique region of the world. As well the Sami, and again I feel a sense of responsibility as I mentioned to some of you. I am the surrogate for Lars Anders Baer who was supposed to come to the session and who was going to bring a Sami youth with him, who canceled that at last minute. So, I am sitting in for his role here in terms of Sami contribution to the work at the international level.

I am pleased that Jacqui Lambert, a young Inupiaq woman, is here to hopefully over there next three years have a chance to interview many of you, but also many of the Inuit and the Sami at home as well. So, I can say a lot more about the chronology and the developments with regard to the Permanent Forum and other work at the international level, but I think that, in conclusion, what compelled us to participate again was the impact of world politics on our region, the encroachment that we began to feel, not to mention the blatant violation of basic human rights of our people. All of those things are unfortunately a shared story on the part of Indigenous Peoples everywhere. I suppose that in a nutshell - and I just want to share this with the young people who are here - that, in a nutshell, what has compelled us is the fact that we always wanted to be Inuit. It is simple. We always wanted to be People in the World. We always wanted to be Indigenous Peoples in the world and, to borrow the word of a Sami brother: "very simply, we want a right to our past, a right to our present and a right to our future." If you think about those words, that really does embrace everything about who we are as distinct Indigenous Peoples and that is my wish for the future generations: to safeguard that right to your past, that right to your present and that right to your future. [*One word in Inupiak*]. [*Applause*].

**Bill Means:** I wanted to tell a story somewhat to show again the value of Augusto, who, to us, was a kind of a silent warrior, you might say, because, as you heard in the presentation, just

the idea of introducing for the first time us as Indigenous Peoples. He said himself, the reason he used the word “peoples” is because we have the right to self-determination. He was the original champion for that phrase within the UN system.

The story I remember is I wanted to ask him as being organizer, as representing our people, practically speaking, how can we penetrate into the bureaucracy? Do we call for working group? To one observer status? Do we want to be a Nation-State? What is practical? He said: “Well, that is a long discussion. I’m going to pick you up after today’s session and we are going to go have some coffee.” So, he picked me up in this beautiful older Mercedes Benz. I said: “Why are you driving a Mercedes?” He said: “Well, here in Europe, when you buy a car, it’s an investment. It’s not just for one year, two years, and then you buy another one.” That kind of stuck with me, that they made cars a lot better here, historically. So, we went and he said that, when he introduced me to the idea that was in the film of the Working Group. A place to bring our documents, a place to promote the study documentation and the history and remember the original mandate is set for the development of principles, a call for the development and the update for the Member States of the situation of Indigenous Peoples. So, there was two things. There was one to come here to tell a story, what is the conditions we live under, but also to development of principles, to the development of the institutions, which became, of course, the Declaration.

He had an amazing foresight. He had an amazing ability to envision what was possible under the heavy restriction, the immense bureaucracy, the right-wing leading leaders of the United Nations. He is an invaluable. He is, probably more so that any staffers in the history of the UN, responsible for where we are today. I want to give him that recognition, but he also, as he said, he helped in the establishment of the Docip because he had some assistants. One or three that come to mind, of course, is Isabelle<sup>22</sup>, who was introduced yesterday, who actually wrote a Treaty study. Then, we have Mario Ibarra, from Chile, who helped many of us through the bureaucracy here, where to eat, where to put your documents, where to find agenda. He knew the workings of the UN system. There was another young girl (I don’t know her last name), her name was Jacqueline<sup>23</sup>. She also was one of the original Docip people that I met. I served under regional Docip board<sup>24</sup>.

We can't probably give enough credit to Augusto for what he has done for Indigenous Peoples to introduce that concept, when we didn’t even want to be recognized by the countries where we live. He subtly, kind of like a submarine, he floated beneath the surface of the UN [*laughs*], but he carried a powerful arsenal of the truth, he carried a powerful arsenal of documentation, of who we was, Indigenous Peoples. So, I want to say: thank you, Augusto. [*He thanks in Lakota*]

**Michael Eckford Aka Anderson:** Thank you, Madame Chair. I just want to pass on some reflections of my experience with Augusto Diaz. I came from Australia, in '81, to this Conference, in July. On my way, I stopped off in Canada, in Ottawa, and met up with the National Indian Brotherhood. I was told in that country that I had to return back to Australia and not to keep coming because of some of the documents that we were bringing here. Del Riley<sup>25</sup> saw this frustration in my face, during our meeting in Ottawa and asked me what was happening. And, I said: “Look, mate. We wrote some papers about land rights in Australia and we want to deliver them at the 1981 Conference. We have some very big concerns about the American militarization of zones around Aboriginal lands within Australia, in the Central deserts, in Western Australia, in Northern Territory.” Of course, the Australian government

<sup>22</sup> Her complete name is Isabelle Schulte-Tenkhoff.

<sup>23</sup> Her complete name is Jacqueline De Puy.

<sup>24</sup> Bill Means is a founding member of doCip, with Edith Ballantyne, René Fuerst, Pearl Grobet-Secrétan, Louis Necker, Pascal de Pury, Augusto Willemsen-Diaz.

<sup>25</sup> Chief Del Riley was at that time the National Chief of Canada and one of the co-chairs of the World Council of Indigenous Peoples.

decided that I should not come to this conference and attempted to turn me back in Ottawa, but Del Riley, of Canada, sort of decided: "Well, you going to go, mate. We'll make sure that you get there." They made arrangements for me to continue on and I did continue on to the Conference. When I got the airport, here, in Geneva, to my delight and surprise and, actually, shock and horror, Augusto Diaz was standing at the airport, waiting to pick me up. I get emotional because it was the very first time that I had experienced a threat from within my own country of this nature. When I arrived, he came up to me, he introduced himself and he said: "I am here to make sure you get to the Conference. We'll make sure your voice is heard." With some UN security fellows with himself, he showed me the six Australian security fellows who were waiting at the airport to pick me up and turn me back on an airplane and keep me away from the Conference. And, I came here and it was wonderful because he took me up on that stage, which was elevated that was referred to yesterday and got me up on the front and asked me to deliver my paper that concerned the Australian government very seriously, particularly, the Americans with their ambition to militarize Australia, for and on behalf of America. So, I would just like to thank him.

**Toni Gonzalez:** I had myself the great honor and privilege to be associated with Augusto Willemssen-Díaz, at the beginning of 1984, as a delegate representative with the International Indian Treaty Council. I am moved and "impressed" is not the right word for the gravity of knowledge that August had and the vision, as Bill Means referred to, and the writer for the "Cobo Report". Cobo himself didn't want to touch it and passed it on to Augusto. Just to make my talk short on that, the discussion, if I made read this in part, says:

The study completed in 1983 concluded that existing human rights standards are not fully applied to Indigenous Peoples and that international legal instruments are not wholly adequate for the recognition and promotion of the specific rights of indigenous populations as such, within the overall societies of the countries in which they now live.

It recommended that a declaration leading to a convention be adopted. With that, I will save the rest of my talk on how we can begin to promote and upgrade the Declaration to a convention because that in itself would take years. Thank you very much.

**José Carlos Morales:** Ahora que escuché a Dalee y a otros también, quiero traer aquí, a la mesa, un asunto muy importante, pero, antes, recuerdo un pasaje de cuando quería invitar como Presidente del Consejo Mundial de Pueblos Indígenas a Sra. Daes para que nos acompañara en la 4ª Asamblea, en Panamá. No tenía cómo accederla a ella, pero me encontré a Elsa, que era su asistente y le dije a Elsa que queríamos que Sra. Daes viniera a Panamá. Ella me dio: "Déjame. Yo voy a hablar con ella." Después, salió Sra. Daes diciendo: "Sí. Sí voy a Panamá." Quiero agradecerle a Elsa ese pasaje. Tal vez no te acuerdas, pero eras la asistente de Sra. Daes. Muchas gracias, Elsa. Elsa ha sido también un bastión para el movimiento indígena internacional, aquí, en Naciones Unidas. Bueno, la gran función que tuvo ella como Secretaria del Foro Permanente. [*Aplausos*]

Una cosa que quiero traer aquí a colación es algo muy importante. Es un capítulo que quizás lo estamos dejando fuera. Es los movimientos indígenas después de los años '70. Después de los años '70, a finales de los '70, cuando empezó todo esto y, especialmente con la participación del Consejo Mundial de Pueblos Indígenas, en varias regiones del mundo hubo toda una revolución en organizaciones indígenas, que yo no había visto antes. Antes, había una, por ahí, no había, en mi país no teníamos nada. Después, empezó un movimiento muy muy fuerte que ya no para. Ahora, hay cientos y cientos de organizaciones indígenas en cada uno de nuestros países. Pequeñas, grandes, medianas, nacionales, transnacionales, confederaciones, federaciones. Hay una serie de movimientos indígenas en todos nuestros países. Tenemos que

valorizar eso. Yo creo que es muy importante para los jóvenes tomar en cuenta ese fortalecimiento que hubo ya en los años '70 con los movimientos indígenas, en el mundo entero. Yo creo que aquí, en Naciones Unidas, nos han permitido sentarnos con nuestros hermanos, dialogar, ver qué pasa en África, qué pasa en Asia, qué pasa en América, qué pasa con los Inuits, qué pasa en Rusia, etc. Es bien importante. Yo lamento también, como lo decía Dalee, que no haya nadie de los Samis, aunque ella está representándolos acá, pero, normalmente, son muy participativos los Samis. Sí, en esta reunión, vamos a tener la falta de la participación de ellos. Quería atraer a esto nada más, de que tomemos en cuenta, especialmente los jóvenes, de lo que está aconteciendo en nuestros países con los movimientos indígenas, las organizaciones que salen. Algunas mueren, vuelven a salir, etc. Es una cosa humana, natural, en nuestros países. Esto, tenemos que valorarlo muy seriamente también, tomar en cuenta eso, que ya hay toda una revolución en ese sentido. Gracias.

**Nilo Cayuqueo:** Voy a tratar de ser bien cortito. Solamente, estar contento porque Augusto está con vida. Tengo planes de ir a visitarlo porque es parte. Lo menciono en el libro que estoy escribiendo. Fue un gran amigo. Es un gran amigo. Yo me quedé en la casa de él, en 1977, antes de venir acá. No tenía lugar para estar porque estaba en Europa. Venía de Kiruna, de la conferencia que organizaron los hermanos Sami, donde estuvo también Augusto. No tenía lugar para quedarme y él me ofreció su casa, aquí en Ginebra. Me fui a quedar a casa de él. Me llevó en el Mercedes Benz que dice Bill Means que tenía, uno viejo. Ahí, me dijo: “Ustedes son millones. Tienen que juntarse y tienen que tomarse Naciones Unidas. Tienen que quedarse acá y, cuando vengan todos, tienen que buscar la forma de quedarse, proponer cosas para seguir metidos acá. Tienen que tomarse Naciones Unidas.” Se reía, pero dijo: “Yo he estado con los mayas, es mi gente.” Él estaba muy entusiasmado con que veníamos acá cientos de indígenas a Ginebra. Él estaba entusiasmadísimo. Estaba muy contento. Él tenía esa visión de que deberíamos tomarnos Naciones Unidas. Es lo que él decía. Es un gran homenaje que me gustaría proponer que hagamos una recomendación agradeciendo a Willemsen, a Augusto, que hagamos una resolución acá, o firmando por todos para hacerle un honor a Augusto, agradecerle por todo lo que ha hecho dentro, como ninguna otra persona, creo, en la burocracia de Naciones Unidas, ha hecho tanto por nuestros pueblos. Entonces, quizás podemos hacer como un saludo de agradecimiento, dándole un honor de ser parte del mundo indígena. No sé si están de acuerdo con eso.

**Roxanne Dunbar Ortiz:** I greatly agree to enforce what Nilo suggested, but I just want to tell a very short anecdote. Augusto taught us all so much but sitting at his feet. In 1977-78, '79, '80, '81, learning was absolutely invaluable. I feel like I owe him a debt because, at the core of why he did this was for the Mayan people. That was his core-driving force in him: to change, shift things, so the Mayan people could be free in Guatemala. That was really his core feeling. What I did, as a gift to him, was I made a project out of kneeling down Rigoberta Menchú Tum and bringing her to the first Working Group. I remember taking her to his office, before anything else. She stood in the door and the look on his face was like: “Mission accomplished.” I just wanted to say that. I felt like I was able to give him a small gift or a big gift.

**Tomás Condori Takir Mamani:** Gracias, señora Presidenta. Bueno, también quiero contribuir por el conocimiento del trabajo del Señor Willemsen-Díaz que ha colaborado bastante, aquí, en Ginebra, en Naciones Unidas. Lo nombró a una señora que era la embajadora de Panamá para que pueda hacerlo firmar con los Estados, para que apoyen para organizar el Grupo de Trabajo sobre Poblaciones Indígenas. Así se comenzó el trabajo de poblaciones indígenas, aquí en Ginebra. Evidentemente, lo conocí como un compañero al Mario Ibarra, colaboramos los dos, nos apoyamos para compartir cómo trabajar. El Mario también



estaba promocionando aquí el *Indian Treaty Council* y nosotros del Consejo Indio de Sudamérica hemos contribuido también. Los dos hemos trabajado y conocemos bien también a la Señora Ballantyne, que nos ha colaborado también, en varias ocasiones, en todo lo que se ha podido, merece un saludo y un aplauso para la señora que está aquí [*Aplausos*]. También quiero preguntar. Hay una pregunta que está aquí. Nilo conoce bien el problema. Usted también, señor Morales, conoce bien. ¿Qué pasó con el Consejo Regional de... CORPI? Que ha existido y se murió o se vivió, ¿qué pasó? Usted lo conoce, en 1984, no participó en el Consejo Mundial. Tal vez, antes se ha muerto, no conocemos bien. Y también tenía que tener estatus consultivo. Eso es lo que puedo decir. Gracias.

**Allene Chockie Cottier:** OK. Thank you. I think that that's something that can be handled later because we really need to move on. I am not doing that in a negative way, but they can respond to your question either personally or collectively within the workshop, as the subject of indigenous organizations and participation enters the discussion. We really are so far behind. We were going to have to shorten the break anyway. If you are all in agreement than you can take individual little breaks on your own, we can move forward without a break and elect or choose a Chair and a Rapporteur and then collect ourselves and begin the initial workshop. That'll catch us up in a few minutes, anyway. Is everybody in agreement with that? If you agree... You don't agree bypassing the break. We are not going to have the break. We're cruising towards lunch if we cannot bypass break. Then we'll have the workshop in this room and we'll just proceed with Chair and Rapporteur. Everybody agree? OK.

Who would like to propose or volunteer to be the Chair for this workshop on the role of NGOs and International Organizations in the promotion of the rights of Indigenous Peoples? It's item 11.00 to 12.30pm. Do we have any discussion among you? I'm not getting any response. Is nobody willing to be the Chair for this workshop? Would somebody...? Anybody?

**Roxanne Dunbar Ortiz:** I nominate Armando Rojas.

**Allene Chockie Cottier:** Armando Rojas for Chair of this workshop? Yes? OK. Special Rapporteur? We need a Rapporteur. We need a Rapporteur. Roxanne, do you want to propose somebody?

**Roxanne Dunbar Ortiz:** How about one of the youth?

**Allene Chockie Cottier:** If they feel comfortable with it.

**Roxanne Dunbar Ortiz:** Someone of the youth wants to...? Would you like to be Rapporteur?

**Wayanay Mamani:** Yeah!

**Allene Chockie Cottier:** OK. We have a youth representative for Rapporteur. So, welcome to the podium. Please, thank you all. I don't know if you think the discussion is more productive if you get closer or if you think you are comfortable where you are. From up here, it looks very sparse and like everybody is very distant, but we all have mics. You can choose to sit where you are or whatever. The Docip people are not going to do the translation. So, we'll handle it down here.

[*Q'apaj Conde Alancaay Morales relevan a los intérpretes del Docip*].

[*Q'apaj Conde Alancaay Morales replace Docip's interpreters*]

## Workshops

### *Talleres*

**The role of NGOs and international organizations in the promotion of the rights of Indigenous Peoples: accomplishment, failures and examples of successful practices.**

***El papel de las ONG y las organizaciones internacionales en la promoción de los derechos de los Pueblos Indígenas: logros, fracasos y ejemplos de prácticas exitosas.***

**Armando Rojas Smith:** Su atención, por favor. Entonces, vamos a iniciar este taller y vamos a pedir a los traductores que vengan aquí, a la mesa, para apoyar en la traducción. ¿Están los traductores? Bueno, vamos a iniciar este taller. Es un grupo de trabajo que va a versar sobre las organizaciones no gubernamentales internacionales en la promoción de los derechos de los Pueblos Indígenas: sus logros, sus conflictos y sus ejemplos de logros.

**Allene Chockie Cottier:** Translators are getting in place right now. We will have this conversation for one hour and it will begin with a 15 minute video presentation by the European NGOs, followed by a 45 minute discussion. Then we'll have lunch.

**Helena Nyberg:** Once again, we would like to appreciate and acknowledge what Chief Willie Littlechild said yesterday on our behalf. Thank you very much for bearing with us and for entrusting us to be able to support you. I represent Incomindios-Switzerland, which was actually the first one, as you already heard, to be founded by you. It was the artist Jimmie Durham, Cherokee, who, on behalf of the IITC (International Indian Treaty Council) founded us and tried to find allies to help us here in Europe. That was 1974, even prior to the first conference, in 1977. Since that time, we have been active on your behalf. We are about 850 to 1000 members all over in Switzerland, but we are not the only one. It started to really develop and I pass immediately on to my good friend and colleague, Monika Seiller, from München, in Germany.

**Monika Seiller:** Thank you. We are not as big as Incomindios, but the *Aktionsgruppe Indianer & Menschenrecht*, translated "Action Group for Indigenous Peoples in North America and Human Rights, is working in Munich. We started our work 1986 in support of the Dineh people that were threatened by the force to location to mine coal at Black Mesa. I've been coming here since 1989 to the United Nation's meetings. One of our issues at the Action Group is the publication of a magazine. I hand on. I give the word to Sylvain, from Paris.

**Sylvain Duez-Alessandrini:** My organization is CSIA<sup>26</sup>-Nitassinan. We are a Paris-based organization, in France. We have been created in 1978 because people from France came in 1977, here, at the UN to hear the voices of Indigenous Peoples. Those people from France were already involved in human rights or in the fight for decolonization. Therefore, as it was mentioned yesterday, they found out that Indigenous People had been forgotten on the Universal Declaration of Human Rights and also on the different levels of decolonization. Therefore, we created our organization in 1978 and we are still active. With my colleagues

<sup>26</sup> CSIA Comité de soutien avec les Indiens des Amériques.

later on, we formed what we call the "Euro-meeting of Indigenous Peoples Support Groups". I leave the floor to Peter from Austria.

**Peter Schwarzbauer:** Hi. My name is Peter Schwarzbauer from Austria, Vienna. Our group is called the "Working Circle on Indigenous Peoples of North America". It has been founded right after the second United Nations Conference, here, after many Indigenous Peoples toured through Europe. I will guide you through a brief Power Point presentation where you can see what support groups can do and what the limits are.

One thing, at the beginning, one of our principles: over hundreds of years there has always been "good-doers" who knew exactly what's good for Indigenous Peoples. We are exactly not "good-doers", because our first principle is that we only do things when we are requested to do things. If we have an idea of what we can do, we consult with Indigenous Peoples. We have direct contact with Indigenous Peoples. We are not doing anything on our own.

**Helena Nyberg** In support groups, such as ours, we try to be the facilitators for you to set a stage for Indigenous Peoples and that they can present themselves. We are not putting ourselves to the foreground, as Pierrette Birraux from Docip said yesterday; we usually don't take the floor. It's you who take the floor. That's probably why you don't know us. We only support those Indigenous Peoples that defend their identity. We would like to reject very strongly any sell outs of land-rights, culture and spirituality. Most of all, we don't want to have anything to do with wannabes or newagers. [*Applause*]

### **Monika Seiller**

Another principle is basic in our principles. We are the ones who make the final decision on what we can support and what we are able to support. The main aim of our work is fundamental change of the legal and political framework.

### **Sylvain Duez-Alessandrini**

We support the rights of Indigenous Peoples as peoples, not as indigenous individuals. We are not a welfare or charity organizations. We are not interfering with internal issues of Indigenous Peoples because we are working on the basis of the campaigns that Indigenous Peoples and their organizations are launching.

**Peter Schwarzbauer** [*PowerPoint projection*<sup>27</sup>]: Our work is of political nature, pure political nature. We are primary activist. We are not to be confused with anthropologists having some other interest in indigenous issues. Although it's not our main focus, we also organize cultural events, such as concerts with Indigenous Peoples, readings, poetry and film festivals because we are aware that cultural events are serving to carry also political messages and we found many many times that Indigenous Peoples who are artists are also political activists. We only do work in this direction.

I will now start with a small presentation to give you some idea of the work we are doing. I think the slides and pictures say more than a thousand words. We'll say a brief thing about that. This is just an example of one of the European meetings where people from Germany, Switzerland and Austria came together and we organized things. One of the basic principles, as I said before, is that we only do things when we have a direct contact with the Indigenous Peoples. Either they visit us, in our countries, when they are on tour or we go to them. This is

<sup>27</sup> El power point esta en anexo – See the appendix

just a few examples of that. This is, for example, Matthew Coon Come visiting our group in Vienna, in Austria, some years ago. We also go the other way. This is a very old photo. Frank Fools Crow was living at the time. When I visited him, he was very active in the Black Hills case of the Lakota. This was a visit back to him. This more recent photo where we are very engaged in British Columbia, at the moment, and aboriginal titles stuff. This is a visit with Shuswap people and the guy with the shirt is Wolverine, who was very famous in the Gustafsen Lake's fight. This person is also very well known to all of you, Petuuche is always at EMRIP, for example. He is from Acoma Pueblo. I just want to show that we only deal with the issues which we know exactly what we are talking about because we have the direct contact.

Another important thing in Europe, especially the German-speaking world is all these clichés and stereotypes about Indians, which is one issue we want to overcome with our work of information. The guy in the middle is me, with 8 years or so. I was very heavily involved in that and I was one of the few who really overcame it. It is not easy to get over this stereotyping thing.

**Mike Myers:** Thank you guys from Germany and Austria. Are you working to help us get over this bogus Indian camps that exist in Germany and Austria and Czechoslovakia?

**Monika Seiller:** That is a very difficult question. We are working against the stereotyping and the exportation of indigenous culture, but we are always trying to inform the public about that. We can't close them. That is not in our means, you know?

**Peter Schwarzbauer:** One of the problems is that this people don't even want to know anything about the current situation. They just want to skip the whole thing and when we want to destroy those stereotypes, they're blocking it. That's one of the big problems we have ahead.

One thing is to spread information. All our groups, now or then, set up information. This is a very bad photograph, but it's important because it's related to this Conference. This is Larry Red Shirt, from the Lakota who was at the first and second Conferences here. One is Mario Gonzalez. He was a lawyer for the Black Hills' case then. They toured, as many others, after the Conference, through Europe and that was a catalyst for these European support groups, so the support groups also were, in a way, influenced by the conferences because many Indigenous Peoples took the opportunity, when they were here, to go out to other countries as well.

We also try to bring Indigenous Peoples in schools because we think the younger generations should know what really the issue is. We have many activities in schools. This is just Milo Yellow Hair also from the Lakota, who is an honorary member and we taught many things in schools. I am sorry if I am quick.

Another way we mediate or facilitate things is when we try to get indigenous issues to the media, in Europe. This is, for example, a press conference we set up in connection with the Olympic Games in Vancouver. Arthur Manuel is also one honorary member who is very outspoken in use of aboriginal titles and who was very much against the Olympic Games because Austria, for example, is a skiing country. It was important we could use that fact.

We also make personal contact with Indigenous Peoples and media people. This is Ovide Mercredi, National Chief, at that time. We organized press conferences and personal interviews. We try not ourselves be the speakers, but to put Indigenous Peoples into position to do that work.

Another thing is we get a lot of requests for supporting issues like avoid destroying some area, to help people getting land rights and stuff like this. We do a lot of collecting signatures and

writing protest letters. This is one of the information tables where we also collect these signatures.

What also is important is that we try to get Indigenous Peoples in connection with European politicians, not only media people, but politicians. It's a very hard thing to get to those people. This is an example, also, a Lakota delegation regarding the Black Hills case with then Joe American Horse on the right side as the tribal chairman, for example, as one of the traditional guides with the Austrian Federal State Secretary. Of course, the reaction from the European politicians is weak because they have a very big fear of getting in fight with Canada and the United States.

**Monika Seiller:** There are also many issues affecting Indigenous Peoples that are directly linked to Europe. For example, we have the resistance against the observatory on Mount Graham which is directly linked because institutes from Germany were also involved. Another one would be extractive industries, for example. If you have uranium mining, that will go on as long as we have nuclear plants in Germany or in Europe. If you stop that, then we don't have the need to have the uranium mining that is destroying indigenous lands. It's an obligation to get active.

**Helena Nyberg:** For example, we try to also support you by issuing thematically specific papers and documents that you can use. For example, Incomindios has just, what Monica said on extractive industries, we produced a little guide for use by Indigenous Peoples, also by the young people: how to start this work? In your lands, in your reservation a mine comes in and wants to start mining. What can you do? This is also one part of our work, what we can do for you.

**Peter Schwarzbauer:** You see the last picture regarding political meetings. This is a meeting with the AFN<sup>28</sup> delegation, in 1997. You see, on the right side, Willie Littlechild. He was then in a different position. Many of you probably know the case of the Lubicon Lake Cree in Canada and our greatest success in Austria was that we got the Austrian Parliament for a unanimous resolution against the Canadian government. They really got mad, also, the Austrian ambassador in Canada. This is one of our success stories when we really got something that the Canadian didn't like.

**Armando Rojas Smith:** Por favor, ya terminó su hora. Si tienen alguna documentación que presentar a la mesa, estamos dispuestos a recibirla para que sean parte de los archivos de este Simposio.

**Helena Nyberg:** Can I just be so bold and ask you, would you like us to finish? Because if there are not any urgent pressing questions or other people to speak... Is that OK? I don't know if there are any other workshop issues on the agenda right now?

**Monika Seiller:** May I just add that we had prepared some papers and we put them on the table.

**Peter Schwarzbauer:** Just one last thing. We all work on a shoestring budget. It seems big things we are doing but we all have very real budget and we are all voluntaries. It's not our

<sup>28</sup> AFN: Assembly of First Nations of Canada – Assemblée des Premières Nations du Canada.

main job to do these things. It's a voluntary work. [*Applause*].

**Armando Rojas Smith:** Bueno, vamos a continuar. Primero, queremos saber quiénes son los que van a tomar la palabra en esta sesión de trabajo. Si hay alguno de ustedes que van a hablar, respecto al tema, por favor, levanten la mano para que podamos agregarlos y continuar. Si van a presentar, por favor, si tienen algunos documentos, pueden presentarlos aquí, a la mesa, para que sean parte del archivo de este Simposio. ¿Constantino? ¿Hay alguna persona que quiera hacer alguna presentación sobre este tema? Están bienvenidos en estos momentos. Muy bien, entonces, comenzamos con ustedes.

**Sharon Venne:** Good morning. My name is Sharon Venne. I just wanted to make a comment about the presentation that was just made by Incomindios because Incomindios has been one of those NGOs that over the years have consistently and consistently supported the work of Indigenous Peoples. They have done so in a very quiet but determined way. They have never interfered with our work and telling us what to say or not say in any of the meetings, but have facilitated us to be able to appear in many meetings. So I want to thank them for that work because we all know, all of us in here, all of the Indigenous Peoples who have had to use other NGOs to be able to access meetings, that many NGOs do not allow Indigenous Peoples to speak freely from our Nations and they want to control us and they want to tell us what to say or not say. That limits our ability to do our work. Incomindios has never done that to us. I have never experienced that with Incomindios. For more than 30 years, I've been working. I've seen them working. I've sat beside them. They have helped us to do the work. I think people need to know that there are non-indigenous NGOs who have been very instrumental in helping us to do our work. I want to thank them for their presentation.

I think when we discuss NGOs, we need to talk about the serious problem, I think, that has confronted us, particularly, I am talking from North America, Northern Turtle Island. There are NGOs operating in our territory who are State sponsored NGOs, who are controlling the agenda. They are using our people to try to change the messaging. I think that's a very serious discussion that we need to have. They are meeting with government officials, supposedly, on our behalf without our knowledge. I heard about them by accident. They have met with senior members of the governments across Canada. I don't know what they are doing in the United States, but, in Canada, I know they are doing this. They are promoting an agenda which is not our agenda. They are using the cover that they are supporting Indigenous Peoples. That's why they get access to these meetings. They have their own thing that they're selling.

I think we have to be very mindful of that when we find NGOs that are very supportive of us, like the ones that helped us organized the meetings in '77 and '81. They have always consistently helped us, like WILPF<sup>29</sup> and Incomindios and other NGOs. The World Council of Churches has facilitated many times meetings for us. We need to acknowledge that, but we also need to be aware of this other NGOs who have their own agendas and who use us to acquire funding to run their offices and to support their own people as a job. So, we become a source of employment for them. That's our caution to our people about that. I run into this. I've seen it in Canada. I've seen it outside the country. We need to always be mindful of what are their alternative motives because they don't actually love us that much, so to speak. Thank you.

**Armando Rojas Smith:** Lo que vamos a hacer, para que todos participemos, es que vamos a tomar una participación de aquí, una participación de allá, hasta que lo agotemos. Vamos a comenzar con uno de aquí, de esta mesa.

<sup>29</sup> WILPF: Womens' International League for Peace and Freedom.

**Florencio Morales:** Bueno, mi nombre es Morales Florencio. Vengo de un territorio bastante grande, en la Patagonia argentina, donde se encuentra gran parte de la población mapuche existente, en la Patagonia. Me gustaría hacerle una pregunta a la hermana que estaba hablando acerca de estas organizaciones que transforman esta lucha indígena en trabajo para ellos y acomodan a sus "partenaires". Me gustaría saber los nombres de esa organización, realmente, a la cual tenemos que tener en cuenta al momento de relacionarnos.

**Armando Rojas Smith:** Vamos a dejar eso. Es una cuestión muy particular para profundizarla. Su nombre y de dónde viene.

**Mary Simat:** My name is Mary Simat from Kenya, Maasai People. I haven't spoken since I arrived, since yesterday. Now, I think I have something to say. I just also want to encourage organizations that do documentaries and videos to bring issues on Africa or maybe they had, but they didn't reach the end. Also, as we prepare ourselves for the Indigenous World Conference, we want to see a lot of African issues coming out also. I don't know where the people are doing it, but if this is the beginning, then we need a lot of support because, when I watch the speaker, the old guy, Augusto, it brought to my attention that we have those kind of people also especially back in Kenya. Some of the founders of the Movement for African Indigenous Peoples are still alive and can be able to give you a lot of history and encouragement to the youth. I am hoping that after this Symposium, when we get back, we can also, you know, be able to bring out during the Conference. It's good that we have one of our video girls from Africa doing this. During that time, this kind of history can be collected and many others. I am sure you know about a lot of Maasai who used to attend the Indigenous Peoples Working Group way back from 1977, because I know most of them. I am hoping that this can come out alone. On the NGOs that operate on behalf of Indigenous Peoples, back in our country, it is the same problem as the one that I just heard from Canada, that most of them are based in the cities and they never get to us in the ground; but they are very good in writing reports back. I call them "the experienced report writers that convince the people outside that they have been able to reach us". I don't know how they come out to the reports, but, somehow, I think they concur with them. I always say we have to bring to us talk with people who are very good in writing reports that don't even get to the ground. I don't know whether this is an experience in your own nations. Also, to make sure that if there is any kind of support that is given to the Indigenous Peoples at the grassroots level, it should reach them and not stop at some cities. Then we have them come back to the United Nations, in New York or Geneva to say stuff that is not completely true. Thank you, Mr. Chair.

**Q"apaj Conde:** Gracias, Señor Presidente. Mi nombre es Q"apaj Conde, soy Aymara de Bolivia y actualmente hago el *fellowship* en la OMPI. Simplemente quiero hacer algo muy breve sobre la OMPI. La OMPI es una agencia de Naciones Unidas especializada para temas de derechos de propiedad intelectual. En el marco del taller que se está trabajando sobre organizaciones internacionales, simplemente quiero hacer conteos muy breves de lo que está pasando dentro de la OMPI.

Primero, tal vez habría que definir qué es lo que se protege como propiedad intelectual. Lo que se protege como propiedad intelectual son las creaciones de la mente y, como Pueblos Indígenas, tienen muchísimas creaciones de la mente, dentro del marco de la OMPI, se ha dividido esta discusión en tres áreas temáticas que, en el ámbito práctico, no debería tener una influencia dentro de los conocimientos tradicionales de los Pueblos Indígenas, pero se ha dividido estas tres temáticas porque cada temática viene protegida ya desde principios de propiedad intelectual. Estas temáticas son: "conocimiento tradicional". ¿Qué se entiende por

“conocimiento tradicional”? Son los conocimientos prácticos que tienen los Pueblos Indígenas; vale decir, por ejemplo, cuando un pueblo tiene un medicamento o sabe las dosis de ciertas plantas o cuando tiene técnicas específicas para la agricultura; son conocimientos prácticos. La segunda temática es “expresiones culturales tradicionales”. Las expresiones culturales tradicionales son todas las formas dentro de las cuales se expresa una cultura; un ejemplo son los diseños que tenemos los Pueblos Indígenas, por ejemplo, en la ropa, en la vestimenta; ya ha pasado, por ejemplo, con el caso Maasai, donde una empresa agarra el traje tradicional, le hace un *copyright* y vende como si ellos hubieran sido los diseñadores de esta vestimenta. La tercera temática es “conocimientos tradicionales asociados a recursos genéticos”. En esta discusión, la OMPI no trata de establecer un sistema de protección directo, sino más bien complementar el trabajo que ya se ha hecho en CBD (Convenio sobre Diversidad Biológica) porque ahí ya se tiene un marco de protección para los conocimientos tradicionales: el artículo 8j del CBD.

Un tema que se hace evidente es de que estos conocimientos tradicionales son apropiados indebidamente por compañías farmacéuticas, por empresas y, ya que uno de los principios de la propiedad intelectual es de que el inventor de ese conocimiento tradicional es el dueño y tiene que tener control sobre esa protección. Se trata ahora de crear una normativa jurídica. Aún no se sabe la naturaleza de estos instrumentos o instrumento, ni siquiera el número de instrumentos o el instrumento, se está negociando dentro del Comité Intergubernamental sobre Propiedad Intelectual y Conocimientos Tradicionales, dentro de la OMPI. En septiembre de este año, la próxima semana, la Asamblea General de la OMPI tendrá una reunión para definir el trabajo que tendrá el Comité. Hay distintas opciones que el Comité ha recomendado a la Asamblea.

Para que los Pueblos Indígenas, participen dentro del Comité, que creo que es lo importante, hay tres mecanismos. El primer mecanismo es el Panel Indígena; todas las sesiones se aberturan con un Panel Indígena; hemos tenido la oportunidad de tener, en el anterior Panel, a Kanyinke, *chair* del Foro Permanente, a Toki Valmaine, miembro del Foro Permanente, y otros *indigenous scholars*; también, a principios de año, estuvo el Profesor James Anaya y el Panel trata de tener expertos indígenas que puedan tener una influencia en las negociaciones.

Otra forma de participar es mediante el Fondo Voluntario. La OMPI tiene un propio Fondo Voluntario cuyo requisito para participar es ser una organización acreditada dentro del Comité. La acreditación es muy fácil. Es el llenado de un formulario. Se envía a la Secretaría; la Secretaría envía al Comité y el Comité, en una sesión, aprueba a los miembros que podrían atender al Comité. De nuevo, es un proceso sumamente sencillo, a comparación de otros espacios de acreditación. Una vez que está acreditado, uno puede acceder al Fondo Voluntario. Lastimosamente, el Fondo Voluntario no cuenta con fondos actualmente, pero tampoco sabemos si el próximo año va haber sesiones del Comité. Esto lo van a definir los Estados en septiembre. Si van a haber sesiones del Comité, muy seguramente que Estados van a poder apoyar al Fondo Voluntario.

Tal vez, la tercera forma de participación es el *fellowship* que tiene la OMPI, que, en este caso, yo soy el actual *fellow*. Estuvieron ya, el primer *fellow* fue de Tanzania, Eliamani [Laltaika]. El segundo *fellow* fue Patricia Adjei de Australia. El penúltimo *fellow*, Gulnara [Abbasova], de Rusia y Jennifer [Tauli Corpuz] de Filipinas, fue el anterior *fellow*, y mi persona es el actual *fellow*. La convocatoria del *fellowship* se apertura por el mes de noviembre y, para febrero, ya se tiene un nuevo *fellow* para hacer un trabajo de seis meses a un año, dependiendo también de la agenda que vaya a manejar la oficina.

Tal vez, una última consideración al taller y a los chairs: como el Simposio tiene aquí muchísimas personas que, de alguna forma, han trabajado o conocen temas de la OMPI, no sé si es posible hacer un grupo que pueda visitar al Director de la OMPI. Yo, esta mañana, pude conversar con él. Él está totalmente dispuesto y abierto a poder recibir a un grupo. Si ustedes pueden pensar en ciertas personas que, por ejemplo, Dalee Sambo. Hemos tenido conversaciones informales sobre el trabajo que hace la OMPI. Joji Cariño también conoce,



digamos, el trabajo que se hace, por lo menos, el marco que hay de protección para el CBD, pero, no sé si podrían tener un grupo que pueda discutir esto con la OMPI, con el Director de la División, una cuestión sumamente informal. Gracias, Señor Presidente.

**Dalee Sambo:** I just wanted to echo what Sharon Venne was saying about non-governmental organizations. I think it is a worldwide phenomenon by NGOs to hijack the agenda of Indigenous Peoples and treat us as a commodity, basically. I think she referenced the fundraising. We've seen this extraordinary exploitation of Indigenous Peoples throughout the Arctic. That's one dynamic. I think it's a matter of integrity. As far as possible outcome documents or something from this gathering, maybe just a set of principles about issues like integrity of these organizations, with the assistance of those representatives of NGOs who are here, because they have laid out some of the key principles that really should be exercised and recognized and respected by non-governmental organizations. The only other thing I wanted to add to this dynamic is that the work of environmental organizations and their hijacking of indigenous agendas and attacks on Indigenous Peoples, but also usurping their basic rights, especially when they talk about conservation without engaging Indigenous Peoples and not respecting basic human rights standards like free, prior and informed consent or affirmation and recognition of land rights, territorial rights, resource rights and so on. I think it's an even larger dynamic, in terms of appropriation of Indigenous Peoples and exploitation by NGOs. Maybe a set of principles with regard to those working with Indigenous Peoples, because, what Sharon stated, it really is a worldwide phenomenon.

**Constantino Lima Takir Mamani:** Haciendo un poco de comentarios sobre las ONGs. Un poquito, con todos mis respetos, quisiera, no sé si tiene que cambiar un poquito el rumbo. Las ONGs deberían tomar en cuenta de que, en el continente Abya Yala, hay seis países en mayoría india. Creo que, en estos lugares, especialmente, me refiero (por ejemplo, en Bolivia, cuyo nombre verdadero es "Collasuyo" o "Q'ullasuyu" las ONG creemos que deberían ayudarnos más en la toma del poder político porque somos grande mayoría. Allá, ese censo que se ha llevado a cabo es completamente falso. Parece que han llegado hasta 42 %, como si fuera 42 % solamente el indio, pero no es así. Es que ahí ya están tomando en cuenta como quién sabe leer o tiene una cultura a la europea, a la occidental, ya es mestizo. No, bueno, entonces las cosas fallan. Las cosas que se deben tomar en cuenta es exactamente como Cristóbal Colón llegó. Eso se sigue manteniendo en la práctica. Nosotros somos el 90 % allá y manejados me traen en boca. Sabemos muy bien que el indio no tiene respaldo armamentístico. Esa poca gente (nosotros decimos "un puñado de blanco-mestizos"), nos están manejando, me trae en boca. Entonces, allá, nosotros necesitamos la toma del poder político, quírase o no. Ya un vicepresidente indio, considerado de derecha, ya ha tomado. Nos han traicionado. Ahora, considerado de izquierda, Evo Morales Ayma nos han traicionado, quírase o no. Entonces, por eso, nosotros creemos de que el indianismo comunitarista de ellos, allá, que está con la ideología ancestralista, la reconstitución del Estado nacional Q'ullasuyu, debería ser cooperado también por las organizaciones no gubernamentales. Es nuestra súplica, con todos los respetos. Han ayudado a Evo Morales Ayma, tal vez, creyendo que nos van a ayudar al pueblo indio. Sin embargo, Evo Morales Ayma es nativo, como cualquiera de nosotros. Eso, nunca vamos a negar, es nativo, es indio, pero, en el hecho, se ha rodeado de la gente no india. Ellos son los que manejan. En Bolivia, hay una total anarquía. No hay un gobierno porque ya está ahí un Ramón de la Quintana, ya está Álvaro García Linares, etc., quienes dan órdenes terminantes a Evo para que cumpla los mandatos de ellos. Entonces, es una pena de que nosotros no podamos tomar el poder político. Si de la derecha tomó él alguna rienda, no hizo nada. Si, de la izquierda, toma ahora, nos ha traicionado. No cumple.

Hay un ejemplo bien categórico, que con eso voy a terminar. Allá se está realizando la vigilia, en el prado, en La Paz, donde yo, personalmente, también estoy. La vigilia responde a aquellos mayormente indios y también hay blancos-mestizos con quienes somos compañeros. Algo más

o menos de 500 afiliados ahí estamos ya abarcando con la vigilia, como ya caminando, a 18 meses. 17 meses cumplió. Ni la Ministra de Justicia, ni el Presidente, Evo Morales Ayma, cumplen con el resarcimiento que legalmente existe. Internacionalmente, existe. Nacionalmente, han aprobado. No quiere respondernos. Por eso es que le voy a pedir el favor de que, si se puede comentar, quiero dejar este contenido a la mesa para que conozcan y tal vez un pequeño comentario en la prensa, un refuerzo tal vez, porque nosotros sabemos que en Chile han pagado. Hasta han dado casas. Han dado la salud, becas a los hijos. En Argentina, lo mismo. En diferentes partes. En Brasil, creo que está en plena paga, pero, en Bolivia, oídos sordos. Prácticamente, con un sentimiento inhumano. Esto dejo a la mesa, por favor, para comentario. Muchas gracias, eso es todo lo que quería.

**Roxanne Dunbar Ortiz:** Thank you. I wanted to – having been on the organizing group for the 1977 Conference - just emphasize, for the younger people here, that this was a NGO Conference, it wasn't a United Nations Conference, it was a NGO Conference inside the Palais. The Conference of Non-Governmental Organizations, at that time, led by Edith Ballantyne, was a powerful force in the UN system. That is not true today. It is something, I think, indigenous NGOs can contribute: start building again a community of NGOs because one reason why these negative ones that Sharon Venne was pointing out, which is absolutely true, can play these games, is that there is not a collective of NGOs that are working in a kind of consensus, as existed. We probably couldn't do today what we were able to do then because of the weakening of the NGOs collective community. There were just good NGOs, there was a mixture. The International Commission of Jurists was a rather conservative organization with Niall MacDermot. We had an array under one umbrella. Everyone from communist to fairly conservative people, but who had a consensus where they agreed that racism was negative, apartheid was negative, Indigenous Peoples oppression was negative. So, how did they work? Also, they couldn't have done it without the Indigenous Peoples. They couldn't have done it on their own. It would have meant nothing. It's that interplay. Even that creative friction or tension within is important. So, I just wanted to make that point, that we have, in general, a weakened NGOs community. I think the Indigenous Peoples within the UN system are seen as the most together people because of the work we've been able to do based on that platform we had at that time. We have a lot to contribute to other movements within the UN, as well. Thank you.

**Françoise Morin:** I would like to mention the work of a very important NGO, IWGIA, that all of you know for their books, their presence at New York, at the Permanent Forum. It was created in 1969, so, long before the first conference, in 1977. Two objectives of IWGIA were information, because, at that time, in the 60s, nobody knew about the situation in most of the indigenous territories. The second objective was to help the Indigenous Peoples to organize themselves. We mentioned yesterday Kleivan, a man who played a very important role in the creation of CISA, in the creation of the World Council of Indigenous Peoples, and, more recently, IWGIA played a very important role in the creation of the organization RAIPON in Russia, a place that where it was very difficult to create an organization. Another thing is IWGIA played a role in the publication of the work of the African Commission on the Rights of Indigenous Peoples. In France, we created, about ten years ago, a kind of IWGIA, a very small IWGIA, to translate into French most of the documents distributed at the UN because, at the UN, in New York or in Geneva, many times there is no French document although French is an official language in the UN. We are translating many works from IWGIA, like the yearbook, like *Indigenous Affairs*. We have a website GITPA [*Groupe international de travail sur les peuples autochtones*] and we try to inform the French society about the situation of Indigenous Peoples. Thank you.

**Bill Means:** Yes, Mr. Chair. I want to make a kind or like a legal point that is there is a legally different definition for "NGO". United Nations has a system called "non-governmental organization" where you must be approved by ECOSOC through a very formal process. That's one group of NGOs that are approved by ECOSOC to work within United Nations. Then, when I worked in Mexico and Guatemala, a non-profit organization is called "NGO" as well. In the United States, "NGO" is known as a non-profit organization. In other words, you apply for license by the Internal Revenue Service of your State, that you are not for profit but have a specific purpose. So, there are different definitions of an "NGO" in different countries. It is my point. We have to keep that in mind. We can't stereotype all the NGOs, when we say that there are NGOs that are exploitive. That may be true but that may not be true. In the UN system, I'm sure there are exceptions, but we have to realize that an NGO has a different meaning in different places.

**Mike Myers:** I think this question of the role of NGOs going forward is going to be an important one. Several times, it has been mentioned that the next step is to achieve a convention. That is going to be an even more harder fight than it was to get a declaration. I want to look at it from this point of view: for us, the Haudenosaunee, our goal is our government having a seat in the UN. That means that any organization - be an NGO or whatever, for it to say that it is in support of us and that is an ally of us - must also support our goal of having a governmental seat in the United Nations and to achieve that. That's one of the shortcomings of the Declaration. The Declaration of the Rights of Indigenous Peoples is silent on the rights of Indigenous Nations. We have to work upward from there. It has been a very interesting contradiction for us, since 1977, as Bill just pointed out, that under the UN system if you are not recognized by a government, then you go to ECOSOC and get credentials and come up as non-governmental organization. It has been an issue for us, as a government, of how we deal with that. How we work through that? It's going to continue to be, especially, as we move into this next phase because, what I'm hearing, is two streams of discussion. I'm hearing a sovereignty stream in which there are delegations who are committed to their Nations having seats at the UN and the second stream I am hearing is to make the current settler governments or to work with the current settler governments to be nicer to their Indigenous Peoples. That's a discussion we also need to have because, if you are an indigenous person and your goal is to get your current settler-State to be nicer to you, fine, that's up to you. That's part of self-determination. My concern is that that movement is going to get more pads on the back, more pads on the head because it's in conformity with the States. What my government wants - and that is at the end of this entire process - however long it takes us that we have a seat as a government, as a country at the UN. That's two different streams of work. It's two different kinds of struggles. It's also something that we need to be clear about amongst ourselves as Indigenous Peoples. If you're content with making your settler-government nice, fine, do that, but don't get in our way either or don't allow yourselves to be used to undermine our movement, our liberation, our direction. That is something that we have to keep in attention to and have a discussion about as we role down the road here because that is going to be the moment of split. We had them in the past, we made it very clear. Organizations do not speak for nations. Our governments do. So, I think, as we go forward, as we head towards the Convention, this is going to be a very intense discussion but a very worthwhile discussion for our future generations. Thanks.

**Michael Eckford Aka Anderson:** I just want to follow on from what my brother Mike Myers has just mentioned. My nation, the Euahlayi, we have defined our territories and we don't want to be part of the Australian society as it is. We were here earlier. We are not Australians. We have make that very clear. We have defined our territories. We have now reinstated our ancient governance. We've advised the Queen of this. We've advised Ban Ki Moon of this. We have advised all State governments in Australia that we are independent and we're intending

to issue our own land titles. We have asked them to prove how they got their land from us. They said: "*Terra nullius*." *Terra nullius* is merely a fiction because Australia was peopled. Now, we have, what the lady said earlier and what Mike has said, we've got a situation developing in Australia where the government funds all the NGOs in Australia. They come to this place here. They have been coming now for the last twenty years, thirty years, reporting to be NGOs. They are all funded by governments. They are all bureaucrats. There is an organization that went to Alta just recently and they went over there with a submission that they say comes from Australia. That came from a body of government workers. I went to that meeting and caused a hell of a storm, but that's just my nature, and said: "You people don't represent us." They are coming and they are proposing to be the ones who will choose the 50 delegates of the South Pacific to go to that meeting in September. None of these people have a constituency and all of these people are rejected from their community and they are not part of the grassroots communities from which we come from. We call them "vampires" because they live on the blood of our people's misery. That's their lifestyle. They make their lifestyle doing that. So, I quite agree with Mike. I think we need to bring it to the table. We need to define whether we are assimilated aboriginal Indigenous Peoples or whether are a Nation-State in our own rights, with our own identity, our own rule, our own customs, our own governance and very clearly defined territories and the rights to our natural resources to build our wealth and look after our people the way we want to and to maintain our identity. Thank you.

**Toni Gonzalez:** I consider this a sovereignty movement right here, but I also consider, in the words of Jack Forbes, *la inteligencia*, for our peoples in taking the word back and even talking about this. I echo much of the concerns here, including what Sharon Venne has initiated to be concerned about and deeply so. I myself and some people here witnessed that in San Diego, California, last March, among the caucus of North America, similarly. I suspect that all the governments have BIA, NIN, Funai, all these organizations. Australia, as Michael mentioned, they are all beginning to move so we should be more cautious. Bill "Jimbo" Simmons and I were talking, as driving over here this morning, that it becomes a high stakes game for many people, including ourselves who nickel and dime our way here. If you can't make it, you're a drop out, you see? We have to fortify ourselves. We have the Non-Indian Support Group of Europe who are providing that. We need to network and develop those solidarity basis to reinforce us.

Just very quickly, I wanted to speak with the WIPO person that was here because, regarding the Convention, WIPO has moved very quickly in establishing a convention. It might even happen this year. Myself and Joji and some others were at the early discussions with WIPO, about 8-9-10 years ago, and it sounds like it's the same type of structure but a convention. They're moving on very quickly. Just to caution ourselves and to begin to focus on WIPO. Thank you.

**Joji Cariño:** The problem we're encountering in WIPO is that they want to include traditional knowledge within intellectual property rights, but, if we approach it from a human rights perspective and an indigenous cultural heritage perspective, then you would take a different position from inclusion in intellectual property rights because all of the intellectual property rights instruments, after they expire (for example, a trade mark or a copyright) will bring our knowledge into the public domain. When the knowledge is brought into the public domain, then our rights are no longer protected over our knowledge. Therefore, we need to consider whether our strategy is one of protecting cultural heritage in perpetuity as part of our human rights, rather than develop an instrument of intellectual property rights that will eventually bring our knowledge into the public domain and remove continuous protection. It's very important that we begin our strategy discussions about our approach towards the WIPO conventions because, indeed, it's reaching a very quick development where the States will now agree these instruments. Unfortunately, it's the United States that have taken the lead on

defining indigenous knowledge as part of the intellectual property system. When they move our knowledge from our own system into a different legal system, then they will develop new kinds of rules. They are calling it “protection”, but it’s in fact “short-term time-bound protection” for our knowledge. It would be good for us to have these discussions.

**Rafael Mashinguishi:** Mi nombre es Rafael Mashinguishi. Pertenezco a la nacionalidad Shuar de la Federación Shuar, miembro de una organización regional amazónica, miembro de la CONAIE<sup>30</sup> y miembro de la Confederación de Organizaciones de la Cuenca Amazónica (COICA).

En relación a la presencia de organizaciones no gubernamentales, quiero manifestar que ninguno de ellos ha consultado previamente. Se van a tomar sus nombres como posibles beneficiarios de sus diseños políticos y trabajos prácticos. Comparto con alguna intervención anterior en los términos de que los Pueblos Indígenas en todos los países hemos sido considerados como fuentes de trabajo en donde la parte administrativa de las organizaciones no gubernamentales se llevan un alto porcentaje del presupuesto. Es decir, ellos son empleados con buenos sueldos y, sin embargo, las poblaciones tomadas a su nombre para hacer beneficiarios participan en lo mínimo. Puede ser, como en mi país, en el Ecuador, sobre la legalización de las tierras, cosas pequeñas para los talleres de capacitación en derechos humanos y cosas por el estilo. En estos últimos meses, en el Ecuador, el gobierno actual los ha considerado como una amenaza. Les ha eliminado sus datos jurídicos y les está planteando nuevamente a revisar sus estatutos, revisar sus objetivos, revisar sus metas, revisar qué es lo que desean hacer en el interior del país a aquellas organizaciones no gubernamentales. Tanto es así que les ha dicho: “Ustedes no harán como antes, inmiscuirse en las políticas internas.” En este momento, todas las organizaciones no gubernamentales y ecologistas se han sumado a una protesta global en contra del problema de Yasuni, conocido mundialmente por todo el mundo. Toda vez que las organizaciones no gubernamentales en el Ecuador se han sumado, se han juntado para apoyar a los pueblos no contactados en el proyecto Yasuni. Hoy en día, el Gobierno del Ecuador los ha declarado “organismos gubernamentales no deseables para el país”, les ha prohibido hablar en nombre de los indígenas para protestar en las calles. Entonces, ahora están sometidos a revisar nuevamente sus propuestas y sus estatutos. Organización no gubernamental que no satisfaga el marco jurídico deseado por el gobierno será automáticamente eliminada.

Bajo estas consideraciones, no sé qué podemos hacer nosotros en esta reunión, si considerar importante normar o tratar de normar una guía general para que las organizaciones no gubernamentales no apliquen solamente como fuentes de trabajo solo para ellos y que los usuarios, los beneficiarios, que son las poblaciones indígenas sean menos participativos. No sé si tratar de encontrar una normativa general, una sugerencia general para que, a nivel general, las organizaciones no gubernamentales tengan que apuntar, más bien, no a la participación minoritaria sino a una participación general en todo el proceso de desarrollo que está contemplado bajo sus metas. Gracias.

**Clem Chartier:** Thank you Mr. Chairman. I am a bit confused on the topic, but I think I am feeling it out somewhat. In terms of what’s been already said, I agree with Mike and his comment about the issue of sovereignty and indigenous governance. First of all, my name is Clem Chartier, I am currently the president of the Métis Nation and I was one of the delegates of the 1981 Conference. In terms of recognizing people, I just want to quickly recognize that George Manuel, the founder of the World Council of Indigenous Peoples, in 1975, was a mentor of mine. I met him in 1973, when I was executive director of the Native Youth Association of Canada. He was very instrumental in getting me involved on the path of international rights and the rights of Indigenous Peoples. So, I owe him a great debt of

<sup>30</sup> CONAIE: Confederación de Nacionalidades Indígenas del Ecuador.

gratitude. As Willie Littlechild stated, I was one of the past presidents of the World's Council of Indigenous Peoples. José Carlos Morales as well. He was the second president, George was the first. I was the third.

That's an example, if we want to use the term "NGO". That was an organization of Indigenous People from the Americas, the Pacific and the Sami. It provided a great role. Of course, IWGIA was instrumental in assisting that development and publicizing it and giving out publications. The World Council played an instrumental role, I believe. Of course, you were one of the founders, Mr Chair, at Port Alberni, in 1975, if I remember correctly. The role that it played was getting people together to discuss issues and disseminate information for self-help and to influence outside agencies, such as the United Nations, and later on, the Organization of American States.

What I've noticed over the years though is that there is more of a need for us to take the next step. It's been mentioned, the convention is a next step, but it cannot stand on the way of those who seek sovereignty and their own seats within the United Nations. What I've been seeing is that we need to start moving more towards having mandated representatives of Indigenous Peoples, nations and governments attending at these fora where we don't have issues such as our brother from Australia mentioned: people going and speaking or proposing to speak on behalf of their peoples back at home. We need to move beyond that. I would like to see us take a greater initiative, particularly, the young people to advocate as nations, peoples and governments and their representatives that are the ones that must take and listen to by other people in the non-indigenous world.

The World Council of Indigenous Peoples as said did play a great role but it didn't miss its demise in 1976 because, I think, it moved away from what it was meant to be originally and had other influences on it. It was mentioned that the end of the Cold War or during the Cold War it had a great influence on it. I think that also it had a great influence on what was happening, particularly, in the Americas: the geopolitical forces taking place. Many of us were caught up in that, yourself included, Roxanne: the International Treaty Council, the Haudenosaunee, the World Council, the conflicts, the tensions, even in a little place like Central America where the right was very oppressive, in Guatemala, and the left was repressive, in my view, in Nicaragua.

Eventually, Indigenous Peoples were able to mostly retain their indigenous ideology and philosophy and stick with who they are, rather than adopting something else. Thankfully things have gotten better and in your country, of course, there was finally a great outcome where autonomy was recognized, land rights are being put in place. It's through the perseverance of individuals like yourselves and others in this rooms that got us there. We need to take those next steps and the young people that are here, of course, are the ones who are going to have to go and take those further steps on our behalf. I just wanted to make that intervention. Thank you.

**Oren Lyons:** Chief Lyons from Onondaga. It has always been our intention to take our place as a nation. We've been that from the beginning. We've always held that position and we continue to hold that position to the best of our ability. What we are discussing here is very important. We need to maintain our coalitions and understand the varieties of situations of Indigenous Peoples or in or around the world, at all levels of existence and problems maintaining. Indigenous Peoples maintain our identities and the purpose of the policies of, especially, the United States, where we live, is to extinguish that identity and to make all native people American citizens. So, we maintain our independence from that at a very costly price and a very hard life to live on our principle. We do continue and the issue of the passports that we travel on, the documents that identify us as to our nations and say who we are.

On a larger broader scale of the human species, we are facing cataclysmic events of the natural world, which is called “global warming”, which will engulf, any and all of us and no matter what situations we are, whether we are Nation-States in Australia or Europe or the Americas or wherever. This event is all encompassing. It’s global and it’s here. It’s not coming. It’s here and it will accelerate and it is accelerating at this point. The point I am making here is that, in spite of our many and various situations here, we have to support each and every one of us in whatever situation we are in.

Certainly, the position that the Haudenosaunee has been holding is the hardest one because we do travel on that passport, spend an hour and a half in New York getting here, on that issue. I was asked if I had a green card. That’s a very important discussion that we have to have because it’s coming up more and more. Canada asks for a green card. USA asks for a green card. My response was: “Do you have a green card?” Because, of course, we live here. Of course, this is our land. Of course, we are who we are, but the situation is now that there is divisions coming at us within our own peoples. We have to be aware of that and meet that with intelligence. We have to be careful here. After all, we are all a family.

At the same time, we have to engage our brothers and sisters from around the world, whatever color they may be, just in defense of life itself. The common senses have to prevail on the values that have to be changed in order for us to continue to exist as a species on this Earth. If we do not change the values that are driving the forces of the world today... I am talking about the economic values, as simply being the one and only values that are in front of our Nation-States corporations, exploitation. We all know that because it’s in our lands that the exploitation happens. We see it. We’re part of it and we are struggling with it, but, on a longer and a broader scale, they do need to hear our values because, if they don’t accept and understand our values, they’re not going to survive, simply as that. We’re looking at this young people, their children going to have to fight for survival, mean. Unless we maintain our integrity and support one another.

On a lighter vein, I want to inform you that, next year, 2014, in Denver, Colorado, in July, the World International Lacrosse Games are going to be played. The Iroquois Nationals are there and we will be standing as your team, as an indigenous team of the world. We’ll be taking on the USA. We’ll be taking on Canada and all of these nations. *[Applause]* We’re looking for your support. It’s going to be a tough fight. We’ve got a good team. We’ll be there in the medals, but they tried to stop us from playing in 2010, as you remember. UK didn’t recognize our passports, so our team didn’t go. They tried to give us a US passport and our team said: “Absolutely not. We know who we are.” So, now we will continue on. Then, in 2015, the Haudenosaunee is hosting the World Indoor Box Lacrosse Championships in Onondaga and we will finish up in Buffalo, 2015. We’re looking for your support there as well.

Anyway, those are the areas and those are the fields where we can compete. Indigenous People can compete intellectually, at any level. They can compete in the art world, at any level. They can compete in the physical and the games as well. In any world. Here we are, in this political arena, and we are competing. Let’s not lose our perspective and let’s keep focused and pay attention to this coming event in 2014. What I am talking is don’t drop the idea, promote the idea to deal with the doctrine of discover, because that is the bottom of everything here and we have to maintain that discussion. Thank you. *[Applause]*.

**Armando Rojas Smith:** Muchísimas gracias. Muy importante. La hora se terminó. Un anuncio. A la 1.30, vamos a pasar a nuestro almuerzo, hasta las 2.30 de la tarde. Para terminar, solo quiero resumir un poquito sobre la importancia de las organizaciones no gubernamentales en la promoción de derechos indígenas. Hemos escuchado aquí de que existen algunos aspectos que debemos de saber, como las diferencias de organizaciones no gubernamentales, pero es importante, también, referir a lo que ustedes han presentado aquí sobre una coordinación que necesitamos de las organizaciones no gubernamentales y también conocer cuáles son sus objetivos, su trabajo, en qué pueden ayudar a los Pueblos Indígenas. Es

importante también que consideremos que las organizaciones no gubernamentales han estado apoyando, en cierta medida, en algunos países. También sabemos que existen organizaciones que son como vampiros, verdad: viven de los Pueblos Indígenas, pero no son mayoría. Pero sí existen. Debemos de estar alerta sobre eso. Lógicamente, también, tenemos una situación sobre la posibilidad de que las organizaciones tomen el lugar de las dirigencias de los Pueblos Indígenas. Nosotros tenemos que, como dijo Lyons, fortalecernos constantemente. Debemos de no permitir, que ninguna organización sustituya la dirigencia de los Pueblos Indígenas porque nosotros somos los únicos que garantizamos y vamos a garantizar el porvenir de nuestras futuras generaciones. También, sabemos de que hay aspiraciones de algunas naciones indígenas que han desarrollado hasta ser gobiernos locales o comunitarios y aspiran a más categoría. Aspiran a ser parte de las Naciones Unidas. Es cierto de que, en países como en Nicaragua también, hay gobiernos, no solamente regionales institucionales, de los Pueblos Indígenas o manejados por los Pueblos Indígenas, pero hay gobiernos a nivel de las comunidades también. Me imagino que esto va a ser un gran reto para los jóvenes que deben de continuar. Tal vez no lo vemos, pero, algún día, estarán aquí, en las Naciones Unidas. Gracias.

**Nilo Cayuqueo:** Solamente quería hacer una referencia de que vayamos tomando nota de lo que se va diciendo. Me gustaría pedirle a la mesa también que, cuando se hagan propuestas, que las tomen en consideración para que se aprueben o no se aprueben. Por ejemplo, habíamos propuesto hacer una carta de saludos y honrar a Willemsen-Díaz y hubo gente que estuvo de acuerdo, pero la mesa no dijo nada. Entonces, sería bueno que la mesa tome cartas en el asunto y lo someta a consideración. Creo también que una sugerencia es que no nos distraigamos en estas cosas, si juzgando a la ONG, ¿quién ésta? ¿Quién es la otra? Pues sabemos cuáles son las conservadoras, las que están en contra de los Pueblos Indígenas, las que están con la conservación, las ONG realmente están trabajando con los Pueblos Indígenas. En Argentina, por ejemplo, el gobierno también quiere hacer lo mismo que en Ecuador, prohibir a algunas organizaciones ONG porque están trabajando con pueblos originarios en defensa de los territorios y en contra de las transnacionales. El gobierno tiene un proyecto de explotación de los recursos y acusa a las ONG de extranjeras, de inmiscuirse en los países. Así que, tenemos que tener cuidado con esto, no hacer una condena general, sino hacer distinciones entre las que están trabajando con nosotros y las que no. Eso solamente y no perder de vista también un poco el objetivo de este encuentro que es fundamental: sacar un documento, que vayamos tomando nota y que ese documento sea conocido por todo el mundo, de los que hemos he estado aquí en el '77. Ojalá que este grupo (no estamos todos acá) los que estuvieron, podamos seguir en contacto, reuniéndonos y teniendo una influencia en los jóvenes, en los Pueblos Indígenas y en las Naciones Unidas y en otros importantes eventos que sean a nivel internacional.

**Armando Rojas Smith:** Nilo: para su conocimiento, en el plenario, usted podrá volver a presentar esto. Sí, estamos tomando notas de todo lo que está aconteciendo en esta sala para la divulgación futura.

**Nilo Cayuqueo:** Otra cosa importante, señor Presidente, creo que este grupo es muy importante y tiene mucha experiencia, mucha gente con mucho conocimiento y sería bueno que de aquí salgan algunas sugerencias también para nombrar al próximo Relator de Naciones Unidas, que podamos tener algunas ideas de algunos nombres para proponer. Sería muy bueno y por ahí, de este grupo mismo, del año '77-'81, salga alguno de los Relatores que nosotros queremos proponer, que sea una persona indígena que tiene experiencia del '77 o el '81 para ocupar el cargo de Relator que va a dejar ahora James Anaya.



**Armando Rojas Smith:** Muy bien. Yo creo que es un punto importante, pero vamos a ponerlo en un nuevo tema para que podamos discutirlo cuando haya oportunidad para eso. Parece muy importante eso. Ahora, yo creo que debemos ir a buscar nuestro almuerzo.

## **The role of women in the protection and advancement of the rights of Indigenous Peoples**

### ***El papel de las mujeres en la protección y el progreso de los derechos de los Pueblos Indígenas***

**Allene Chockie Cottier:** I know people are not here yet or not enough of us, but, please, for those of you present. We have to have a Chair and a rapporteur for the women's workshop that is the next one after this presentation. So, we have a chair? OK. Marcy Gilbert will be the chair. We need a rapporteur. OK. Morgan will be the rapporteur. This has been taken care of. If those of you who are here would take their seats and we are already beginning late. I again apologize for our schedule. We'll try to start in another five minutes. We're trying to pick up a little bit of time here and there.

**Allene Chockie Cottier:** Will everybody please take a seat so we can get started with our presentation? OK. We're going to get started. Please, take your seat. Kenneth, sit down! [*Laughs*] There's methodology in putting somebody out! [*Laughs*] OK.

I'd like to introduce Elizabeth Castle who is a Professor of Native American Studies and documentary filmmaker. She will be presenting our opening presentation on indigenous women activism. It goes along with our historical presentation of today. Thank you.

**Elisabeth Castle:** Good afternoon. My name is Elizabeth Castle. For the last 15 years, I've been doing oral histories with indigenous women who've been involved in activism. My focus has been, primarily, on women from native nations in what is now the United States, since their primary activist years and the red power movement in the late 1960's. I've written a book on the subject and we are now on the process, as you can see, of making a documentary film called "Warrior women".

What I brought with me today, what I was asked to do, is bring some video clips of the oral histories I've done, particularly with two women, who were pivotal in the organizing of the 1977 meeting here and have been involved ever since. Their names are Pat Bellanger and Phyllis Young. Neither of them are here today, but the interviews I conducted with them... Over the years, I've interviewed them multiple times. I think these interviews are from 2006. In the interviews, they discuss just how impactful it was to find themselves in the international scene, at the UN, and bringing those lessons home. Phyllis' interview is particularly engaging because those of you who know her know that she is just a walking history book. She's incredible, her memory is incredible and her interpretation. I am not here to offer much philosophy today, but it is always ironic that we have special working groups on women's role. The idea that we discuss it as though it's necessary and separate, when it really reinforces the idea that we are always sort of fighting back against that colonial framework in which man are dominant because, as we know in indigenous communities, that's not the case. They're naturally more egalitarian, when not facing the pressures of colonialism. What we have a chance to do today is I want to play a few of these two interviews so that, previous to some of the other video clips you've seen, you can hear from these women directly. So, that's what I have to bring to you and if you can bear with me, we have worked to get it in the right format. Someone will need to turn down the lights in order to be able to view it.

**Phillys Young [video]:** My Lakota name is [*word in Lakota*], “Stands by the water”, and my second name is [*word in Lakota*], which is “She loves the water.” Those names were given to me. One is a given name from my great grandmother and the second one was given to me for the work that I did on water. Those are my names. I am Hunkpapa and Iyanktonwan. My grandmothers were both and so I am Lakota and Dakota. I guess I should start off by saying that our traditional governance was always based on the Treaty Council or [*word in her Lakota*], the traditional bands, and very strict kingship rules and very egalitarian society that we came from. We were broken up in two different bands strategically by the United States because of who we are, unlike the Navajo Nation or Dineh who are still intact in the wholeness of their land base. I know that the governance in modern history was the Black Hills Sioux Nations Treaty Council. My mother’s grandfather, my mother’s father’s father, was one of the people in the Black Hills Sioux Nation Treaty Council. If you go over their governance, it was really simple. I never knew why, but maybe I was naïve and I never questioned. He was the one person that helped to put that office together, but they worked through the National Council of Churches and the World Council of Churches, who were great supporters and part of the initiators of the dialogue that helped this at a different level: the awareness. Because that was happening at the same time: churches passed these resolutions to endorse and funded. (Now it’s coming back to me because you’re picking my brain). They funded the development or the help to organize and set up this. We were on the same floor with different offices that helped to accommodate us. “We have this office here. You could use part of it and then, when you get your funding, you can pay part of it. The UN is right there.”

That fall, 1975, we all left for New York City. It was a kind of a culture shock too, but we had to do the work, so I remember going to and sitting in the National Council of Churches those days. We had them help us in the United Nations Office, which was the lower floor of the UN building. You went through this paperwork and you had to meet these requirements. When we first went there, it was like people were telling us -of course it would be someone from Tanzania-: “It took us so long. It took us 17 years to get the status for Tanzania”. We were like: “Do I have to be here for 10 years?” We didn’t know. We had no idea of that. When we received it in 1977, we were just overwhelmed. We knew that we had already made contacts in Geneva to the Human Rights Commission’s subcommittee on discrimination, the Subcommittee against Discrimination and Land Issues. So, that was the first conference.

**Elizabeth Castle:** If you can talk to me about your experience arriving in Geneva and what that was like for you. Who came?

**Phillys Young:** When I first went to Geneva, there was a support group about that time. It was called Incomindios. There were many women in Switzerland who belonged to this group, which means “in solidarity or support of Indian people”, in their language, in French, probably. They were there for us when we arrived there and they set up the hostel. What did they call it over there? It’s not hotel. There were some key people that helped us in the partnerships, incredible, along the way. The International League for Peace and Freedom, a woman, Edith Ballantyne was her name. She was the head of that. Then there was a woman who worked in the UN, an elderly lady. There were just partnerships and organizations that facilitated for us and prepared for us so that we stayed in a hostel and the support group provided the meals for us. It was a real culture shock because you’re used to McDonalds as a spoiled American. I wanted a Coke and I wanted a Big Mac and there was no such thing. There is now. Today, there is, but, at that time, in 1977, there was nothing like that. Foodwise, I was a spoiled American. I didn’t like it because it was not American. Then, fast, in the last 30 years, it has become so commercialized and I feel bad for these Swiss people because they are subject to that development. In those days, I loved the city. I really appreciated it, being who I was and where I came from, an Indian country, because there was not the comfort of even Indian country. It really humbles you because you have so much, even though we struggle for, not having what the Americans have or what they took away from us. It was a different kind of

feeling, it was different in comparison. "Oh my gosh, they eat taco bread and they don't have the modern world that we came from." It was a different kind of culture shock, but the loneliness, I guess I regressed to the loneliness of boarding school. I felt that boarding school feeling and then I was overwhelmed by these smells of boarding school, because the people who were in a boarding school are from Switzerland. So, when you went to eat, the smell of bread, the smell of the cornflakes, the milk, just the kitchen's smell was like reminiscent of boarding school. It was a very very personal experience, for me. It really hit home because it was where we came from, you know. And the nuns that used to yodel, they were from Switzerland.

I also had to coordinate who we were going to bring over there also and we had a number of elders and medicine people who refused to come. So, those were Lakota, Leonard Crow Dog and Henry Crow Dog. So the people who came were Philipp Deer from Oklahoma and I remember Pat Bellanger, laughing with her, because I think we were homesick because we tried to laugh a lot. I was over there initially and then, when people were coming on the plane, I very specifically remember Rachel Tilson who was the first person coming off the plane. I was waiting for people arriving and giving directions of where to go. I had arranged for people to transportation and stuff. I remember her coming in and hugging her and just starting to cry and just started sobbing. She said: "What's the matter?" And I said: "I just want to go home." So, that was when she said: "We're just getting here. You will be OK because we are all here now." That was at the airport, but I had met a guy in New York City while I was working there. His name was Michel Rodin and he lived in Geneva. So, he was into Buddhism and later he got into Indianism, so he got into the country later. He had a Volkswagen bus. When we got there, he gave us his van and a place, like a château, where he didn't stay in. Like a winter house or whatever. He had an apartment in the city but he was always gone because he owned boutiques in France and Italy and Geneva. He was always gone so he provided that house and that transportation for us. We were very lucky to have that. There would be a designated driver and there would be about 20 Indians pouring up into the United Nations. People would be looking and laughing, like a clown car, because that many Indians could fit in that little Volkswagen van; and behind, these big limousines. I really think it was the beginning of the breaking of the protocols of this bureaucracy because we didn't have spin straight suits and briefcases. Yes briefcases! We had our briefcases, but we a lot more too. That was the beginning because of the way we arrived. People noticed us.

Those who were the days before everybody got there in the Conference was going to start, so we marched and the way we organized the going into the UN, this building, because we knew the history of Deskaheh who went to the United Nations, in 1926, and who only was allowed to stand at the gate and who continued his life there and died there trying to petition the League of Nations<sup>31</sup>. We knew his history. I think it's important to know that it's not the first attempt by Indian people to petition that bureaucracy. He tried before and he died doing it. So, we said: "This is how we are going to do it." It was people in full regalia and traditional dress. It was the youth that we brought there. Marcella Gilbert was one of the youth, as well as Sherry Means. We had the drum, which was going to be in the front. It was well organized and it was just a beautiful show that people had never seen in that part of the country before. So, we made a very grandiose entrance to the United Nations. It started several streets down, outside the arches. We had the pipe, the drum, the elders, the youth, first, and the traditional people, and then, of course, everyone else that came. There is a video that was made of it and is probably on sale, for that matter. It was organized very much that way and with the drum - they were singing a song- they entered the UN structure. The people everywhere around were just at the windows, out of the offices, up and down the streets. It was just an incredible journey, the beginning of a journey.

I believe that the bureaucracy was not prepared for us. They didn't understand our ways. We

<sup>31</sup> Deskaheh came to the League of Nations in 1923 with a Haudenosaunee passport, stayed in Geneva one year without being able to enter the building of the League of Nations, tried to come back home but was denied the entry in Canada and died in the US in the New York State in 1925.

broke all the protocols of the grandeur operations, you know. When we came to the sessions, after that initial entrance... This was the first day, the Conference began and officially recognized and introduced. The session began. That went on for like ten days. When we brought people, we brought them in these vans and cars, however we could. Many of us were in the vehicles. It might be the king of some country that was getting out his limousine and without his security and all that. I don't think they were even aware that there was some threat to them. They weren't aware of that because they didn't know what was going on. But we built out and everybody went to their meetings. You'd stay there **all day**.... We had tickets for meals that Incomindios (I have to thank them to this day); there were many women who contributed generously to this. I was in charge of the meal tickets so the people all got fed. I would panic whenever I started running out meal tickets for the elderly. And so, then I learned that, I was getting the canvas bag with bread and cheese for them. I always had something for them, in later years, for the 20 years that I went there. They would be so grateful because they want wisdom [?]. The people from Central and South America, they had a lot of their traditional food with them. They had dry food or different little things that they brought with them. So, I was mostly into the coordination of getting people there, trying to find resources for them to get there, making sure there were three people in a room so that there was room enough for everybody indoors, in the hostel, and then making sure that they got breakfast. A lot of them would just walk, within walking distance, but I made sure that people had transportation there. When they ate, a lot of them wanted to eat outside, so then we set a protocol: we didn't eat inside those restaurants with everybody dressed up. They even reopened those doors and so we sat outside eating apples and different people would bring bags of food and stuff. The local people started bringing wine and bread and fruits. Over the years, I think, they created an atmosphere for local people. So, we really moved a lot from the residential kind of setting to people who came to meetings and people who were in the area. Geneva was, besides Zürich, is probably the highest cost living in the world, so we knew what we were up against in terms of trying to get our daily meals and being American, we always looked for those tree squares, you know.

I had a hilarious experience because there was a young Alaskan guy (this was the later years, when I was there) and I said: "You know, I just wish I had a hamburger." That was my first experience too because I was crying: "I just want a hamburger." And then, they had a McDonald's but it's totally different taste. Pickles taste different. Everything is different. They don't have meat. They don't have grain-fed cattle. It's all different. I went there and there was this young man from Alaska and he said: "I can take you to eat." So, I said: "Hamburger and French fries." I looked on the French menu and I knew that this word was potatoes or this word was meat, so then he was bringing that and there was this little tiny round Oreo cookie and no bread, no side things. It was just on a big plate and a couple of fried potatoes. I looked at it and he started laughing and, Jesus, he started laughing... And I said: "What's wrong?" And he said: "Oh, Phyllis, you should have seen the look of horror on your face." [*Laughs.*] It was horrible. That's why I said "spoiled Americans" because I had this vision of this big hamburger and French fries and a coke.

(Regarding conferences), in later years, I would write papers and represent myself, my people and then she was warned [?] into different position papers, you know Treaty violations, water rights, women rights... so that I progressed more into a position, representing my band or my people, Lakota people, Indian people, so that it was not just a logistic set but I was associated for some couple of years.

**Elizabeth Castle:** The first year, I mean, it's pretty tremendous. I am trying to get the visual picture because it's hard to... I've heard some other people explain that first day and translate how ample that was. I'm sure you remember, because you've been there so many times, would you mind describing to me how it's laid out? What the UN itself looks like in Geneva and how you pull out of your car... I would like that. I also would like to know, everybody who was there, for this first meeting, were all delegates of the Treaty Council because they were who

kept going. They're the NGO, International Treaty Council. I'm sorry about this but I forget. Do you have any idea how many people it was at the beginning? Are we talking like 50 or a hundred?

**Phyllis Young:** It was hundreds, hundreds of people.

**Elizabeth Castle:** It's a huge amount of coordination.

**Phyllis Young:** Hundreds of people, hundreds of people that we coordinated for paying their way, for many of them. Many of them paid their own way. Many of them had their own local groups pay. Some could afford their own ways. I didn't actually see that. I wasn't a part of the ticket thing, except for my own. I travelled with Sherry Means and Marcella and where we stayed was more like a rooming house or like someone who got on sabbatical. There would be a bunch of intellectuals. I don't know if it was a union house or what it is... [*Interruption of the video clip*].

**Elisabeth Castle:** Time is tight. There's not much time. She was towards the end of her description. Phyllis Young is currently a Tribal Council member for the Standing Rock Sioux Nation and is as busy as ever, in her elder years, continuing much of the work that was begun at the time.

The other clip that I have is of Pat Bellanger. Pat doesn't talk as much about the actual event in the incredible detail that Phyllis does but, because she was such an important character. I wanted to at least show part of her video to you. Then, I'll just be handing it over.

**Pat Bellanger [video]:** My real name is [*Anishinaabe word*]. It means "Mist over the water", like on a cold day, the mist raises on the water. Water is one of the strong elements of Mother Earth. I was told, at a very young age, that I was a water carrier, a water protector. So, my name [*Anishinaabe word*] means a lot and I always try to live up to it. I was given the name Pat Bellanger. I use that name for basically anything in English. That's who I am. I am Anishinaabe, meaning Ojibwe as people say here. Anishinaabe means "the people". I come from a long line of people; we can trace our history back into the years 1500s. I know my family and their clan, my clan totem is "bear". You can always tell us "bear" it brings us back shortly to our people, we look like bears and you won't get me mad, I am a mother bear! [*Laughs*] So our children are protected under those types of ideals, of ways of life. I was born in Leech Lake Reservation and lived, first, in Waka, Minnesota, which is on the reservation, but it's a checkerboard reservation. We only own part of it and some of the other land is for non-Indian. I had to go to school, high school, at Waka, in Minnesota, which was a very hard thing for me to do. Home was really on the island, this island in the middle of Leech Lake that is a very big lake. It's 640 miles of shoreline.

**Elisabeth Castle:** Miles?

**Pat Bellanger:** Miles. You can't see across in different parts of it. What you think is shoreline is probably an island. I lived on one of the islands. My grandfather lived on that island, my grandmother and basically it is where I grew up. It was an island itself. It was a reservation, we didn't have any running water or anything like that, electricity, or anything. We didn't get electricity out on the island until, I don't know, 1955 or something.

**Elizabeth Castle:** And when were you born?

**Pat Bellanger:** In '43. I guess I grew up poor but I never knew it. I became a hunter. I can track deer. I was taught how to track deer in the woods and did a lot of hunting with my uncles. I harvested wild rice in the fall. We made maple sugar in the springtime. My grandmother was a gardener. I admit a little failure there.

**Elizabeth Castle:** That's not what you do.

**Pat Bellanger:** I got yelled at a lot of times trying to help out. Life was OK. We had a bus into

school.

**Elizabeth Castle:** Did you have to take a boat?

**Pat Bellanger:** No. There was a connection bridge that connects and it's not even a very big bridge. They made this connection kind of narrow now. During the winter time, we would walk across the lake or drive across the lake or whatever. It's only like about a mile across. Going around the road was 60 miles. Living on a reservation, you learn not to depend on 7/11s and convenience stores, gas stations or anything. Basically, once you get home, you're home. With no electricity for so long, we really didn't get used to a lot of those conveniences. From there until now, traveling to Geneva, Switzerland, and working with people from all different parts of the world from that beginning is a jump, even in my imagination. I didn't think that would ever happen.

[...]

That was a hard thing to do, not really hard, but it was hard to think about and even, further than that, when I went back home, I'll jump ahead just a second to say that when I went back home and told I was working for the Treaty Council with all these the Central and South Americans they said: "They're not Indians. They're South Americans. They're Central Americans." I said: "No. They're Indians. They got tribes and everything; although they are not thoroughly recognized [*Laughs*]; like in United States, federally recognized tribes from Bolivia [*Laughs*]." I didn't say anything, but now it has changed. I mean, the consciousness worldwide has risen to a point where we understand in the same way down there, when we are going to Mexico. They did not consider themselves Indian. Yet, they were tribes. And they said: "Oh, you're talking about them." Now, finally, they are getting together. They are realizing that they are partly, they are Indian. That consciousness is growing. It's not something that you can tell somebody and expect them to say: "Oh, OK." They have to realize what that means. All religions that, until 1974, were illegal, it was illegal for Indians to practice their own religions and practice their own medicine. So, if you think about that, 1974, in the United States of America, where everything is free and good and we love everybody and understand that our religion was illegal and that we had to practice it in secret. The American Indian Movement said: "Oh, we're going to have our ceremonies. If they arrest us, they arrest us. If they arrest us, we're going to court and we're going to fight it." Then we brought the traditional and they were afraid to come out. They sat a tactic; all this people would sit and listen to them and asking questions. Then you get a whole different attitude that traditional are beginning to feel like they really belong and that people who are asking questions are beginning to feel better about their own religions. They're starting to say: "Oh. That's who I am." A kind of a growing consciousness that's back and forward.

*[End of the excerpt of the video clip]*

**Allene Chockie Cottier:** Marcy and Morgan, please, come up. I think the last comment is a great thing to keep in mind as she's mentioning spirituality in the practice of our religions. That's also significant as we've participated in the United Nations, to realize that part of our practices to go back and counter what Russel Means used to say: "They came at us with gun or sword, in one hand, and the Bible in the other." That was much as we respect everybody's right to spirituality and religion of their own choice, the killing of ours was part of our colonization. That's some of the next workshop topic. It's really important because it's another one of those that is essential to who we are. It goes deep, deep, deep to the heart of who we are and how we move forward will be a lot to do with our young people participating in our ceremonies, learning and understanding the values that are taught in those ceremonies, getting back to the extended family relations that are bonded in those ceremonies and understanding the responsibilities that we have to each other in our extended families, which include everybody and everything. It's a really important topic that a lot of times, in the political arena, is set aside because you're not supposed to mix religion and politics, but it's too essential to what we

are to ignore in our political process. If the Chair, Marcie, where is she? Marcie Gilbert will be the Chair of the workshop: "The role of women in the protection and advancement of the rights of Indigenous Peoples." Morgan Catlett is our rapporteur for this workshop.

**Allene Chockie Cottier:** OK. I'll sit here and talk about how we have to struggle always to have equal representation for women. It's little essential things and I am going to complain publicly [*Laughs*]. We had to struggle to get a woman up here, on the first day. As usual, they sat us behind. I was called upon to chair, last minute and unprepared just in order to get a woman up here, in the presence. Yesterday, when Pierrette was giving water, nobody noticed but me. I was sitting in the middle, she handed a bottle of water to every man here, but not me [*Laughs*]. They may be little, but there are things that... Every incident like that is a learning moment and reminds us how much work we still have to do to get back to our strength and recognition of our strength and our role as indigenous women in our communities and in our national work and our international work. If I were a man, I would appear up right now. I think, if this were a different topic, we would have more in the audience and we would have our interpreters without criticism.

**Pierrette Birraux:** No, no, no, I protest! I am not discriminating women [*Laughs*].

**Marcella (Marcie) Gilbert:** OK. My name is Marcella Gilbert. I am Lakota from South Dakota, in the United States. I will chair this session. We want to open it up to people. Anyone who wants to share their statements or their ideas in reference to the role of women in the protection and advancement of the rights of Indigenous Peoples? Will you just raise your hand and if you have something to say, we'll listen to you. Can you give us your name please and where you are from?

**Joji Cariño:** I am Joji Cariño. I am Ibaloi-Igorot from the Cordillera, Philippines. I wanted to highlight that, in our struggle against the dams, in the Philippines; it was four dams that we successfully stopped. When the Marcos martial law government stopped the dam, they said it was because it was unacceptable to the local people, but, in this struggle to stop the dams, the women really had a very strong role. For example, one time, when the survey teams and the construction teams came to the villages, the women were the ones that met them. They took down these constructions and they marched and delivered those equipments in the camps, the material, to the military and said: "We will not allow you to build your camps or your construction sites for the dams." I am wondering what kind of information product or educational material we can develop that will really bring these really strong stories of the women's roles, directly, in the direct protection of lands, but also in the education within the communities to promote and safeguard our rights. I am very interested both to know those stories but also how we can bring these stories together, so that this is better known and understood, the strength of the women. Thank you.

**Marcella Gilbert:** Thank you. Definitely. We are writing down as much as we can so we can build something from these statements

**Mary Simat:** I am Mary, from Kenya. I just want to share a few challenges or maybe success stories that we have had since we began being in the Indigenous Peoples world. Most of the women that have been attending the Indigenous Peoples forums have stories on how the capacity of many of us have been built through this kind of forums and meetings with different

communities and learning from them. Especially, in Africa, we have to struggle because the African governments do not recognize the rights of Indigenous Peoples. I can talk about, for example, the movement in Africa. I was the first woman to be a chairperson for Indigenous Peoples of Africa Coordinating Committee (IPACC). When I came to Geneva, in 1997, because that is the first time I came up here, first, I did not know why I was there, I just found myself here. In the first weeks, I always remember I had no idea what was going on. I saw so many people. Just in the second week I realized: "I think I was here for some purpose." I also was following the procession which was also very difficult: the language, the translation, the kind of documents. I think they still give out those kinds of documents. You know at the top where you see A/HCR/... [*She refers to the identification numbers of the UN documents*] which is very difficult to follow. The language was difficult and the proceedings were also very difficult. But, then, during that time we were able to form IPACC and I became the first gender representative for African indigenous women, which thereafter have now built their whole organization so much that we actually have more women running the whole organization. Also, like I've just said, having been the first woman to be elected in the whole of Africa.

When I came here the first time, in 1997, I was really naive. I wasn't foolish because there's no way I would have come all the way from my village here. I was really naive about the whole process until, recently, back in our country, we were able to actually debate with the government and we got involved so much, especially, during the Constitution making of Kenya. The referendum which saw the indigenous women coming together, through funding from the UN Permanent Forum, Elsa supported us during one of our projects. We also have IWGIA coming in helping us. We came out with our memorandum. There was no way we would have gotten a chance to debate with the bigger women, the city women. We call them "city women". They call us "grassroots". Though I really don't like the name "grassroots" because it always makes me feel like I am some grass and someone there is some flower or a branch and that they're stepping on us. I don't like the word grassroots a lot [*Laughs*].

So because of that kind of empowerment and capacity that we had funding through the various people that we met at the United Nations meetings, we came out to the referendum, such that we were able to fix our own issues which was passed. Right now, since 2010, when we got a new Constitution, we have seen indigenous women now in the Senate, in the national Parliament and at the county level. There was never any, since independence. We had never had indigenous women in the Senate or at the National Assembly and county assembly level. We are proud about that. It was all through a lot of help, through most of you that we spoke to. It also grew the awareness, especially thanks to that we get from Docip. I don't know who Natalia is. I really want to meet this girl because she really informs us about funding, the meetings that there are, through Docip. We have also been able to get a lot of information. I really thank Docip for this opportunity that they have given us. Together with the young Ogiek girl with whom we are together and she's proving to be very good here. So, apart from the fact that we really took a long time through the United Nations process to come to the level that we are, we really appreciate that we are able to be together with all of you. Also some of the African countries are signing up for the Declaration on Indigenous Peoples Rights and also the African human and peoples' rights. We already have a case from an indigenous community in Kenya called the Endorois, which went there and it was approved. Now, we are trying to implement it down at the ground and have it past so they can also be able to get their own land rights. Thank you for the time.

**Clem Chartier:** Thank you, Madame Chair. It's a very broad topic that is being addressed and, of course, we are in different situations in different parts of the world. I am from the place we call Canada. Even within Canada, there are some major differences. I guess our different experiences will dictate, I suppose, the role of women within our respective peoples, nations or governments. I know in the Métis Nation, it has always been that the women play a very significant and a very important role. In our current governmental structures, we live within



what are now five provinces of Canada: Ontario West is where our nation is currently found. In one of our jurisdictions, about 60% of the leadership are women and the head of the government is a woman who has been there for seventeen years getting re-elected. At the national level, when we have our general assemblies, over 50% are women. Even within the women themselves, many say: "Why do we need a separate women's organization when we are part of the Métis Nation government?" However, there are many women who wish to have specific projects that they would like to be engaged in. Over the years, they have been trying to get government money to do these projects but in this case, the Government of Canada, states: "You cannot get money while you're part of male dominated organizations." In order to get money for projects on the status of women or Heritage Canada, you have to incorporate separately from the so-called "male dominated organizations", when it's not in fact male-dominated. For many years, the women resisted that, but finally, three years ago, they talked to our government and said: "Look. Is it OK if we make an arrangement where we are within our government but also incorporate so that we can get some of this government to carry out much needed projects?" So, we made a compromise and we put in the mechanisms to accomplish that. That is taking place, but they were forced to do that. That's something that shouldn't happen, but, of course, it's very important that all sectors within our nations, governments and peoples be involved, and women in particular. That's the problem we face, specifically within our Nation. I just thought I would share that.

**Marcella Gilbert:** Thank you, I appreciate that.

**Madonna Thunder Hawk:** Thank you, daughter. My name is Madonna Thunder Hawk and I am from South Dakota, the USA. I wasn't here in 1977, but I encouraged my daughter to come. Of course, someone had to take care of the camp at home, so it was either or. My brother, Bill Means, is here. We come from a strong extended family "tiospaye" [Lakota word]. I agree with the gentleman that was talking before. It's hard to separate the issues we're dealing at home, back at South Dakota. We have the fracking on our doorstep. We have the pipelines threatening to come across our lands. We don't have the luxury of separating men and women. It's more a family and to save what we have, maintain what we have, is from a family perspective. I understand that other parts of the country that are more colonized, who's more colonized? I don't know, but you can tell when the women take a step behind, when the women are less in whatever position is because they're more colonized. I think that I've learned over the many years that most of the Indigenous People came from matriarchal societies before colonization. What reminiscence we have left comes on when our land is threatened and our natural resources are threatened. Right now, in South Dakota, we are in a fight with the State of South Dakota over the trafficking of our children. So there are a lot of issues going on all over wherever Indigenous Peoples are still recognizable. We're all in the same battles, it seems. So, I think that, at this time, in this stage of Indigenous People, where we will act from a global perspective, we need to really talk about the family structure. That's where we are strongest because we are indigenous. If we talk this from the perspective of family, we are very strong. Thank you.

**Willie Littlechild:** Thank you very much. First of all, good afternoon to all delegates. I suppose it's a bit of a confession that I am about to make, but also, at the same time, it's a tribute to the women under the topic of the role of women. I want to tell two stories.

One was watching women in the international arena and how they were working. We noticed that it took 52 years for women to be recognized as persons, while we were struggling to be recognized as human beings. The whole debate on whether or not we were peoples with the letter "s" to be recognized actually took 8 years here. It took us 8 years to convince States that we are indeed human beings and peoples should have an "s" that includes the recognition of

us; first, as human beings, then those who actually have human rights. Really, how we did it is we watched the women and how they did it here. After 25 years of struggle, for example, they were able to get a World Conference on Women. So, we said: "How did they do it?" They got a Committee on the Elimination of Racial Discrimination against Women (CEDAW). And we said: "How did they do that?" Then, we actually followed your steps and then got recognition in that way for Indigenous Peoples. It was the women and their role, here, that was so significant because we watched where you were walking in the international arena.

That's the confession part, but the second story is that, back home, there were a couple of women that took on a discrimination case in the Canadian courts. They lost at the first level, they lost at the court of appeal, they lost at the Supreme Court and then they brought it here to the United Nations. The Lovelace Case went to the Human Rights process here and they won. Canada was ordered to change the legislation, the federal legislation in Canada called the Indian Act so that the discrimination against women was dealt with through an international arena. You see, the role is very important of women generally, but also in laying the path for us, as Indigenous Peoples in the international arena. I want to pay tribute to that as we did with Augusto Willemsen-Diaz this morning. That's a very significant contribution you made for us.

Another little known fact I think is that, in the effort for the United Nations to have at least 50% of the staff be women or, at least 50% of the bodies, the international bodies, be composed of women, the UN Permanent Forum was the first one in UN history, as I recall it, to achieve that paradigm and not only that, to exceed it. The structure of the Permanent Forum and the composition of the members, at one point, the majority were women. It was an indigenous forum called the "UN Permanent Forum on Indigenous Issues" that actually reached that international mark and exceeded it before to ensure that women were represented in the body. Again, congratulations to you and thank you for your leadership because we saw how you were doing it and we followed your footsteps in a way to secure the rights of Indigenous Peoples in the international arena.

**Roxanne Dunbar Ortiz:** I really appreciate what Willie just pointed out about the Lovelace case, how important it was to bring that case. I've been curious ever since we began yesterday, how, in this particular case, at this moment we regressed so that the Organizing Committee for this particular symposium is 6 men. I was shocked. I wondered what went through people's minds, including the people who are on that committee, that this was the result. I know that there were emails. I received some. "We need more gender balance. Can you get us some women?" And I hoped out in that respect, but you have to have them on the Organizing Committee, in the actual structuring the discussions, not just token presents. I felt like it was such a step backwards. I am just curious, if anyone wants to try to explain it, I would really appreciate it. Thank you.

**Marcella Gilbert:** Would anybody offer an answer?

**Pierrette Birraux:** As no Organizing Committee member wishes to take the floor [*Laughs*], I will take it. I am not the Organizing Committee. We are Docip, the Secretariat of the Organizing Committee. I raised several times the question of having women on the Organizing Committee, but... but... it happened to be like that. I must also say that, at the beginning, I had contacted some women and had no answers. I tried several times. This puts me in a bad situation. Yes, I regret that we have no women. Also, because in my practice, my experience, (I also have a long experience) is when I work with indigenous women, I have far less work than when I work with men. I must thank Roxanne, who made the contact with Beth Castle; Beth who introduced me with Roxanne to Marcy, to you Chockie, to Madonna Thunder Hawk.

That's why you are here. I needed your help because I didn't know from here how to do it. If we have only men here and if the some women I have the address are not answering, what shall I do? This was a main challenge of this organization, to find the addresses of the Elders, of the old persons, of the First Delegates. This was very difficult. It took a lot of time. I did what I could, but, of course, I wished to have women, not only for gender balance, but for my comfort, for my own comfort.

**Marcella Gilbert:** I believe that's probably a good explanation

**Elsa Stamatopoulou:** I am Elsa Stamatopoulou and I would like to offer a testimony as a witness to an incident in 1983 that was created by Tonya Gonnella Frischner and Ingrid Washinawatok, our late sister. They had met with some procedural difficulties that were posed by the Director-General of the UN Office at Geneva. I was, at that time, a young staff person at the Center for Human Rights of the UN. When we, from the Secretariat, told them that this was an order that was given by the Office of the Director at the UN Office in Geneva, they said: "OK." With a very determinant look that was very fearsome, they said: "Now, we are going to his office." They did that and very decidedly. They were both very young women at that time, but very decidedly they actually managed to get those procedures. There were access related procedures, access by the Indigenous Peoples. Some Indigenous Peoples had been turned down at the door for some reason. I don't know why that was. They managed to turn around that decision and that was 1983. These were formative years of the Working Group on Indigenous Populations that created the access, the seeds of the opening of the doors in a broad way at the United Nations for Indigenous Peoples. I want to pay tribute to also young indigenous women, those days, who really fought very decidedly and managed to get a lot won for the movement. Thank you.

**Dalee Sambo:** I just wanted to make a couple of comments in follow up to those that have been made also, just to offer an announcement of information, for those especially that weren't at the most recent Permanent Forum on Indigenous Issues. The next Expert Group meeting of the Permanent Forum on Indigenous Issues will focus on sexual and reproductive health and it'll take place January 2014. Preparations are being made and the Forum members have been asked to identify experts from the seven geopolitical regions to participate in that forthcoming expert group meeting. So, plans are under way for that discussion. Of course, indigenous women from across the globe will in all likelihood be the most active participants on that particular topic of sexual and reproductive health.

The other comment that I wanted to make is that, in regard to the historical perspective of the growth and the participation of indigenous women at the United Nations, at the International Labour Organization, the Organization of American States and other international fora, we have seen an extraordinary trend of indigenous women as leaders within each of these various different venues. I think that some of that can be traced back to at least the work of the Voluntary Fund, in particular, which endeavors to ensure that there is gender equity in the distribution of the funds that are attracted by the Voluntary Fund and then redistributed to Indigenous Peoples' organizations across the globe, not only equity in terms of regional representation, but it has been adopted as a principle to ensure gender equity as well in every region across the globe.

The other comment that I wanted to make, it came to mind when Willie was talking about the trend of recognition of the rights of women within the United Nations and his use of the term "persons". One of the arguments that we as Indigenous Peoples, including indigenous women, made in the context of the debate on the use of the term "Indigenous Peoples" was the persons' case that arose in Canada and essentially revolved around the matter of women in Canada not being appointed to the Senate and the denial of them as persons in order to deny rights.

Basically, this is what was happening with the use of the term “populations” as it if we deny the status of Indigenous Peoples as peoples; we could then deny the right of self-determination of Indigenous Peoples. The same tactic was being utilized at the persons’ case. I remember articulating that in debate and discussion with the Canadian Government, the US Government and others: same tactics, different subjects, to some extent. I think that fortunately we prevailed on that particular issue through articulation and intellectual honesty about all of these different issues. Thank you.

**Rosalee Gonzalez:** Good afternoon. My name is Rosalee Gonzalez and I am Chickapoo Chicana. I am from southern Texas and my mother is actually Tepehuán, from a community from Northern Mexico. I always introduce myself as an indigenous woman with a foot in both worlds, literally, from the border region of what is now US-Mexico area. I just concluded the 2003 Indigenous Senior Fellowship here, at the Office of the High Commissioner. Saturday, I will conclude four and a half months of being here. A lot of things have stood up for me in this presentation. One is that I fully identified with Phyllis in the video, the introduction about the sacrifices made of being here. I think Q"apaj is also another indigenous fellow who arrived around the same time that I did. I am at the Office of the High Commissioner and he is at WIPO. Some of the challenges that Phyllis touched on, which are alive and well still here within the UN, is definitively the racial discrimination and, moreover, the gender discrimination. I think that one of the things that Madonna just touched on about the family perspective. I can't agree with that more, but, in my case, the unity of my personal family came when I announced to my family that I had been accepted for this fellowship and I needed their support. They very happily agreed to support me fully. That included my husband, my indigenous Popoloca husband, agreeing to be a single father for four months and to watch three little children of four, six and eight years old, so that I could do this fellowship to come on this journey to learn about the UN from an insider perspective. While here, thank God for Skype, not only try to learn about the UN but navigate the UN system with the discriminations in place. I also experienced other men being given water and I was not given water. I also experienced being in someone's home and all my indigenous brothers were offered food and I wasn't: all those little things that no one says.

Moreover, I wanted to also say that I am part of the Continental Network of Indigenous Women of the Americas. Everyone might be familiar with the *Enlace Continental de Mujeres Indígenas de las Américas*. I am also the co-coordinator for the North American region. I co-coordinate with Inuit sisters from Northern Canada. One of the recent campaigns that we have been working on is collaborating with different indigenous women's networks worldwide, coming together and actually, at the Permanent Forum, back in May, we announced that we'll be coordinating a global Indigenous Women's Conference that is going to happen October 28-30. The idea of this World Conference is, in part, born because of some of the challenges that we experienced within the Global Indigenous Women Caucus, at the Permanent Forum. What we have been experiencing -for the last couple of years and it has been intensified with the coordination of the World Conference- is that now we have all these indigenous women that want to be at the table, who do not organize on indigenous women's issues or among indigenous women. This conference is being called by organized indigenous women. The idea that there is a distinction between being a woman from your community and being one that mobilizes for your people or for indigenous women's issues, which gives you a very different trajectory, articulation and process to bring forward. So, this conference is sort of a response to the lack of voice and the lack of articulation of indigenous women's issues, but also the need to remind our Indigenous Peoples movement that indigenous women have been very involved since the inception.

I recently graduated. Last year, I finished my PhD and my dissertation is actually looking at the participation of indigenous women at the UN. I went on a big journey trying to identify who the women in 77 were and then those that followed, and then, it altered to try to just identify who were the women organizing nationally throughout the world. I identified 32

women and I interviewed all of them and then some. One of the things that I concluded in my research was that I was in search for one global indigenous women's movement and everyone confirmed that there is no one movement. What we have are many movements. What my research turned into was a discussion about the globalization of indigenous women social movement, this idea that all these local organized women somehow found their way into this international arena and it was at the UN that you have these networks sort of being constructed or created. You have the *Enlace*, you have a network in Asia, you have a network in Africa, you have the Sami women. Then, you have the International Forum of Indigenous Women which has been, I would say, very successful in bringing all these networks together. Now, this year, we were able to launch the first school: the Global School of Indigenous women's Leadership. In that the goal is being part of the planning committee in designing the Global School curricula. One of the leaders was Tarcila Rivera, from Perú, who said: "The goal of this school should be to take the 20 or 30 years that we have struggled within the UN: everything that we suffered to finally understand that the new generation learns it in half the time. If it took us 30, let's get the same accomplishments in 15. If it took us 5 or 10, etc..."

Here I am, at the UN, doing the fellowship, learning about Treaty bodies, learning about the three mechanisms, interviewing Willie, interviewing Anaya, not even interviewing, just sitting with them and having rich conversations. Then comes someone like Q'apaj and I feel like the next generation (I think I probably follow your generation, I just turned 40 and he's turning 30 soon, then we have all these 20s)... I think that Tarcila's vision of the 50% that this generation learned in half the time will be less. Q'apaj and the youth that are filming will learn it in a quarter of the time. I think that we don't have to wait half that time.

All this to say that I have a couple of recommendations. One, I would really like for this Symposium to sort of make up for the lack of participation of organized indigenous women in celebrating the 35 years history of Indigenous Peoples at the UN and support this Global Indigenous women's Conference that we are organizing in October. The second thing is building on Willie's observation that the Permanent Forum met this 50% gender mark; I also would like to see that... It's not in the mandate for the EMRIP, this year's EMRIP committee only had 1 out of 5 expert members that were a women and now she's gone. We'll possibly see another woman in one of those positions, but I would like to see that we demand that it would be a 50% as well and that it be a recommendation that's advocated by Indigenous Peoples, that everywhere, our three mechanisms reflect gender balance. That's it. Thank you.

**Marcella Gilbert:** Thank you. That was awesome. I would like to hear more. That was really good. Before we move on, I have a question for you. You spoke about the Indigenous Women's Global School or Global School of Indigenous Women?

**Rosalee Gonzalez:** It's the Global School for Indigenous Women's Leadership.

**Marcella Gilbert:** This is located where?

**Rosalee Gonzalez:** It's a FIMI's, it's the International Forum of Indigenous Women and the School. This year; there were 25 participants from all over the world, indigenous women. The curriculum is that they commit to going online. It's an online curriculum for about three months. They've got to go through all these modules. Then, in collaboration with Columbia University, with Elsa Stamatapoulou, who is here, there was one week of training in New York, at Columbia. Then, they're prepared to intervene at the Permanent Forum. The program pays for their travel and expenses to actually go through the training. They have to have a project. Once they're done, they should develop something to influence their community locally. Right

now, they're in the implementation phase. We should see the results of the first round of participants in the next couple weeks. It's an on line-New York school.

**Mike Myers:** I want to start by saying that, as an Organizing Committee member and fully supporting the gender equity, I personally asked five indigenous women if they would want to get involved with this. The good news is that they are so busy changing the world that they didn't have time to do it. I too felt that it was a setback for us six guys to be there.

I want to follow on Rosalee and Willie. I have been sitting here trying to remember the name of this woman who's story and that wrote the book -maybe Oren knows here because I believe she comes from Central New York- who wrote this tremendous history of showing how the white women's movement in the United States was influenced by Haudenosaunee and Lakota women. In the 1800s, these white women were just stunned by the idea that indigenous women were the power in traditional governments, in original indigenous governments. She has an anecdote in the book where she's talking to this Lakota woman and they're looking at a horse herd. The woman says: "How many horses are there?" She says: "I think there are 100." The white woman just naturally says: "Oh, those are your husband's." And the other woman says: "No. Those are mine. His are over there." This history of indigenous women driving global change is a very very critical piece to keep building upon because one of the challenges for European women is coming out of the Christian tradition that never believed that women had rights.

When you look at the Abrahamic tradition -this is for the monotheist Judaeo-Christian Islamic gang- they hate women. The most conservative elements of those belief systems hate women. They do all kinds of things to denigrate the role of women. They got this story in the book of Genesis that because Eve bit the apple, God was so mad that he kicked Adam and Eve out of the garden and he gave Adam one punishment. Adam's one punishment was that forever you will have to work hard to make a life, from now on. That was his one punishment, but he put three punishments on the women. His first punishment on the women was forever you will have painful childbirth. The second punishment that he put onto women, according to them, was the moon cycle. That was a punishment. And the third, which is confirmed in the baptism, that when a baby in their faith is born has to be immediately washed off, the sin has to be washed off of them because they pass through a woman to get here, which is a full 180° different from our belief system. We know that the only way you come from the spirit realm to the physic realm is through female. That is the only pathway to this physical realm. In our tradition, this was an honor that was given to women: to be the continuing doorway from the spirit realm to the physical realm in all female life. The role of indigenous women is not only to advance women's rights but to advance democratic rights. This was inconceivable to white women in the 1800s to play a role in their politics; whereas it was equally inconceivable to indigenous women that they would not be able to play a role in the politics of their nation and their community etc.

I want to suggest to you young people a learning tool. I just learned about it. I just started looking at. The acronym is MOOC. It's something like "mass-open online courses". The thing I was watching was showing how hundreds of students are gaining access to world class education for free through these MOOCS, using these online courses and delivering them through the internet. I think that piece has been on my mind for a long time too. How do we accelerate this learning process? I absolutely agree, I don't want it to take 30 years. If I can put courses together or something together that I can transfer knowledge and experience, etc., in 4 years or 3 years, great. This MOOC concept of online learning is pretty intriguing. One of the guys that have been leading the vanguard of it is a man with the last name Khan. He's online at the Khan Academy. He has over 1400 courses online. He's got all kinds of PhDs and stuff. What I see for the younger generation is all of this technology that we have around us. For us, it still intimidates my age group. You guys are growing up with it. It's second nature to you. What you can possibly do with it and how far you can run with it and, especially, how you can

accelerate the transference of global consciousness, of exchanging experience, of doing courses (whatever it is), I think this thing holds a hell of a potential. I really believe, because when you look at this history, that it's you as indigenous women who are going to bring about the transformation of that whole learning experience and the continuing global transformation towards real democracies, through real balance, through real equity; not only for all peoples, but for all beings and all things that sustain our lives. That revitalization, that kind of consciousness...

We live on a female Earth. She sustains us. When I look at my Iroquoian family tree, it's an incredible family tree. My grandmother, on my mother's side, started this world. She created this world. She's called Sky Woman. Then, she gave birth to her daughter who is *Etinoha*, our Mother, the Earth. You come, we come from this incredible family line, very powerful. That's why we trace all of ours on our mother's side back to the sky world, which is the spirit realm that each of us get called from to come to this physical place. We should all work together to make sure that the world remembers that it's indigenous women who have changed the nature of democracy and gender equity, etc. We'll continue to drive that. Thanks for your work, thanks for your commitment.

**Marcella (Marcy) Gilbert:** I give the floor to Sharon Venne.

**Sharon Venne:** Thank you. My name is Sharon Venne. I am a Cree from the Northern part of Turtle Island. I just wanted to add to this little discussion. I am a little bit concerned sometimes about our young women getting involved in a Eurocentric women's world view that is not an indigenous world view, which Mike has just touched on. We had a little bit of a confrontation about this issue in 1995, at the Beijing Women's Conference, where the non-indigenous women of the world were gathered in Beijing and they were trying to force indigenous women into the final communiqué from the Beijing Conference. There were a lot of problems with it because the Beijing Women's Conference was more or less going along with the idea that the Earth is open for whatever you want to do to it. Indigenous women could not agree to that. There was a lot of pressure put on us to conform. Let's put it that way. What happened is -I think that everybody should read it and should be part of the documentation-the Beijing Declaration by Indigenous Women. From 1995, if you read it, it's still relevant.

I think what Mike said just before, the first line says: "*Our Earth is our mother. From her we get our life and our ability to live.*" We must never forget that as indigenous women we are the land owners. The land is given to the indigenous women. It doesn't matter where you travel in the world, you hear the same story. We have an obligation to take care of our mother into the future. We do not have the same agenda as non-indigenous women. We have to be very careful not to be dragged into that. I very strongly recommend not get dragged into that agenda because, in Beijing, what happened is (and this is probably old news, maybe some people will remember that) this whole idea of the "new world order" was being touted about the human genome project and other issues were coming up to the front. The other women were not prepared to condemn these things. We had to stand alone and say: "No. We do not support this. As indigenous women, we are saying no." What happened is I remember this very pie powered feminist from the United States, her name was Bella Abzug, and she was always with these big hats anyway; she came to us and she more or less told us that we were kind of naive and not very smart because we wouldn't support them, that they were trying to lead the way and that we were kind of not... more or less telling us that we were kind of backwards and stupid for not falling into line. We said: "We have our own instructions. Our original instructions of who we are as women. We have to follow that path."

Me, I am not too concerned with a bunch of men sitting on an Organization Committee: they managed to get us together and we're all here. So, that's good for them. I am not too worried about that. I think what we have to do is remember where the women's role is in our indigenous world because if we give up that role as indigenous women in our indigenous world,

there is going to be real problems; not only to our Mother, but all of living things. We have to remember that. We have these obligations as women. It's not to stand out-front and wave a flag or something like that. It's to make sure that there is still a place to stand. That's what our role is.

I commend you to read this Declaration because we were standing there alone, as indigenous women. We were not afraid to stand alone, despite all of the criticism that was heaped on us by other people saying that we should not do this because it looked like we were not standing in line with these other women. We said: "Well, we can't stand in line with these other women because their objectives are not the same as our objectives." If you see non-indigenous women in position of power, so-called "power", they will step all over indigenous women just as soon as they step all over an indigenous man. They may climb the golden ladder but they are still jumping on to our heads. We have to be very careful how we position ourselves as Indigenous Peoples.

I am a little bit concerned, and I raise this as a last point, I don't know when we started talking about indigenous women separately from Indigenous Peoples. When we talk about our rights as "peoples", Indigenous Peoples have rights, including our human rights, not limited to human rights. We don't want to say that women's right are different from men rights. Personally, I always say: "As an indigenous woman, I am not prepared to give up my position and come down there with the men." [Applause]

**Constantino Lima Takir Mamani:** Muchas gracias, hermana Presidenta, por la cobertura de mi expresión. Yo creo que lo primero que tengo que coincidir con los hermanos y hermanas, que de una u otra manera se han expresado, es repetir un poquito lo que dice: hombres y mujeres hablar del Occidente, es otra cosa. Hablar, hombres y mujeres, de nuestros ancestros, del continente Abya Yala, es completamente abismalmente diferente. Por favor, yo creo que si todos estamos entendiendo, lo que sí tenemos que repetir un poco es el razonamiento. Primero, hay que entender. Esa lucha de género que dice el Occidente y que nos trae aparentemente hasta nosotros, ¿nos están contagiando esa lucha? Porque en *Chacha-warmi* [hombre-mujer], en el ancestro, no es como entienden los occidentales. En primer lugar, si nosotros queremos entender esa lucha de género venida de Adán y Eva, en la Biblia, muy claro dice, Dios, creo que en cuatro partes está eso escrito bien claro: "la mujer es esclava del hombre." Está bien claro. Cualquier mandato, entonces, que de las Naciones Unidas, de cualquier otro organismo internacional quisiera contraponerse, primero hay que deshacerse de la Biblia porque ahí dice: "Hasta la salvación-cielo, depende del hombre." Incluso los hijos dependen del padre. Entonces, si queremos ser cristianos, si queremos ser religiosos (hablo del europeo), para luchar la igualdad de hombres y mujeres, primero hay que deshacerse de la Biblia. Del cristianismo hay que deshacerse primero. De lo contrario, no tiene absolutamente ningún sentido. En vano, la ONU o cualquier organismo internacional va a estar dando una orden de un tratamiento diferente. No, en vano, pues, en la Biblia aclara que de la última costillita, de la costillita más insignificante salió la mujer. Es decir, ante Dios, la mujer no sirve. La mujer no vale. Por eso, repito, para querer luchar como se está luchando, deshacerse de una vez del cristianismo o de la Biblia sería lo mejor.

Entre nosotros, esa situación no existe. El *Chacha-warmi*, en estos casos, está entendido como una cosa completamente igual porque el hombre y la mujer tienen el mismo valor. Ahora, es otra cosa que el Occidente nos han contagiado. Las mujeres siempre a la cocina. Cuestión de la cama, etc. ¡Qué barbaridad! Ese es un contagio. No es asunto nuestro. Lo nuestro siempre ha sido igualdad, por lo menos. Eso es lo que sabemos todos. Entonces, yo quisiera rogar a los occidentales, esta lucha femenina no nos corresponde a nosotros porque nuestro concepto tenemos que retomar la igualdad que siempre hubo. Hubo Incamalco, hubo Apumalco, de mujeres y hombres iguales. No hay absolutamente ningún problema. Solamente, eso a modo de reforzar un poco lo que se está haciendo y que comprendamos mucho: yo he querido observar, alguna vez, yo no la conozco de cerca, a Rigoberta Menchú. Creo que ella es no sé si católica o



evangélica, pero si va a hablar de igualdad tiene que someterse a esa realidad esta hermana. Yo quería reñir un poquito. Bueno, no nos hemos podido ver. No la conozco. Me gustaría conversar porque creo que ella es muy religiosa y, en cierta manera, a los indianistas que nos encontramos allá, en Bolivia, no nos gusta mucho la hermana. Quisiéramos llamar la atención. Muchas gracias, un pequeño refuerzo, nada más a lo que se está diciendo.

**Oren Lyons:** I have to explain the structure of our Confederacy, which is very old, and the role of the women in that. We have our families, large extend of families; I spoke about it a little earlier, about the clans and the many many clans in these nations across North America and South America. They all relate. In our structure, the Haudenosaunee, there are five leaders in the clan. Our first leader is a Clan Mother. The second leader is the speaker, the Chief, as a deputy. They call him a "Sub-chief" or we have Indian names for these titles. For a quick understanding, we will just say "Chief" and "Sub-chief". Then we have our Faith keeper that is female and a faith keeper that is male. Each one of those people has a duty. The Clan Mother's duty is to choose all of those leaders. That's her first duty. She also gives the names to all the babies in her clan. That's her second duty. She oversees the conduct of those people that she set up. That's her third duty. She will remove those titles if these leaders are not conducting themselves properly. That's her fourth duty. She has the power of recall. She also chooses the leadership, but, to understand this completely, every one of those choices have to be agreed upon by the clan by consensus. If the clan does not agree, she has to find someone that they all agree on, by consensus, not by voting. They must all agree. Her role is very responsible and very heavy as the role of anyone of those leaders that she chooses. It's very heavy because it's a lifetime position. As she looks about her family, she's watching the children for the next leader. She's always looking for that leader, whether it's a male or female. She works with her clan in that. She works with her chiefs. She cannot tell the chief what to say or what to think. That's his job, that's why she put him there. We have a matrilineal system that is not matriarchal. It's different. It's a balance, always a balance. I'm sure that all of the traditional systems -I've listened to the African systems, I've listened to that- I see always this balance between the man and the women. As you know, what it takes to raise a child, it takes a lot. I'm reminded of an elder woman from North Alaska. She was talking about the duties of the women and she says: "Well, we have to caution our young women to be careful with the power they have over men. Men are easily led, so we have to caution them, to be careful." I just wanted to illustrate that when you lose a traditional system, that's what you're losing. The system that it replaced, in America at least, the elective system, has nothing to do with that whatsoever. It has no balance. For the children, the woman has both girls and boys or boys and girls until they are eight and they learn how to clean a house, they learn how to cook, they learn how to do all of that. When they reach that point, the men take the boys and the women take the girls. That's traditional system. Thank you.

**Marcella (Marcy) Gilbert:** Thank you Oren. We will have to break here...

**Mary Simat:** I just wanted to say that Q"apaj has his birthday today and that we recognized it and that traditionally we do a song for him. That is only what I wanted to say.

**Q"apaj Conde:** Thank you, Madame Chair. If we still can have interpretation... Mi nombre es Q"apaj Conde, Aymara del Q'ullasuyu, en Bolivia. Simplemente, muy cortó. Solamente quiero hacer dos puntos en relación al tema de participación de mujeres indígenas. Quiero tomar palabra como hijo, más que un representante indígena. En las palabras que dijo Rosalee, lo primero que no podía evitar es pensar que, en Bolivia (y, Carlos lo sabe muy bien), yo de muy chico fui criado por mi abuela, por mi mamá y, ahora, por mi hermana, quien tiene 12 años más. Es difícil no extrañarles. Bueno, justamente, trabajando conocimientos tradicionales me

doy cuenta de la relación que hay entre conocimientos tradicionales y mujeres. Prácticamente, el hecho que esté aquí es por esa fuerza inspiran las mujeres, que inspiran las madres. Mis profundos respetos, un cordial Hayaya a las madres y a las mujeres por la lucha que han desarrollado.

El segundo punto que quería comentar un poquito era sobre la participación de los jóvenes. Si uno ve esto a nivel regional, es increíble que sean las mujeres indígenas quienes han posibilitado la participación de los jóvenes en foros internacionales. Es un poquito, me remito a FIMI. Cuando yo llegué acá, a Ginebra, para arrancar el *fellowship*, justamente, estaba Tarcila. Fue invitada para el panel de expertos dentro de la OMPI. Agradezco mucho sus palabras porque uno arranca el *fellowship*, que era algo sumamente complejo, pero le agradezco mucho. Gracias, señora chair.

**Marcella (Marcy) Gilbert:** Thank you very much and happy birthday. OK let us take a break.

**Allene Chockie Cottier:** The next workshop is on spirituality, so we are going to need a chair and a rapporteur and somehow deal with the translation issues, so I'll be trying to look for somebody and talk about that. If you think about who are the best persons to Chair and be Rapporteur. José?

**José Carlos Morales:** Gracias, Presidenta. Lo que quería era nada más aprovechar un minuto porque tenemos la posibilidad de tener una reunión con el Director de la División sobre Conocimiento Tradicional, en la OMPI. Podría ser una delegación de unas tres a cinco personas para discutir, sobre todo, el tema de la participación de los Pueblos Indígenas en la OMPI. Está un poco complicado eso y dan la oportunidad de que estamos acá para que una delegación de tres o cinco personas podamos intercambiar. Tendría que ser mañana a las 10 de la mañana. Estamos trabajando acá. Habría que hacer un esfuerzo. La OMPI está muy cerca de acá y se podría participar: una delegación de mujeres y hombres que pudiera participar allá para aclarar, para preguntar, para ver cómo se puede discutir justo con el Director de la División sobre los Conocimientos Tradicionales. Yo creo que vale la pena tomar en cuenta eso y aprovechar que estamos acá, en Ginebra.

**Allene Chockie Cottier:** Maybe we can talk about that when we get back from the break and we'll see what response we get.

## **The role of spirituality in the protection and advancement of the rights of Indigenous Peoples.**

### ***El papel de la espiritualidad en la protección y el progreso de los derechos de los Pueblos Indígenas***

**Allene Chockie Cottier:** Would everybody please start coming back into the room because we have to end on time and the next discussion is extremely important because we start getting into a lot of our spirituality and the foundations of our issues. Please come back in. Please, for those of you who want to participate in this workshop, please enter so we can get started because we have to leave on time. We have to walk out the door at 6.30pm and we have to have a chair and a rapporteur. The topic is the role of spirituality in the protection and advancements of the rights of Indigenous Peoples. Clearly, we don't have... Where are all our

sacred guys? Would somebody like to come and be a sacred chair? Somebody who is in the room? [Laughs] OK. I need a rapporteur. We'll just start because I think it's a really important discussion. What we touched on the women was entering into the foundations of who we are and our relationship to women and men and our children and our land and everything else is our spirituality, what keeps it together is our spirituality so we need to proceed with this discussion. I need a rapporteur. Do you have a student, who could be the rapporteur? OK. Come on. Bring paper and pen. We're going to start. I am being general militant. [Laughs] Sounds like 1977 all over again. [Laughs] OK, ladies and gentlemen, we are opening our workshop to discussion for speakers who'd like to speak on the role of spirituality in the protection and advancement of the rights of Indigenous Peoples. Oren, start this discussion for us please. It's the role of spirituality in the protection and advancement of the rights of Indigenous Peoples.

**Oren Lyons:** All right. I'll try. The importance of ceremony in Indigenous Nations and Peoples are consistent around the world. Wherever I've gone, and I've traveled quite a few places and I find these ceremonies usually related to food, to planting, to seasons. I must say that everybody has their understanding. Yesterday, we had a ceremony here where we had the four colors of corn. That was what was explained. Those bandanas represented the four colors of corn. It was the four colors of people. People, no matter what color they are, are one family, just like those four colors of corn are corn, but they're different and they have different duties. The ceremonies that hold our nations together are very powerful and they're teaching elements to instruct the people how to be respectful of nature and the importance of nature and how we are dependent, absolutely dependent on nature. We are not in control. We do not have charge. We are dependent. One of the ways that our people have been instructed to do that is through these ceremonies. You find these ceremonies everywhere. When we attend these ceremonies, that we're invited to these ceremonies and we attend these ceremonies, whatever language that is being use at the time for that ceremony, even though we don't understand the language, we understand what the ceremony is doing. Therefore, we have leaders here from around the world that can speak for all of us, just as it was the other day, Joseph Deom did this ceremony for us but he was speaking on behalf of all of us and we understood that and we accepted that and we agreed with that.

You cannot apply that to the Christian religion. They don't work together. They are very hostile to one another. I really don't understand why that is but they are very independent of each other and they are very jealous of who's in their flock. With us, it's very inclusive. When these ceremonies are performed, they are performed on behalf of the natural world. There are ceremonies for water. Around the lunar clock, we have ceremonies going on all the time. I remember looking at one of the 75 or 73 volumes of Jesuit relations all about our peoples and in one passage there was a statement by one Jesuit priest and he said: "Ceremonies, ceremonies, ceremonies. They have a ceremony when they wake up in the morning. They have a ceremony when they have a lunch. They have a ceremony at night. They have ceremonies. Confounded ceremonies. Every day, all the time." He didn't understand. He did not understand why and how important these ceremonies are for our people and for the Earth. It's our way of giving thanks. If there is one thing Indigenous People do is they know how to give thanks to the Earth. We do that all the time. We do it good. We know how. We really do it good. We know how to do these ceremonies. When I hear the songs and I hear the songs of the Hopi or the Pueblos or Cheyennes or Lakotas, you name it, all around, I know those songs and I know what they're about and I am very grateful for those songs because they're on our behalf. They're speaking to nature. They're speaking to the Creator. We believe in the Creator. We believe in the creation. We have absolute understanding of that. We have relations on the other side, even after you pass over. Our ceremonies for the death, the deads feast. We just go on and on.

When you talk about spirituality, you're not talking about religion. As I remember, my uncle,

Tadodaho, chief Shenandoah, he says: “No. *We don't have a religion. We have a way of life. This is how we live every day.*” That's the way it should be. These ceremonies that maybe are being performed by the Kogi, in Colombia, or the Shuar or you just name the different nations around the world, they are on our behalf, they're not just for them, they're for everybody. They are always inclusive. Our white brothers, our black brothers, all of people in the world, they are always included and you don't have to be there because it's being done on your behalf. That's why it's so important that holds these nations together.

Our nations are built on ceremony. They're built on song. We cannot have a nation without our songs. That's how important our songs are. In our songs are all of first instructions. I'm just a runner. That's all I've ever been for these Haudenosaunee. I don't have command of that language as well as I should. I can't do what Joe can do here. That's why he spoke and I run for the benefit of the nations, for the people. First, I thought, when they first asked me to take this position, how important it was that I work for the Onondaga Nation. Then, as I worked for the Onondaga Nation, I realized: “No, no I have to extend that to the Mohawks and Senecas and the Cayugas, the Tuscaroa, the Oneidas. That's my responsibility.” And then I said: “No, no, that includes the Lakotas. That includes the Dene. That includes all of these peoples.” And finally, I said: “That includes Indigenous Peoples of the world.” And now, what I see is it includes all the people. We're responsible. We're the only ones that really know how to do this. That's why it's so important to keep your language. That's why it's so important to keep your ceremonies because we're coming to a very serious time. We're in a very very serious time now and this acceleration of the global warming and the waters rising and the weather changing, they are not going allow you to plant. There's times when there could be too much rain or not enough. The extremes are coming. The winds are coming. The fires are here already. They are going to get worst. It's our voice. We were told: “As long as there is one to speak and one to listen, one to sing and one to dance, the fight is on.” If we are down to that point, the fight is on. It's up to us to maintain that.

For the young people here, you're learning about the complexities of political structures and powers; don't ever forget the importance of your home fire. Your fire is at home. What is your responsibility is there. You're always running for your people and we are running for the next generation, the next generation. Seven generations of people looking out for us have gone. That's why we are here today. Now, it's our duty to look out seven generations. We have to teach our white brother. We have to teach him. Otherwise, he's going to carry us to where nobody wants to go. We'll wind up there if we don't, it is crucial this particular time. This meeting of elders and traditional people around the world is fundamental to survival. I believe that we have the only answer to all of that, which is simply to be grateful, to take care of the Earth and to bring balance back.

My question to you, if you want the big question, is how do you instruct seven billion people as to their relation to this Earth, because that's how many people there are in the world right now. If they don't understand how they are related to the Earth, we're all in a lot of trouble. [*Gives thanks in his language*]. [*Applause*]

**Michael Eckford Aka Anderson:** Thank you, Madame Chair. If I may just take some time. I come from a culture who they say is one of the oldest living cultures in the Earth. They date us back to 65-100 thousand years of organized society. We say we go long way back further than that. I just want to pass on something to this collecting here, in terms of our culture and our stories. Our story start from what they popularly refer to as the “dream time”. The dream time, for us, is a time before time where those spirit worlds existed only. We came from that. From that, there was chaos within the Universe and we say that the Universe tipped upside down and all the plants and the rocks fell off the river, the Milky Way, which we call *the Big Warrambool*. When they fell off, the creators, the superior beings connected the planets, what we call the “Big Rocks” that fell of the river bank and connected them by strings to keep them in place. Our story says that there will be a time when this Universe will tip upside down

again and all those things will go back into place. We have to teach our true story through ceremony, these dreaming stories. Of course, the creation that took place after was the three people: *Biaime*, the Creator of the physical world, *Birring-ooloo*, as we call Mother Nature, and *Gunnun-beal-lee*, who is the caterer and the woman who bore the children and created the life and brought down the elders from the sky to rebuild life on this Earth. This is one of the reasons why, when we do ceremony, we do ceremony only at night, because we can see both worlds and we can relate to both worlds. In day, we cannot see what's above. We cannot show our young ones what is above and where people live and where we go back to and who lives there. What we have here on this Earth, we say that when people leave you, the great ancestors leave you, during this time of creation and putting things in place, they left either their spirits behind or they left their physical body behind. Their spirits are represented in the sky and the cloud clusters or dark spots in the sky. If their bodies are there, we show clusters of stars. We talk about the stars and we tell them where the bodies are, the physical bodies of the people and then we take them here on the Earth and we show them where the spirits are laying here on this Earth. We take them to these places. So, when we talk about land rights and the protection of sacred sites, this is what we are fighting for: to keep those things protected and to look after them because we cannot separate the soul from the body. By destroying these places, is to disconnect that creation and what keeps everything in order for us here on the Earth. It is important for us, at all times, to understand that connection and the life cycle.

One of the great experiences I ever had was going to the United States after I became a ceremony man, a law man in my law. Meeting up with an old man, in the South of the USA, who was a Hopi, I had the pleasure of meeting him and spending some time with a man called Thomas Banyacya, who I think has now passed on, he was very old when I met him. We sat and talk about business. Before leaving, I asked him: "Where did you ancestors come from the creators? Which way?" We were looking in a direction towards New York from that country out there in the desert, where we were. He put his left hand up and he pointed in a North-westerly direction. Ironically, about six years later, I was with some elders of my own and we were out in the river with some young men doing business and my senior elder, I looked at the old Medicine Man, we call him [?] in my language and I said: "Which way did those old people come, the creators?" He was looking in the Northwest and he put up his right hand. I thought: "Hang on a minute. That's very interesting because six years ago, the other fellow put his left hand up." I went home. I got a map of the earth and put it out and got a ruler and thought: "I'm going to see where these lines connect." They connect in the Andalusian islands. For us, there is something there. There are some stories there that we need to find out about.

I did go to the Aïnu people, in Japan, North Island, and spent some time with the elders there, a Medicine Man, their shaman, equivalent. We talked about this and when I asked him about the Andalusian Islands, I'd never seen a man change all colors at one time within a second. He looked at me and said: "Where do you come from?" And I said: "I'm down in Australia." He said: "How do you know about the Andalusian Islands? What did your people talk about?" And I said: "That's where the old ones came to create the life that we have on the Earth." He said: "Well, now that you're talking about this, next time you go to Europe, you need to take a look to these white folks and have a look at these stories."

I did. I ended up in Germany, in a place called Bonn, meeting with some Germanic people who were trying to bring back some of their old ways and searching for their stories. They took me to a place on this mountain near Bonn, just on the edge of the Rhine river. They took me up and there is this building that surrounds half way up this mountain and you can look at Bonn, the city. When they got us, they took me to this building and I could see these pictures around the wall: these soldiers carrying a woman body and that sort of stuff, and spears. They said: "This is the place where Siegfried killed the dragon." I said: "Oh. Siegfried. Who's Siegfried? Oh, that fellow. The equivalent to Saint George over there". So, I looked at these stories. Next day, they took me to another place and they showed me where the -how do they call them? The monks- they had built a monastery on top of this building, in a cliff. When they took me there,

they took me down a pathway and said: "We need to show you something." When I went pass this clumped rocks and two trees in it, sticking out, I heard flutes. I thought I was going mad because I asked the people: "Can you hear those flutes?" And they said: "No. What flutes?" I immediately turned around and said: "That's not the place for me, if you can't hear that flute, then I'm not supposed to be at that place. That's not my place to be." They said: "Come and tell us what it is. – I can't tell you. Take me back there because I've seen that picture on the wall of those rocks and those two trees."

When I went back, there was Pan at this picture at this place on that mountain. It was Pan, playing its flute, between those two trees on that picture. Then I got up higher and I saw the globe on the Earth, on the floor. When I got at the top and I looked back down, there were two snakes around the Earth. That connects the Earth, that connects the heaven. You see, in my law and in our culture, the snakes are very important to us because they protect the dreaming, they protect the sacred places. It's so important. I realized, when I traveled, that no matter where I went in the world, traveling on this cultural journey around the world, every culture that I found has a snake associated with that story. I am horrified having learned that and to look that on the Christian Bible and see how they use the snake as the one who tempted Eve to do the wrong thing. I find this quite extraordinary, when I begin to look at these things.

So, when we talk about religion, for us, I agree with Brother Oren, that the white men got no idea what he's doing when he's destroying Mother Earth. He has no idea of the disasters that he's bringing upon himself. Unfortunately, we as the Indigenous Peoples of the world, we are going to suffer because of their wrong doings. That's why it's more important for us now to step up and take our place in the decision-making, whether be in the United Nations or anywhere else. I think it's our time to take that lead. We may only be a small percentage of the world's population, but we have the answers and we have the stories that will give those answers. I think we owe it to our children and their children, unfortunately, because they are the innocent ones, to step up and take the lead and teach people what religion is.

If I may just end on this one point, we heard someone talk earlier about the Bible. I think it was Mike or someone. There was a court case just recently, in London: John Anthony Hill case. In this case, I think the court, in England, ruled that the Queen is actually signing letters and signing laws against the will of God, according to the Bible because the court decided that according to the law-making faculties of the Western societies, particularly England, the Queen owes allegiance to God and she gets her divine right to rule from the Bible, from God. They say, in that court, that the first of five books of the Bible is what creates the power and authority and the structure for the Westminster and Western systems to pass their laws in Parliament. If the Queen passes laws and authorizes laws that go against the teachings of those first five books of the Bible, then she is breaking God's law, the natural law. Therefore, the laws are in fact a crime against humanity. I think that's another thing that we, as Indigenous Peoples, should look at and go back to what Constantino said earlier that he doesn't understand how they misrepresent that Bible. I think we need to look at that and step up to the play. Thank you.

**Joseph Deom:** My name is Joe Deom, from the Mowhak Nation at Kahnawake. One of the things that I want to add to what the gentlemen said about the Bible was that in the Judeo-Christian and also Muslim believes, the Bible says that God made the world and gave men dominion over the world. That gives them the freedom to do whatever they feel like they want to do to the world. Also, in 1494, the Doctrine of Discovery was made available to all of these explorers and thieves that allow them to exploit any country that they see. So, that thinking permeates all of, let's say, the Judeo-Christian powers that exist today and who have all the money. In order for us to come back what their thinking is, we have to do as Oren said, to strengthen our own teachings amongst our young people so that they have a good grounding in who they are and what their beliefs are and what the beliefs teach them because in our creation stories, it tells us how we were to respect the Earth and the Earth is part of our

family. So, we have to reinforce that with our children so that they can understand that. I think, like the gentleman said, that there are white people in Europe and around the world and even in Russia for that matter who still claim to some of the old beliefs. They're very few but they still practice the old ways. Those are the people that I think we need to make overtures to, and include them in our struggle. [*Mohawk word*]

**Allene Chockie Cottier:** I think we need to remember from that comment that even what we refer to as the “white people”, which is totally inappropriate as much as it is calling us “people” and not “peoples”, at one point in the world’s history, they were also indigenous and they also had their ways that connected to the land. They suffered the loss of the values in that. I think we need to remember and remind ourselves and to our youth the reason we need to discuss this topic in the course of our work in the UN and strengthening our rights to practice and be who we are, including our spirituality, maybe we can provide a safe haven for those who’ve lost their way to find their way by working with us, in cooperation, instead of establishing kind of a polar relationship, where we are one against the other. I think ultimately, our world is about saving the world. [*Interruption*] I just want to caution. We all have our problems with what’s been done to us, but we don’t want to allow a Christian bashing element to enter into our spiritual discussions. Thank you.

**Carlos Mamami:** Gracias, Señora Presidenta. Quería contar una experiencia. El año 2009, en el Foro Permanente, juntamente, con Bartolomé Clavero, tuvimos el encargo de hacer una investigación de relatoría sobre la Madre Tierra y los derechos. Por ese mandato, me puse a pensar y tratar de investigar qué había pasado con nuestra espiritualidad. Coincidió con la mayoría de los hermanos que también yo recibí una educación de respeto a la naturaleza. Caminar, por ejemplo, pidiendo permiso, cuando nos acercamos a los ojos de agua, pedir permiso, cuando subimos a las altas montañas o cuando buscamos plantas medicinales, etc. Sin embargo, lo que no existe, porque, justamente, buscamos en los libros o buscamos a ancianos para preguntar cuáles son los derechos que tiene la Madre Tierra, medicinales, etc. Esa pregunta quiero formular a los ancianos y ancianas acá presentes porque, como somos pueblos colonizados, hemos pasado por el trauma de la evangelización. En la historia de mi pueblo, durante el siglo XVI, hemos sido víctimas del tribunal de la Inquisición que nos aplicó una política que fue llamada “la extirpación de idolatrías”. Todo el conjunto de los conocimientos, nuestra espiritualidad, fue considerada como brujería. Los sabios fueron calificados de brujos, fueron quemados o, en algunos casos, encarcelados, o simplemente deshonrados porque le quitaban la cabellera. A las mujeres, igual las encerraban en las cárceles porque había mucha práctica de relación de armonización con la Tierra. Entonces, cuando hacía la investigación, tuve que acudir a libros de antropólogos. Ahí, aprendí, por ejemplo, que los pueblos amazónicos (porque es la única vía que a mí me quedaba) consideran que la selva es su familia. Los árboles son sus hermanos porque fueron creados con los árboles o salieron de los árboles, que no es simplemente salir y buscar plantas o cazar animales o pescar, sino que la selva o que los peces tienen un espíritu protector, así como también, por ejemplo, los humanos tienen un guía espiritual. Los peces también tienen guía espiritual, así como los hermanos Shuar aquí presentes, consumen Yagué, una planta sagrada, también los peces consumen Yagué. No se puede pescar en cualquier momento. Leyendo aquello, yo empecé a pensar en las enseñanzas que tuve durante la niñez y exactamente eso también tuvimos en los Andes.

¿Qué pasa cuando nosotros somos educados, adoctrinados en la religión, y ahí tenemos un trauma porque aquello parece que no es algo que nosotros debemos hacer caso? Yo creo entonces que, así como los ancianos han hecho mucho esfuerzo por establecer un lugar, aquí, en Naciones Unidas, luchar por nuestros derechos humanos y por los derechos políticos, creo que debemos ahora darnos el tiempo y pensar en la espiritualidad y, concretamente, en los derechos de la Madre Tierra porque creo que los Pueblos Indígenas hemos tenido la capacidad

de agendar un tema en el contexto internacional: que la Tierra es un ser vivo, que la Tierra no está hecha, como dice la Biblia, para sojuzgar, para dominar, sino que la Tierra, en el caso nuestro, los andinos y los amazónicos, es nuestra Madre porque nosotros hemos salido de algún lugar de la Tierra. En los mitos de creación que tenemos, salimos de una montaña, unos. Otros salen de un ojo de agua. Otros salen de una laguna, de un río. Somos hijos de la Madre Tierra. Por ejemplo, cuando nuestros antepasados fueron obligados a trabajar en los socavones, en las minas de plata de Potosí, se llamaba a la mina "Coya" o Kolla? quiere decir "reina". Es la parte más sagrada que tiene la mujer. Es nuestra Madre. Sin embargo, hoy tenemos las industrias extractivas que arrasan con nuestras montañas sagradas y la minería se ha vuelto una maldición para nosotros. Otra vez, lo que quería yo proponer a los ancianos y ancianas, acá, es pensar en los derechos de la Madre Tierra. ¿Cuáles son los derechos de la Madre Tierra? Ya no solamente trabajar en el ámbito de los derechos humanos porque si pensamos en los derechos de la Madre Tierra, creo que tenemos mayor efectividad en proteger nuestros derechos y proteger nuestra vida. Gracias, señora Presidenta.

**Mike Myers:** I really like that question about what are the rights of our Mother. This thing that invaded our lands is a very old thing. It goes back 15 or 18 thousand years. My brother, the late Charles Mohawk, looked at it. This is something we did in the early years when we really were the young guys. We created the Indian Studies Program at the University of Buffalo, in 1970. We said we created it for the purposes of us studying them and updating the funding that was available for what they call "Indian Studies". We spent our earlier years, we looked at them. What are the rights of our Mother Earth? What we found, when you go back that far, at this thing that is called "Western civilization" that came to our world, that they swept across Europe and destroyed the original beliefs of the peoples in this part of the world too.

It began in the area of the Tigris and the Euphrates rivers, Afghanistan, Iraq. What happen, when we come to understand, and I will say that we, as Indigenous Peoples, are the only ones who can look at this history and understand what really happen back then because we still have non-Western languages that allow us to understand the thinking and the beliefs that those people had at that time. The people living by those two rivers were an agricultural people. They believed that the Earth was female, just like us. They believed that water was male. In the spring time, with the annual flooding of the Tigris and the Euphrates, they saw this as a cosmic sexual act between the male water and the female Earth that produced life. So, they planted on the flooded plain. What we found in their culture, and this would be the first violation of the rights of our Mother Earth, was that the human men created a conspiracy with the male water to rape and dominate the female Earth through the creation of irrigation. The cutting open of this female entity and forcing the male water into her and further and further away from the flood plain, so that they could control the birthing cycle of the world, off their world at that time. How traumatic of a cultural change that had to be.

There is no way in any of the Haudenosaunee languages as a matriarchal culture that we can talk in our language about the cutting open and the rape of our Mother the Earth. We can't even have that discussion. Those people did. When they did and it was done by the men, the whole of their spiritual, cultural, linguistic, everything, tradition changed. All of the female high spirits were demoted to less than the male spirits. So begins the formation of this angry male god, hovering in the universe, ready to strike down anyone who goes against him. That's the beginnings. That's the origins. It begins with the deliberate male conspiracy between the human male with the water male to rape the female Earth. That is the first violation of the laws of the rights of our Mother the Earth. It's the beginning of exactly what we have today, of this huge capacity of that civilization to rationalize and justify the destruction of anything because they say they have the approval of their god. This culminates; this is going on for a while.

All the stories that they made up back in those days to rationalize this behavior, to legitimize



this behavior, are finally compiled into a book. That book comes to be called "the Bible". It's a series of stories written by human men. There are no female authors in the Bible. Everything, Old Testament and New Testament, are written by men. It's written by men rationalizing their perceived place in the universe. Even them, we'll end it here and we'll talk about it more tomorrow. People like Aristotle, Plato and Socrates also play a role in the creating of this mind-set that we're up against. The ability to create the Papal Bulls, the ability to create the Doctrine of Discovery, the ability to create the dominion of men over the world starts with their first irrigation ditch that they dug in Mesopotamia. They created the desertification of their own land that used to be a green land that used to be a very lush and beautiful land. Yet, they did not learn about the consequences of going against the universal law. That's the origins of it. It's not just about the mean Christians or Islamic or Jews or whatever, it's this long tradition of being that way. We have to understand, they've been at it for so long that it's on autopilot.

**Natalio Hernández:** Gracias, Señora Presidenta. Espero no excederme. Por favor, quiero compartir, brevemente, mi experiencia personal en este camino de la espiritualidad, a partir de mi experiencia dentro de la comunidad. Me enrolé muy joven dentro de la tradición espiritual de mi pueblo. Mi abuelo fue sabio de la tradición, depositario de la espiritualidad, a quién conocí muy pequeño (yo tendría tres o cuatro años). Apenas tengo una imagen visual de él. Mi padre heredó la tradición espiritual de mi abuelo. Yo me enrolé cuando tendría 15 años, es decir, durante 50 años, yo he sido parte de esa tradición espiritual. Es una tradición que se desarrolla dentro de esta concepción de las siete flores. Las siete flores son el maíz y sus amigos, los productos que se dan en el campo: el frijol, la calabaza, el chile, el tomate. En conjunto, es el maíz y los frutos que sustentan al ser humano.

Mi padre murió hace ocho años. Después de él, murieron otros ancianos de la tradición. De un año para acá, yo soy ya el anciano de la tradición en mi pueblo. Coincidentemente, cuando me llega la invitación, acá también ya soy un anciano. Entonces, digo yo, ¿qué hay que hacer ahora? Afortunadamente, de unos cinco años para acá, se incorporan dentro de esta tradición espiritual, dentro de mi comunidad, personas más jóvenes, por lo menos 15 o 20 años más jóvenes que yo. Entonces, ahora estamos recreando esta tradición porque tenemos la preocupación de cómo transferir, de cómo heredar este camino de la espiritualidad a los jóvenes. Los jóvenes, que poco a poco se han alejado de la tradición y están más metidos y entretenidos en el mundo de las tecnologías, de la informática, en fin, de todos estos avances tecnológicos en materia de comunicación. Tenemos, por otra parte, la presión de la Iglesia, que descalifica toda esta práctica espiritual propia y que la escuela ignora también esta parte espiritual de nuestros pueblos.

Entonces, yo lo que digo, para no extenderme mucho en este tema, es que necesitamos pues renovar el camino de la espiritualidad, fortalecerla, porque es lo que nos va a permitir ser nosotros mismos, que cada pueblo siga viviendo su visión del mundo, sus valores, a partir de su propio ser. En este caso, mi ser náhuatl, mi ser azteca, mi ser mexicana.

Entonces, yo termino retomando la pregunta del hermano Carlos Mamani, en el sentido de: ¿cuáles son los derechos de nuestra Madre Tierra? Es un cuestionamiento que hago propio porque yo digo y me respondo a mí mismo (no es que tenga la respuesta para el hermano Mamani, pero sí un cuestionamiento): unos de los derechos fundamentales, pienso yo (y me respondo a mí mismo) es que nuestra Madre Tierra recupere a sus propios hijos. ¿Por qué? Porque los hijos andamos extraviados, justamente por esta persecución desde la Colonia, hasta nuestros días, por parte de la Iglesia, por parte de los misioneros. Entonces, yo creo que este derecho fundamental de que nuestra Madre Tierra recupere a sus hijos, pero no solo a los seres humanos, sino también a los árboles, que tienen vida, a los pájaros, a las flores, en fin, todo el entorno natural que conforma y que integra a nuestra Madre Tierra. Entonces, si la Madre Tierra recupera a sus hijos, entonces los hijos, nosotros, en armonía con todo el entorno natural, podremos seguir cantando a nuestra Madre, seguir danzando para nuestra Madre y

seguir ofreciéndole, entregándole ofrendas con flores, con frutos, en fin, con todo el regocijo de nuestro corazón. Creo que, de esta manera, nuestra Madre podrá encontrar, otra vez, la armonía entre ella y nosotros porque habrá recuperado a sus propios hijos. Muchas gracias.

**Constantino Lima Takir Mamani:** Gracias, muchísimas gracias y, una vez más, espero la paciencia de los hermanos. Yo creo que hemos tocado un punto muy importante, al discutir sobre la espiritualidad. Yo no sé si realmente habrá espiritualidad en la parte invasora. No sé, yo no entiendo porque aquí, toda la vida, se dice “Dios mío”, “Dios mío” y para todo es “Dios mío”, que “si Dios quiere” o “quiera la voluntad de Dios”, pero nunca hablan de Satanás. Satanás simplemente está calificado como el malo, nada más.

Hagamos un análisis aquí. ¿Quién es más malo? No sabemos dónde estará, pero, ¿quién es más malo? ¿Satanás o Dios? En definitiva, considero que Dios es más malo porque, por algo será que Satanás se ha enojado y ha empezado a hacer la guerra a Dios. Algo malo ha debido cometer, por eso se ha enojado Dios. Satanás se ha enojado y le ha dado la oposición. ¿Quién hizo la maldad? Dios agarró la espada o los puños, las patadas y lo botó justamente a este planeta, según dicen. Entonces, yo considero que Dios es mucho más malo que Satanás. Y, ¿por qué no dicen “Satanás mío” también? Deberían querer mucho a Satanás.

Ahora, tomando en cuenta toda esta situación, a mí me extraña mucho cuando, en mi lugar, en mi pueblo (yo soy Aymara), y en este lugar que se llama Bolivia, porque su nombre verdadero es Q'ullasuyu (Kollasuyu), tenemos lugares sagrados al que en aymara, en quechua, decimos Wak'a. Ahí, a nuestros lugares sagrados, dicen: “Satanás”. Por ejemplo, hay una pista que entra a La Paz y las radios, la prensa, todo el mundo... Nuestros hermanos y hermanas van a hacer su ceremonia y todo el mundo, la prensa, la parte occidental dice: “La curva del Diablo”. Ellos dicen: “Están adorando a Satanás.” Nosotros no entendemos quién es Satanás, quién es Dios, pero dicen eso. Nos calumnian diciendo que estamos yendo o estamos adorando a Satanás. Para todas estas cosas, nosotros habíamos pensando, en un tiempo, si mal no me recuerdo, hace cinco años más o menos, hemos hecho un desafío a los religiosos, a los religiosos europeos. Hemos invitado a este famoso Obermaier, que es alemán, ex guerrero, criminal, de la segunda guerra mundial, en Alemania. Él es alemán y se hace el cura, sin ser cura, pero todo el mundo reconoce que es cura porque habla de Dios. A él, después, a un tal arzobispo, Jesús Juárez, al máximo de ellos, el Presidente, Abasto Flor, y, luego al cardenal, Julio Terrazas, que ahora sigue siendo él el más o menos considerado directo representante del Papa. A los pastores, en general, hemos alcanzado un documento indicando que hagamos una discusión, un foro debate cristianos vs. diversidad cósmica telúrica. Demuéstrennos y nosotros les mostraremos también lo que nos corresponde.

**Allene Chockie Cottier:** So I have to interrupt you. If you have it in writing, if you could give it to our rapporteur, so we could include it in the summation. Excuse me my fellow brother and elder, but I have to stop you. We have other speakers, I must stop you. Excuse me. We need to share, we need to share. I appreciate all of your stories but we need to share. Thank you, thank you, thank you... We are going to another speaker. [Laughs] NO! NO! NO! [Laughs] We really need to keep tight on the time and it is unfair not to give to other people who hadn't had as much as you opportunity to speak and as much as I respect you and appreciate you, we need to go on. Thank you.

**Joji Cariño:** I believe that this question posed about the rights of Mother Earth deserves a good answer and response from Indigenous Peoples. I would ask whether or not the language of rights is the appropriate language to use in relation to the responsibility we have to respect the law of nature, as well as the protection of the Earth. Some governments and there is a move within the United Nations to institute the rights of Mother Earth, but in using the

language of rights, there is that whole issue of the duty bearer and the enforcers. In some of the countries, they have already used this. For example, in Ecuador, the government is the duty bearer and the arbitrator of these rights of Mother Earth. They are now using this against Indigenous Peoples, against some of our very basic long and traditional practices, by saying that these practices are against Mother Earth. Therefore, I think we really need to study whether that is the appropriate language we should be using and how, in our reaching out to the environmental movement and the realization that we are in a crisis, whether or not we will follow the current move to call for a law against ecocide and the rights of Mother Earth or what will be our response and the teaching and sharing that you come from Indigenous Peoples in respect to this current movement. I think we do need to think about it because Indigenous Peoples are now being persecuted very much on the basis of the rights of Mother Earth. For example, in Asia, our practice of rotation agriculture that involves burning is being called a “crime against climate change” and the fines being imposed on our communities for these so-called “crimes” are tremendously high. We are the ones being put on the dock for our practices, which, in fact, have managed these areas for generations.

**Bill Means:** Thank you, Madame Chair. I think we have somewhat of a contradiction here. I think we did get into a lot of a bash of the Christianity. I think, if we made a show of hands, I think everybody almost in this room was baptized at one time. Myself, I was baptized three times! [*Laughs*] On one hand, we have to tell the truth about Christianity, but the question is not whether or not we believe in the Christianity, the question is what is the role of spirituality. To me, the role of spirituality in our movement gave us a foundation. It gave us a weapon against colonialism to give us our identity back of who we are, to fight against the idea of the cultural ethnocide. This was a term that was, should we say, “brought into acceptance” by a professor that was here in 1977, his name was Robert Jaulin. He’s from the University of Paris. Like my friend said, after we had a session like this at one of my movement’s conference and he says: “Bill, I don’t want to be a white man no more. Could I just be a non-Indian?”

The role of the spirituality has really brought us to who we really are. It’s not important whether Christian flooded the Euphrates. I think the importance is we have our identity back of who we are. I think that, to answer the question, when we were looking for identity as the American Indian Movement, we went back to some of our traditional people. Through that, we began to understand that process of colonization. The role of the Church was to be the intelligence of the military, before the computers, they only had to bring in the missionaries to decide who’s not going to church, who’s not getting baptized, who’s going to prison. That was another role that the Church had. On the other hand, the Church, for example, in the hanging of 38 of our people in 1862, some of the ministers prevented there was really 380 people that was sent to hang. It was the ministers that forwarded to save over 300 people. We have the mission schools on our reservations. They taught us the English. They taught us to compete in this world. On one hand, we have too friends who are Christians. We have some people who played important parts in our communities in the issue of survival.

So, I don’t want us to get into the bashing. I don’t want us to get us bashing of all white men because it’s up to us to determine who we are and most of us were baptized and now we have some people who get spiritually drunk, as Crow Dog used to say. Once they find themselves, their identity, they want to be a shaman right away. They want to start giving Indian names. They want to have a sun dance for white people in Germany, these types of things. These are the roles of spirituality has been to give us our identity back, our foundation for movement that truly represents the people and the history of our people, not to deal with the Christian. That’s another argument. OK? Thank you. [*Lakota word*]

**Ron Lameman:** Good afternoon. I’m really, I guess, interested in this discussion that we are having this afternoon. The reason is because it’s very important, where I come from, the role

of our spirituality in our rights. Whenever we talk about our rights, whenever we talk about our Treaties, there has to be a prayer first. There has to be a ceremony and our elders. I think we need to remember this. When the people first came here, in 1977, there was ceremony that preceded that. One of my brothers, he's no longer here, he carried a pipe through these doors here. Back again, in 1981, I think we need to remember that as being very important in our movements as Indigenous Peoples. I think we need to realize that our ancestors, the ones that gave us the instructions to come to this place, this house here, we need to remember the very strict instructions that they gave us as far as the protection of our rights, the protection of Mother Earth, the protection of our future generations. That's one of the things that concern me. I know that it's very difficult to convene and to do the logistics of this kind of gathering. However, I think it would've been nice if that could have been included, the pipe. I don't think it's too late. I think we can do it when we have those ceremonies, I think it really focuses us on why we are here. That's for the rights of our people at home that cannot be here and the rights of all those that cannot speak for themselves. I think the ones that we're for us are our children, our grandchildren and some have great grandchildren. I'm not there yet. When I first came to this place, I was a very young person, but today I have grandchildren, so I think about them. I am not far from being a great grandparent too so that's what's really important here, not about who knows more about this religion or that. I think we need to go back and focus on why it is we're here and what got us here on the first place. Thank you.

**Allene Chockie Cottier:** OK. In summation, I would like to say the last two comments I am in extreme agreement with, in terms of the work that we are doing at the United Nations. I think we should all really think about it seriously. We've all had some sort of extremely negative experience in whatever the tools they used to colonize us. Whether it was intellectual or physical, we suffered much loss and much pain, but our indigenous movement, in the last years and years of work to heal that and move forward is very important for us to express to the youth that we are talking about now; recognize the strength in us keeping our spiritual practice and ceremonies at home is that we bring them with us. In our ways, a lot of people misunderstand sun dance and call it suffering and pain and mutilation, and things like that. It's really about sacrifice for your people to heal them and make them well. When I listen to (it gets me emotional) about the youth and being homesick, I think they're sacrificing for our people and that's what we can't forget, in terms of spiritual practices. We get too serious sometime when we're talking in a political arena. We've been told to separate our hearts and our souls from that. We have to recognize that our hearts, people with good hearts come in all colors, all shapes, all forms, many different backgrounds. We ally ourselves and we strengthen our hearts and our homes and give room for the people who are still searching so they can have a place to come home. That's part of what we need to teach our children: how do they carry it wherever they are on our Mother Earth? Even if they happen to become astronauts and leave our Mother Earth for a minute, we need to give them our spiritual ceremony that they can carry with them, wherever they are. Many of us (I am a big cry baby so I've cried over and over, over these years)... The children are losing that. We need to computerize our spirituality. We need to give them access in their technology for our spirituality. We need to have our ceremonies in ways that they can turn on an app, a computer app, when they're home and homesick and away from home and connect back with us. So, we know that our one heart is kind of... I don't know if everybody has seen the movie Avatar, that tree and the roots carried that spirit to everybody and everybody connected with that. I think those are the kinds of things we need to think about, about how in this work we incorporate and maintain the heart of who and why we are here and what we're about. Eventually, like I mentioned yesterday, it might have taken us a 100 years, but that's what we need to change the world back to cherish our Mother Earth.

We have one item of business. What is your comment?

**José Carlos Morales:** Gracias, Presidenta. Son treinta segundos. He escuchado con mucha atención este tema de la espiritualidad y los Pueblos Indígenas y, a veces, creo que nos confundimos. En mi concepción, no soy autoridad ni cosa por el estilo en este campo, pero en mi concepción, veo la confusión que se hace, a veces, entre espiritualidad, religión y esto. Yo creo que tenemos que partir del hecho de que la espiritualidad es algo mucho más allá que religiones. Tiene un profundo significado. Es la vida, la conciencia, no sé, algo muy profundo. No debemos confundirlo con las religiones. Tal vez, ahí viene el conflicto que, a veces, se comete o nos enfrascamos pensando que las religiones sustituyen la espiritualidad. Yo no lo veo así. Para mí, es mucho más allá. Lo veo con las prácticas, en nuestros pueblos, de los líderes espirituales y también me tocó verlo en un encuentro de líderes espirituales en la India. Me di cuenta, reafirmé mi tesis de que la espiritualidad es algo más allá que las religiones. Las religiones han sido un arma que ha usado la cultura occidental para frenar o para calificarnos de salvajes, de demonios, de diablos y de todo. Quería aclarar esto porque yo así lo veo. Es algo más allá que las religiones. Gracias. [Aplausos]

**Allene Chockie Cottier:** We should have a prayer before to finish so I ask Joseph Deom to perform the closing prayer.

**Natalio Hernández:** Una propuesta, que mañana pudiéramos abrir otro pequeño espacio para recapitular lo que dijimos acerca del tema de espiritualidad. Siento que hay cosas que hay que recapitular. Muchas gracias, Señora Presidenta.

**Joseph Deom:** [*Speaks in Mohawk*] My relations, may I have your ears for a little while. [*Speaks in Mohawk*] Before we break and leave, I have a few words I want to say. I will say this in English so that everybody can understand. When the Creator made men and women, he called a council with all his creation and he said to them: "These men and women I created, you see, they have no clothes, they had no things to defend themselves, they have no fur to protect themselves in the cold." So, he said: "I would like to ask you to help these poor people, although they are very intelligent, they won't have the protection that other animals have." So all the animals and plants life got together and they had a council of themselves and they came back to the Creator. They had made their decision. They said: "We would be happy to offer our lives to support these people from time to time. We will only ask them for one thing; in return, that they give thanks and respect the help we have been given."

So that is why in our philosophy and in our teaching, as we are gathering before we open, we give thanksgiving to our Creator. So we start with the people and we hope that they are well. And we ensure also help those who are sick and need our help. So, we give thanks to the people. And then we give thanks to our Mother, the Earth, that provides to all that we need to survive. And then we give thanks to the waters, the lifeblood of our Mother. So we have to take care also of the waters that support us in providing us with great medicines. And then we give thanks to all that is provided to us, for the fields and the forests, for the grass and the medicines, the roots that we eat and the medicines that heal us. So we give thanks and respect them as well. And then we also give thanks to those three sisters that support us: the corn, the bean, the squash that we call [*Mohawk word*], "the providers". And then we give thanks to fruits, especially the strawberry who is the first fruit of the season and we call her "the leader of the fruits". We give thanks to them for providing their nourishment and their strength. And then we also give thanks to the trees that provide us with the means to build our homes and our houses. And also they provide for us to heat our homes, [*Mohawk word*]. So we give thanks to the trees and then we look toward the sky and we see the birds who fly around and we admire the beautiful feathers that they have and also we hear their beautiful songs that they provide to us with cheer when we need it. And then we turn our direction to the sky because of our grandfathers, the thunders that bring the waters that replenish our rivers and our

streams and help clean the Earth, so we also give thanks to them as well. And also we give thanks to the Four Winds. From the North that provide the cold air that creates and allows our Mother, the Earth, to rest over the winter. The winds from the East that brings rains occasionally. The wind of the South that provide us with the summers. The wind of the West again that brings us the thunders and replenishes our Earth so that we may grow and harvest. So we give thanks to the four winds, the four directions. Then we also give thanks to our eldest brother, the Sun, who we also call [*Mohawk word*], "the great warrior". He provides the brightens for us to walk about the Earth and also he provides the energy and the heat, that heats the Earth. So we give thanks to our eldest brother the Sun. And also we give thanks to our Grandmother who works with the women in providing the time for birthing, the time for planting and the time for harvesting. So we give thanks to our Grandmother, the Moon. And we look at the sky. On a clear night, you can see the stars. The stars provide us with a means of finding our direction in case we get lost. So we give thanks to our brothers the stars. And finally we give thanks to the Creator, who provides everything that we need to survive here on Earth as well. And so, I have done all I could to provide the thanksgiving and to the best of my ability. So I wish you all a safe journey back to your place tonight and I wish you all well. [*Mohawk word*]

**Kenneth Dear:** Just a suggestion. Can we just arrange a group picture tomorrow for everybody that is here? Maybe at lunch time at the big Ball in the outer such as the historical picture we had in the past?

**David Matthey-Doret:** We'll arrange it. Maybe it's a good occasion to underline that we have a professional photographer among us. It's Stephane. He's taking pictures of everything. It will provide to all of you for free. You can have access to all the pictures after the Symposium. Of course, he will take pictures tomorrow. We also have a group picture on Friday at Geneva's City Hall, which has been quite an addition for many years for pictures. Genevan authorities welcome you. Finally, I would also like to make a special announcement because today it's someone's birthday. It's someone who is very committed with this Symposium. He works at the UN, in a very tough agency, for Indigenous Peoples, at WIPO. He also decided to help us to make the summaries of each day. I would like to wish Q'apaj a very good birthday and to thank you, for all the work.

## Opening thanksgiving and message to Leonard Peltier

### *Acción de gracias y mensaje a Leonard Peltier*

**José Carlos Morales:** Muy buenos días a todas y todos los hermanos acá presentes. Creo que algunos no han llegado. Vamos a iniciar nuestra sesión. Tenemos bastante que discutir, que ver hoy. Vamos a empezar primero con una plegaria. Lo va a hacer el hermano Rafael. Nuestro hermano amazónico.

**Rafael Mashinguishi:** Buenos días. Nos ponemos de pie, por favor.

Todos los pueblos aquí presentes vamos a retornar con el pensamiento a nuestros propios lugares de origen y nos vamos a concentrar cada uno en lugares apropiados para dialogar con nuestros poderes. Cada pueblo dialoga, en este momento, con sus poderes para que tengamos una armonía común con nuestra naturaleza y nuestros lugares de origen y eso trascienda nuestra armonía entre los seres humanos aquí presentes [*Silencio largo*].

Una vez que ya estamos en armonía con la naturaleza y los elementos de nuestros lugares de origen, los que podamos, nos damos la mano para demostrar que también que aquí hay armonía y energía positiva para trabajar. Estamos listos para trabajar. Gracias a nuestra naturaleza.

**José Carlos Morales:** Gracias, gracias, Rafael. Ahora, posterior a Rafael, tenemos a Bill Means. Hoy es el aniversario de cumpleaños de Peltier. Bill nos va a dirigir algunas palabras acerca del hermano Peltier. Por favor Bill.

**Bill Means reads a collective message:** [*He Speaks in Lakota*] “Hihanni waste”, buenos días, good morning.

Ladies and gentlemen,

Today is the birthday of Leonard Peltier, prisoner of conscience as noted by Amnesty International and many other human rights organizations. One of the issues brought by the Indigenous Peoples to the United Nations in 1977 was the freedom and justice for the indigenous human rights defender Leonard Peltier, a member of the American Indian Movement. Sadly enough, he remains in prison, after 38 years, as a political prisoner who should be unconditionally and immediately released. Truth, justice and reconciliation are needed between Indigenous Peoples and States, as stated in the United Nations' Expert Mechanism on the Rights of Indigenous Peoples and in the UN Special Rapporteur's, James Anaya, conclusions in his report on Indigenous Peoples in the United States of America. Executive clemency by President Obama and freedom for Leonard Peltier who is considered by many as Indigenous Peoples' Nelson Mandela would be an important step in this direction.

On October 2<sup>nd</sup> to the 4<sup>th</sup> of this year, on the Onondaga Nation, near Green Bay, we will have the Leonard Peltier International Tribunal, so many of you are invited, those of you that can attend. The purpose of the tribunal is to show, not only the international solidarity, but also to begin a campaign for clemency by President Obama and to breed new life into the situation and the movement to free Leonard Peltier. Today, September 12<sup>th</sup> 2013 is Leonard Peltier's birthday so we dedicate this day and this song that we are going to sing to Leonard Peltier and his family and those human rights defenders from around the world who remain in prison, fighting for the indigenous rights throughout the world. [*He speaks in Lakota*] “Hechetu yelo”. (That's what I have to say).

Thursday, September 12, 2013 / Jueves, 12 de septiembre 2013

*A delegation of North American Indigenous delegates are singing with the drum for Leonard Peltier. [Lakota song].*

[He speaks in Lakota] "Mitakuye Oyasin, Pilamaya yelo" (All my relations. Thank you).

## **From the Rights of Mother Earth to the Permanent Sovereignty over Natural Wealth and Resources**

### ***De los derechos de la Madre Tierra a la soberanía permanente sobre las riquezas y los recursos naturales***

**José Carlos Morales:** Después de esta fecha memorable para Peltier, vamos a continuar con el programa. Tenemos ahora al hermano Mike Myers, que se va a referir a la situación medioambiental en América del Norte, desde 1977.

**Mike Myers:** *[Laughs]* I extend the good morning and greetings to everyone who's gathered here so far. I also want to have it kept in our minds about all those who have passed away, either naturally or unnaturally, who have been instrumental in working to defend, not only the indigenous rights of our Nations and Peoples, but the rights of our Mother the Earth and all of the living beings who have been placed here. I sent in a position paper, a paper I wrote earlier. I guess there will be copies of it. I will not be following that paper because of the conversations we had these past few days and, especially, the conversations yesterday, arising from the issues of women and arising from the issues around spirituality.

I think they are very central issues when we are considering the struggles that we, as Indigenous Peoples, have endured in the Western Hemisphere for more than 600 years and other Indigenous Peoples in other parts of the world for maybe thousands of years. Because this thing that we struggle with, this way of life, this belief system, as we said yesterday, is thousands of years old and what it has done to us in our half of the world is recent compared to what it has been doing in the other half of the world for so long. I think it is important for us to remember this idea of the half of the world. When we cut the world in half, this side is made up of three peoples, three continents. On our half, there is a continuous mass of land broken now only by the Panama Canal. On that side, we have been one people, several nations, many Nations, many languages, but essentially one people.

Yesterday, when we talked about our spirituality, one of my friends asked me if I could write down what I considered to be the rights of our Mother Earth. As I wrote it, I realized it would take us all here, each from our ways of life, many days to talk about those rights. Each of us has been called forward from the spirit realm. We existed first as spirit beings. At the moment of our conception, we began a journey from that spirit realm to this physical realm. We really are spirit beings having a physical experience while we are here. At the moment of our conception, before we began our journey, all of our ancestors over there, gathered around us and they gave each of us gifts to bring to this physical world. It could be the gift of being a singer, the gift of being a designer, the gift of being a leader, but none of us came here empty handed. We came here with a purpose that our ancestors entrusted us with to accomplish while we are over here, in this physical world, in this physical place.

Three months ago, we were waiting for the arrival of my 14<sup>th</sup> grandchild, a granddaughter, and it seemed like she was late coming. This one night, I had this dream in which there was this ball that was actually made up of many blue white lights. That ball of lights spoke to me. It said to me: "Don't worry. She has some last minute preparations to do over here, before she



comes to you. She's anxious to come. She's happy to come. Don't worry. She'll be there in a little while." Then, they said to me: "We've got one other thing we want to tell you. We're going to try to tell it to you in terms that people understand today. We know that you are deeply concerned about the situation with the land and the water, the things that are happening. Remind the people that we are the software in the hardware. We are taking care of this."

It made such sense to me because in our belief system, everything is first spirit and then becomes physical: a tree, a blade of grass, fish, bird. Each of us, all of us, all of us beings here carry that fire, that software. A software that says: "You're to be Shuar. I am to be Seneca, etc. That's to be a bird. That's to be a tree". We have to remember, like in our teaching, the humans were the last to be made. The Creative beings who were putting this world together prepared this place for us. This dream they had there would be this place in the universe where these physical beings of different kinds would gather. It's on purpose. It's supposed to be that way. We were the last. Before we could come here, the creative forces had to talk with the animals, the plants, the waters, the bugs, the snakes, everything and ask them and tell them: "We are getting ready to have these two-legged ones come into existence. We need to know, will you help them? Will you assist them?"

Yesterday afternoon, Joe was explaining in English how what is both our opening and our closing word, the order that it goes in of how we give thanks, when it is fully done, when it is completely said, it takes about three hours to say it because in each of those sections, we are reminded of what the agreement is with all of those beings whether it's the trees, the fresh waters, the salt waters, our uncles the four winds, our grandfather the thunder, all those beings. It reminds us. It takes about three hours. When we do our creation story, when we say our creation story, it takes about four days to say it. Then, there is the teaching that goes with each of our ceremonies that we do throughout the year, starting with our new year and then progressing through each season and each time. Those are long teachings. Then there's our Great Law of peace, our political law, our governance laws. We just completed, about two weeks ago, a reciting of those laws. That takes about seven days. Then, in the fall, every fall, right now, we gather. It takes four days for us to recite the prophecies that we were given about what the future would be like. When you hear those prophecies, what we see going on in the world today does not surprise us because we were told, in the 1700s, that this is what would be coming. So, if we were to recount not only what we would call the rights of our Mother the Earth, but the rights of all beings here, on this Earth, it would take us about two months. We would have to sit for about two months to go through all of that and to have discussions and to keep understanding what all that means.

What it means, especially to us today. Right after my granddaughter came and I went to see her, my son and I were driving together. We were going someplace and we were talking. It became a very magical moment. It was no longer a conversation between a father and a son. It was a conversation between two men, equals, about very important things. When I suddenly realized it, I had very mixed feelings. I had tremendous pride in the man my son had become, but I was sad that the little boy wasn't there anymore. He told me (because he works in the forest industry) about how our world is changing, where we live. We live in the area of the world that the scientists call "the Carolinian Forest". To the North of us is what is called the "Boreal Forest". Things are warming up so fast, the Southern forest, the Carolinian Forest, is moving north. The Boreal Forest is moving North into the Tundra. Everything is moving North. The ice is disappearing. What used to be frozen earth is now soft. But he told me something that really worried me. He said: "Our relatives, the trees, all this time, they have been working so hard to try to keep the air clean. They're no longer able to do it. They are so full of the carbon and the toxins that the trees are reaching their maximum capacity to try to help clean the earth, to clean the air. This is very worrisome. This is very scary. There's a great lie that goes on that's being told. You see things on television about planting a million trees or two million trees or whatever. The reality is there are no more trees being planted than what is being taken. It is a zero sum game. There is no increase in the numbers of trees. It stays the same numbers. They cut a million, they plant a million. The imbalance continues

to grow because there is no real effort to increase the number of our relative trees so that they have more of them to help clean the air.”

This happens because we talked yesterday about how these people started this over at this half of the world. They started it by cutting open the Mother Earth to force her to produce and grow what they wanted. So human men from this side of the world took it upon themselves to take over female power, to overthrow it and to take control of the Earth. This was not only a fundamental violation of the laws of creation and the laws of the lands. It is the very first gross violation, at least to the human rights. Some time ago, they came up with this phrase, talking about their God. The phrase says: “Thy will be done on earth as it is in heaven.” So, it is a phrase by which they justify converting and transforming the world in the lie that they are doing this on behalf of some god, some entity. As we look around, we see that they have replaced, they are attempting to replace everywhere they can in the natural environment.

Where I live, in my part of the world, we no longer have a forest of many trees. We have a forest of four kinds of trees. Four kinds of trees that have been planted by the industries because those are the trees they want for their business. We have this huge plantation of genetic modified trees and we no longer have the biodiversity that is supposed to be there. We’re taught that you cannot do that without consequences. There will be something that happens to you for trying to do that change. The Ojibwe have this word that they attach: “*Kahn*”. It means “fake”. The kinds of political systems that were forced onto us by Canada and United States, the people who are the head of those systems, they call them “*Ogema Kahn*”. That means “fake leader”, not real. In the recent discussion, we were talking about how the world has become fake. These trees that they have planted in our territories are not real trees. They are not the trees that the Creation gave us. They are the trees that their scientists made and have placed in our world. These trees do not have the spirit. They have a chemical composition that makes them grow. They cannot grow unless Monsanto or any of those companies comes and plants them. They don’t naturally propagate because they are the creation of man, not the creation of the forces of creation. They are not the creation of woman. They did not come into this world in the correct way. They did not pass through their mother to come here. They came here from a test tube and it is not just trees. It’s all sorts of things that they believe that they have the right to make because “thy will be done on Earth as it is in heaven.” They believe that they are God and therefore have the right to do this. Because they believe they are God, they believe that they can convert us, that they have the right.

There have been four conversions attempts on us. The first was religious. They tried to change our beliefs. The second was socio-cultural : In North America, through the creation of the boarding and the residential schools and the stealing of our children as young as 4 and 5 years old and holding them on these places until they were 16, 17, 18, to transform them, transform their thinking, transform everything. The third conversion is political. First, in 1924, in Canada, to introduce these foreign styles of governments into our territories and to overthrow our original governments, in our territory Akwesasne, they assassinated one of our chiefs and they jailed other chiefs to bring their systems in. Then, in 1934, in America, in what they call the “Indian Reorganization Act”, that we had to be reorganized; we weren’t orderly. They brought that in and again they overthrew the original government and they created the phrase, in America, of “federally recognized Indians”, which means “these are the good Indians, those are the bad Indians. If you’re federally recognized, you’re a good Indian and we will talk to you, but if you’re not, we won’t have nothing to do with you.”

A phrase rises from the 1880s about those of us who were unruly. The phrase is: “We went off the a reservation.” You now hear that phrase so many times in the movies and the television, etc. One white man will accuse another white man of going off the reservation. “They’ve gone native, they’ve become like us and they need to be brought back under control.” But those phrases are with us.

A good friend of mine, Louis Seymore, an Anishinaabe, who I work with in negotiating, recently told the Canadian government (they’re in negotiations)... What they were asking us to

do is doing a cultural mapping of the territory involved. We have refused to do this cultural mapping. He became frustrated with them and he said: "We understand why you want this map. So that you can put circles around where you find arrowheads, where you find our bones, where you find culturally significant spots so that you can use everything in between those areas you draw a circle around. I want you to understand something. The humans, us humans, we are not the keystone species. We are not what the world is built upon because we were the last to arrive. The world may have been prepared for us so that we have a good life, but the world doesn't need us. You think that the world exists for your enjoyment, for your use, that the whole of life is a commodity."

This is the nature of the struggle. If we do not remain what we were put on this Earth to be, then the Earth is truly doomed because we are amongst a diminishing number of people who can sit together for many days and recount those stories of our creation, the stories that the stars tell us. The stories that the various parts of this Earth tell us. What is in front of us, what we are dealing with is the continuing violence against the female spirit of life. We, as men, have as our first responsibility to ensure that the female fire of life never goes out. Our struggle, for us as men, is to always stand in defense of that female spirit of life as if it ever goes out, it is over. There is no recovery from that. It is over.

In my work with the Anishinabe we talked about this: what we are doing, the struggle. They have created this phrase. The phrase is: "*Wiizokeatatiwin*". What it means in English is "the way to seek what is cherished but hidden." Because when we come under attack, all beings, the first instinct is to hide that part of themselves that they cherished the most to withhold it. The problem is if we hide it too long, we may forget where we hid it. Then, we'll need assistance to go find it and bring it back. That is exactly what we have been doing through our immersion schools, through our cultural revitalization, through our nation rebuilding, through bringing our children home, etc. We have been doing this "*Wiizokeatatiwin*". We have been seeking what is cherished and has been hidden, but we're bringing it out into the open. We're bringing it out into the light because from 1493, they made a decision that our existence was not correct and that it had to be eliminated. They have lost actually. We have to understand that. We have the knowledge. They lost that war because we are still here. We are still doing what we are supposed to be doing. So, let's start acting like winners. They lost. They have spent trillions of dollars, millions of hours trying to get rid of us and we're still here. They lost. [*Laughs and applause*] We have won.

Now, how do we advance our victory? It begins with the restoration of our belief systems. Our belief systems which are contained in our languages, our songs, our prayers, all those expressions, all those authentic expressions of who we are, that inform us of how we see the world, how we relate to the world, how we think about the world and, ultimately, how we behave in the world. The restoration of that. I am glad to say that, in North America (and, I see now, in many other places) there are many great works going on: the constitution that you're working on now, the restoration of the Nation, bringing that back, our language emergence schools, the reestablishment of our family systems. It's going on all over. Part of when we come here, to the United Nations, part of what we need to be doing here is not just pushing for more rights, but making sure that the good works, the good things are being accomplished, that the "*Biimadiziwin*" never comes under attack either, and that it continues to grow and gets stronger and gets bigger. That requires us to see that we've won. We've already won. Now, we just need to consolidate our victory and continue to move forward. I thank you for your kind attention and look forward to having discussion or whatever about these ideas and how we can move ahead. Thank you very much. [*Applause*]

**José Carlos Morales:** Gracias, Mike, por esas palabras de esperanza, esas palabras de aliento para continuar en la senda de nuestras vidas por nuestros pueblos, por nuestras futuras generaciones, por las próximas siete generaciones. Usted ha planteado, en pocas palabras, lo que estamos haciendo, lo que hemos hecho y lo que debemos hacer. Muchas

gracias. Vamos a tener un pequeño break, ahora. Es un break para el café, pero no creo que haya café, sino, por lo menos unos minutos.

Me dice aquí Chockie que mejor continuamos. Hay muchas cosas que tenemos que ver hoy, entonces, podríamos seguir. Habíamos previsto que nos hiciera también un resumen Natalio Hernández, pero no ha llegado. Tuvo un problema. Se le olvidó el “badge” de entrada, pero también Nilo, si nos puede hacer unos comentarios, en la parte de Sudamérica, sobre esta temática de la situación medioambiental en América del Sur, de 1977. Después, abrimos el debate para la contribución de todos ustedes, los que quieran participar. Nilo, unos minutos.

**Nilo Cayuqueo:** Nuevamente, gracias a todas las hermanas y hermanos. Vamos tratando de cambiar un poco la modalidad de dirigirnos, en Sudamérica, en nuestras organizaciones. Siempre empezamos ahora dirigiéndonos a las hermanas y hermanos. Antes, decíamos “a todos”, e incluíamos a las mujeres, pero, de hecho, esto firme han dicho “No, reclamamos igualdad de derechos.” Entonces, estamos comenzando siempre así. A todas las hermanas y a todos los hermanos participantes, a todas las ONG participantes, al Docip, especialmente: nuevamente, gracias por todo este esfuerzo de organizar este importante e histórico evento que, realmente, está resultando histórico por todo lo que se ha hablado y lo que vamos a seguir hablando este grupo de ancianos, mayores, como los quieran llamar.

Solamente quiero referirme un poco al estado en que estábamos en 1977. No voy a hablar sobre los 36 años porque lleva mucho tiempo, pero sí puedo decir que, en aquellos años, en 1977, existía el capitalismo en todos los países, por supuesto. Fue instaurado a sangre y fuego hace 200 años con el sistema europeo de justicia, de educación y todo. Un sistema colonial que fue impuesto sobre nosotros. El capitalismo existía, pero todavía no había comenzado este proceso de globalización económica que vino más tarde.

Este proceso de globalización económica que sufrimos los Pueblos Indígenas, y lo estamos sufriendo hoy día, ha sido devastador. Devastador en todos los sentidos. En los territorios indígenas, fundamentalmente, en la salud de nuestra población, en la educación, en la organización social de nuestras comunidades. Hemos visto que comenzó hace, más o menos, 15 o 18 años (hay informes de Naciones Unidas) un proceso de despojo de los territorios de los pueblos originarios, también de los pueblos campesinos mestizos que vivían tradicionalmente y se habían afincado en nuestros territorios. Este despojo trajo aparejado que muchas de nuestras naciones perdieran sus habitantes. Las comunidades fueron, algunas, destruidas, otras, la gente se tuvo que ir. Hoy día, a raíz de ese proceso del neoliberalismo o del capitalismo expansivo de las transnacionales en nuestros territorios, nuestra gente, casi un 50 %, han tenido que migrar a las grandes ciudades. La Ciudad de México, Santiago de Chile, Buenos Aires y todas las ciudades están llenas de comunidades indígenas. Yo tuve la oportunidad de viajar por varios países durante todos estos años y ver cómo se han ido cada vez más concentrando las comunidades indígenas que han sido despojadas de sus territorios, principalmente, porque, al no tener el reconocimiento de los territorios por parte de los Estados, ha sido relativamente fácil para los Estados despojarlos de sus territorios cuando lo necesitaban para explotar los recursos naturales y entregárselos a las corporaciones multinacionales para la explotación, ya sea de minería, petróleo, la sojización, la madera y todo lo que sea represas. Ha sido un embate tremendo en los últimos 18 o 20 años en contra de las comunidades indígenas, especialmente en Sudamérica. Devastador. Hoy día, como dije, tenemos todas estas comunidades.

Puedo hablar, por ejemplo, de Santiago de Chile y Buenos Aires, donde hay cientos de comunidades de pueblos originarios en lo que llaman “villas miseria” o “villas de emergencia”. Dicen “villas de emergencia” como si fuera que vamos a... Cuando se habla de “villa de emergencia” me suena como que esta gente se muda ahí como una emergencia, por ahora, como si después fueran a estar mejor. Pero, no. Esto continua para siempre porque no hay ninguna perspectiva desde que nuestros hermanos fueron despojados de sus territorios - están

viviendo hoy en las villas miseria o en “callampas”, como se dice en Chile - tengan un futuro mejor de retornar a sus tierras, pero se las han quitado. Tampoco tienen casas dignas. Tienen los servicios mínimos. En Buenos Aires mismo hay, calculamos, más de 200.000 indígenas viviendo en las llamadas “villas miseria”, y también en la Capital Federal, que han sido despojados de sus territorios. Esto ha provocado que los territorios indígenas sean ocupados por las transnacionales que, hoy día, están promoviendo la explotación intensiva de las minas.

Yo vengo de una zona, por ejemplo, Los Toldos, en la Provincia de Buenos Aires. Una zona que tradicionalmente era ganadera, mucha agricultura, donde las comunidades teníamos ahí tierras para vivir, pero, poco a poco, nuestra gente hemos ido perdiendo los territorios. Un ejemplo: en mi comunidad teníamos 16.000 hectáreas de la comunidad indígena. Hoy, quedan solamente 1.200 hectáreas. El resto está ocupado por inmigrantes, por compañías que producen soja porque, hoy día, la “sojización” en todo Sudamérica es intensiva. Los chinos están comprando gran cantidad de soja y también los europeos. Eso ha hecho que los llamados “campesinos” y comunidades indígenas no existan hoy en día. Son muy pocos porque todos los que eran comunidades indígenas han sido despojados de sus territorios. Es muy triste ver cómo donde vivía la gente ha quedado lo que se llama “tapera”. Unos arbolitos donde eran las casitas o la “cayarruca”, como decimos los mapuches. Solamente eso ha quedado porque las casas no están más. Ahora, ya las están sacando también: todos los árboles, todo para meter soja.

Ustedes pueden ir por Argentina o por el norte de Argentina y el sur de Brasil y Paraguay y lo que eran comunidades indígenas, comunidades campesinas, hoy son enormes plantaciones de soja. Se ve verde. A veces, hay gente que desconoce el tema. Gente, por ejemplo, de las ciudades, que desconocen el campo, dicen: “Ay, qué bonito. Mira cómo se ve todo verde.” Lo que han hecho es que se ve verde porque es todo totalmente soja. Han destruido toda la biodiversidad con fumigaciones. Hoy, por ejemplo, en Argentina, se derraman 200 millones de litros de agroquímicos en el campo para eliminar lo que ellos llaman “maleza”, que son las plantas que forman parte de la diversidad. Esto trae una contaminación que provoca muchas enfermedades. Mucha gente joven nuestra muere de enfermedades respiratorias e infecciosas, cáncer. Hay un dicho, la gente dice que “mueren como moscas.” Quiere decir que mueren masivamente. Hay enfermedades que la gente muere joven. Realmente, como hay grandes intereses de la parte de los gobiernos que son parte del negocio de la soja, no dicen nada, ni siquiera los gobiernos locales, los municipales. Están todos complotados para recibir un porcentaje de la soja porque la soja deja mucho dinero. Hoy, la soja se vende a 570 dólares los 1.000 kilos y eso es mucho dinero. Entonces, producen millones de toneladas de soja, las grandes empresas. Ya no existen más, como dije, los campesinos. Eso produce mucha contaminación.

Lo mismo las compañías mineras que están explotando, hoy día, los recursos naturales, en toda la zona que es el norte de Argentina, el sur de Chile. Eso ha provocado también que muchas comunidades hayan sido desalojadas. Mucha gente ha tenido que irse por la contaminación, porque sus aguas ya están contaminadas. No pueden tomar más. Hay lugares, por ejemplo, donde la gente tiene que comprar agua o tienen que llevarle el agua en camiones, en lo que llaman “camiones cisterna” para que la gente pueda beber el agua porque el agua de la napa está totalmente contaminada. Entonces, hay lugares, por ejemplo, en el sur de Argentina y Chile, donde operan las compañías petroleras, donde el agua está totalmente contaminada. Hay algunos hermanos que han venido acá, a esta conferencia, están todos los días peleando para que les traigan los camiones con agua para tomar porque el agua no es tomable. Si ven, mucha gente está con muchas enfermedades en la piel y enfermedades, como dije antes, respiratorias. Eso continúa.

No hay ninguna propuesta del gobierno. Lo único que quieren es producir más: más petróleo, más sojas, mas minas y mas dinero para las transnacionales y la burocracia. Hay un nuevo sistema que le llaman el “fracking”, que es un sistema de explotar gas y petróleo que hay muchísimo en el sur de Argentina y de Chile. Es un sistema de destruir con dinamita grandes

extensiones (kilómetros y kilómetros cuadrados) para sacar el gas y el petróleo que está muy abajo. Todo ese proceso necesita muchísima agua. Necesita muchísima destrucción de las montañas de la zona. Eso ha provocado y va a provocar una contaminación de los ríos, pero aun de la que tenemos hoy día. El sistema de fracking traído de Estados Unidos, sobre todo, las compañías como Chevron, Esso, Unilocal, están haciendo desastres en esos lugares. A pesar de que ha habido muchas protestas de Pueblos Indígenas, de los campesinos, de la gente ambientalista, los gobiernos siguen adelante con estas políticas de destrucción de la naturaleza.

Es una total irresponsabilidad, inconsciencia de parte de estos gobiernos que realmente responden al interés de las multinacionales que hoy día están afincadas en todos los territorios de Sudamérica. Cada día están construyendo más carreteras para, por ejemplo, atravesar del Océano Pacífico al Atlántico o viceversa para transportar los llamados "recursos" hacia el Pacífico desde el Amazonas de Brasil o del Pacífico al Atlántico para llevarlo a Europa. Entonces, cada vez hay más carreteras. Hay más despojo de los territorios. La gente ha sido despojada. Por ejemplo, en Bolivia, también en Ecuador, lugares donde, tradicionalmente, los Pueblos Indígenas controlaban sus territorios, han tenido que soportar el embate, el avance de las compañías petroleras, especialmente, que han invadido sus territorios.

O sea: el panorama no es bueno. El neoliberalismo continua avanzando sobre los territorios indígenas y, a menos que nos organicemos, que la sociedad misma, que hagamos una alianza con todos los sectores que estamos trabajando para defender la Madre Tierra, esto va a continuar. Va a continuar porque, inclusive, están apoyados por los grandes países, por Estados Unidos, que promueve todo esto, por supuesto. No solamente en lo económico, sino también con amenazas militares. Estados Unidos sigue instalando bases militares en diferentes partes de Sudamérica para evitar cualquier tipo de rebelión de parte de la gente que está desposeída. Estados Unidos continua con su política imperialista de dominar y favorecer a las compañías transnacionales, ya sean norteamericanas o de capitales internacionales. El panorama no es bueno, hermanas y hermanos. Así que tenemos que luchar, organizarnos. La solidaridad es muy importante.

Se ha comenzado a hacer alianzas de sectores indígenas con no indígenas, obreros, campesinos y muchos sectores que se sienten perjudicados y que saben que aunque algunos están ganando un poco de dinero con las compañías petroleras, por ejemplo, saben que el futuro no es bueno porque sus hijos también van a estar contaminados. Su gente le importa. Hasta los ricos para contaminarse. No importa cuánto dinero tengan: no les va a servir cuando tengan y esté todo el planeta contaminado. Con dinero no van a solucionar nada.

Es un poco la perspectiva, que no son muy alentadoras. Pero, sí es alentador ver cómo nuestra gente se está organizando como en un instinto de supervivencia de nuestros pueblos. La gente se moviliza, se organiza, sin recursos, sin dinero. Se moviliza sin comer. Van a cortar las rutas, a ponerse en frente de las más grandes máquinas que vienen a destruir la montaña o a destruir la tierra. La gente está muy decidida y eso nos da mucha esperanza y mucho aliento y nos hace sentir también con el compromiso de seguir trabajando por todos los derechos. Así que, esperemos que de aquí salgan algunas recomendaciones, no solamente recomendaciones, sino algún tipo de plan de acción para que los Pueblos Indígenas podamos seguir trabajando unidos, conocernos, hacer una red de comunicación utilizando las nuevas tecnologías para el servicio de nuestra gente, para que podamos comunicarnos, fortalecernos y tratar de buscar un futuro mejor para nuestras generaciones. Así que, bueno, gracias por su tiempo. [Aplauso]

**José Carlos Morales:** Muchas gracias, Nilo. Ahora no está el compañero Natalio, pero creo que no escapa a la misma situación que el resto de Latinoamérica, desde México a Panamá. Hay grandes conflictos también y nos preocupa mucho este famoso programa "REDD+", que está tratando de implementar el Banco Mundial también. Muchos Pueblos Indígenas, una vez más, están tratando de frenarlo porque de lo único de lo que puede servir es de motivo a los



Pueblos Indígenas para manejar millones de dólares que no llegan finalmente a las comunidades, sino que favorecen a otros círculos, a otros individuos, compañías, en el propio país. Creo que la situación es bastante compleja. Valdría la pena, sí, hacer propuestas constructivas para enfrentar todo esto, de plantearnos. Creo que no podemos seguir llorando sobre la mesa. Tenemos que ser constructivos, propositivos, para buscar soluciones hacia el futuro o al menos plantearlas. Yo lo veo desde ese punto de vista.

Me gustó mucho lo que analizaste, Mike, sobre la reforestación actual que se hace de manera clasificada o con solo un tipo de plantación de bosques, cuando, en realidad, los bosques donde vivimos, donde estamos nuestros pueblos, son bosques diversos totalmente. Cada planta desempeña su función. Nosotros decimos, en mi comunidad, que "en el bosque natural está la farmacia, están las medicinas, está la comida." Está todo. Todo está ahí. Eso se está destruyendo en muchas partes.

Tenemos que tomar acciones constructivas, propositivas, para el futuro y defenderlas. Las amenazas siguen siendo igual en todas partes. Mi propio pueblo está amenazado con la construcción de una gran represa hidroeléctrica y a muchos Pueblos Indígenas les está pasando lo mismo. Creo que en todos estos aspectos tenemos que ser una alianza común. Entendernos los del norte, centro, sur y el Caribe, nuestros Pueblos Indígenas, al menos, para enfrentar y saber que eso es un peligro porque, muchas veces, en nuestros pueblos, les hacen saber que van a construir una represa y que eso va a servir para el desarrollo, que van a pasar de ser pobres a, prácticamente, ser ricos. Eso es mentira.

Me tocó ver, hace 36 años, la construcción de una presa hidroeléctrica en Panamá, en el Pueblo Kuna y Emberá, la famosa represa del Bayano. Sacaron a los Pueblos Emberá y Kuna de un valle lindísimo que existía ahí y el gobierno, por la fuerza, construyó una represa y lo inundó. Muchos hermanos indígenas fueron sacados por la fuerza al comienzo y, al final, estaban en las copas de los árboles o de sus casas porque el agua ya los estaba eliminando. Tuvieron que sacarlos a la fuerza siempre. Lo más curioso es que (yo estuve hace dos años allá), 35 años después, el pueblo Emberá no tenía ni siquiera un bombillo eléctrico en las calles de su comunidad, que habían establecido también a la fuerza. Un absurdo total. ¿Cómo podríamos llamar esto? Es un crimen, realmente, que hace la sociedad general, a través de sus gobiernos contra nuestros pueblos. Creo que estas cosas tenemos que enfrentarlas.

Ya se ha dicho mucho de esto en el ámbito internacional. Tenemos la Declaración, tenemos el Convenio. Panamá no ha adoptado el Convenio 169. Es uno de los pocos países que falta en Latinoamérica. Creo que tenemos que saber todos, de norte a sur, hombres y mujeres, que algo tenemos que aportar, que algo tenemos que hacer, así como el análisis que hacía Nilo, el análisis que hacía Mike. Algo tenemos que proponer en esta reunión porque, sino, va a continuar la destrucción y la eliminación de nuestros pueblos. Eso es en la parte puramente territorial, pero también en lo cultural, lo educativo, las educaciones que nos imparten en nuestras comunidades. No es para entender que somos un pueblo diferente, que tenemos una cultura diferente. Simplemente continúa la cultura de asimilación, de integración. Tenemos que trabajar muy duro para el futuro.

Después de estas palabras, me gustaría también escuchar. Creo que tenemos algunos minutos para escuchar las contribuciones de los participantes acá. Veo que hay muchas manos que están levantando. Ron, allá lo había levantado. El hermano Carlos, y luego, al fondo. Tenemos tres cortitas, precisas, de lo que podamos hacer en el futuro para contener esta avalancha destructiva realmente que está ocurriendo en nuestros territorios.

**Ron Lameman:** Thank you and good morning. [*Speaks in Cree*] I just want to thank the brother that said the opening prayer. I want to thank Mike for putting in so few words the knowledge of our elders the way that we look at Mother Earth. I thank you very much.

Just looking at the topic: a lot has happen in the last few years since I first came to the United Nations, as a young person. The situation of our Mother, where I come from - I am from the

Western part of Canada, upper North America, I live right on top of what is called the Oil Sands or the Tar Sands, as many people refer to it - just North of me is one of the most destructive projects on Earth which is really having a detrimental effect to the environment, to the health and to the wellbeing of our people and many many other people as well. I just wanted to let you know that within 30 some years, we've seen massive changes. Back when I was a younger person, there was an understanding between the people that were our neighbors. Once, we lived side by side with the non-Indigenous people. There was an understanding that what you do to Mother Earth, you do it to yourself and to your future generations. Subsequent to that, the younger generation of the non-indigenous people doesn't have that respect anymore. As a result, there is mass destruction of the forests of our Mother Earth, the huge excavations of open pit mining that is happening. A very toxic nature of that industry. We really need to have solidarity. As we reach out together, parts of North America and to other parts of the world, we see that solidarity is growing.

I was able to go to a Treaty conference in Rapid City, over a year ago. They were talking about the pipelines that are being proposed. The pipelines are not just pipelines. The reason is that it is going to be given to the huge oil companies that is in our territory to expand the already huge tar sands that is the operation that is taking place. Now they are developing this system where they inject steam into the Earth to liquefy the bitumen to bring it back up. Within that process, it involves a tremendous amount of water. I don't think the science is exact, but they say it was four to six barrels of water to extract one barrel of oil. Once you use that water, it can never be used again. It's contaminated. Those of us that study water and know a little bit about water, we all know that water is finite substance. All the fresh water that's ever been in the world is already here. There's going to be no more. However much we destroy is going to be that much less for our future generations. We need to keep that in mind. At the same time, these pipelines that are being talked about, if they go through - and now this government of Canada is really coming along with the multinational corporations that are sort of hand in hand with them - they've now proposed a way where they are going to use an existing pipeline to go from our territory to the East Coast.

I know we have allies among the way, who I know, that we are going to have that support. We also have allies West of us, in British Columbia, and to the South, through the lands of the great Sioux Nation. We do have allies making a difference today. A lot of you might have heard of the "Idle No More Movement". It was a movement that was started by four ladies. I heard Mike talk about and we all know the significance of our Mother, the significance of women within our matrilineal societies. I think that's where hope lies. In the water ceremonies that these ladies do. It's really amazing. One of the ladies does something similar right here with us, Laura. She's very active in the area of protecting Mother Earth. I come from an area, our lake - I don't know how much longer this is going to be possible - you can still take a cup of water from the lake and you can drink it. It's clean so far. I had the chance to go to Laura's country. They have very clean water there too.

I think water here is the bottom line. Water for our future generations. It gives me hope when we have the young people that are becoming involved. One of my younger brothers' daughter, Crystal Lameman, is very instrumental in carrying on this work to the next generation. It gives me hope when I see these young people that are taking up the torch, that are not afraid to stand up and be counted to tell the story of our Mother and how sacred our Mother is and how we need to protect her for our future generations. As the chair was saying, what can we do from here? I believe we can, through some kind of a declaration of sorts, I'm not sure how it can be done, with all the technical assistance that we have here, a declaration of sorts for our Mother Earth so that we can ensure the future generations that there is going to be that clean water that was put here for us by creation. The guaranties that were put in our case in our Treaties regarding "as long as the waters flow" is what they said, our ancestors, our old people. I think we need to take action here. We need to be able to support the work that our young people are doing in the area of environment. I just wanted to share this with you. A lot has happen within the last 30 some years, since we first came to this forum. I think that there is a



lot that we can do to empower our younger generation to carry on this work in this age of technology that's doubling every two years. I'm sure there is something that we can do to ensure that good clean water, good clean air for our future generations. I just want to share this few words with you. Thank you.

**José Carlos Morales:** Muchas gracias, hermano. Creo que usted apunta cosas constructivas que debemos hacer acá. Creo que la experiencia nos ha llevado, en estos años de vida que tenemos, porque nuestras enseñanzas empezaron desde muy niños, qué le debemos dejar legado a la juventud y a las futuras generaciones. Hay un peligro. Un peligro inminente, pero lo más grande de acá es que podamos intercambiar experiencias y hacerle saber a nuestros pueblos que un proyecto de desarrollo que lo plantea el Estado o una compañía diciendo que es la salvación de la pobreza, va a resolver la pobreza, no es cierto. Son amenazas, más bien, todo esto, cuando se explotan nuestros recursos. Es bueno que intercambiamos experiencias también para enseñarles a nuestros jóvenes, en nuestras comunidades, las consecuencias que estos proyectos tienen y que mejor cuidemos la Madre Tierra de otra forma.

**Carlos Mamani:** Gracias, Presidente. Quería justamente empezar por las palabras que usted acaba de decir respecto a los jóvenes y las futuras generaciones. En un evento que habíamos tenido con los hermanos de la Amazonía, agrupados en la Coordinadora Indígena de Organizaciones de la Cuenca Amazónica, un hermano del Pueblo Kali'na de la Guyana inglesa expresaba que había la necesidad, para él, de reestablecer lo que sería, en los términos del hermano Mike, "la escuela de la selva", porque resultaba que los jóvenes indígenas de hoy ya no conocían la selva porque habían sido obligados a asistir a la escuela de los Estados y los Estados, por el carácter occidental que tienen, tenían más bien, no un aprecio a la selva, sino un temor porque la selva es un peligro, porque está llena de animales que van a ir en contra de estas gentes, del mismo bosque, etc. Entonces, el planteamiento que hacía este hermano kali'na era que debíamos restaurar la escuela de la selva y también graduar en la escuela de la selva a nuestros jóvenes porque, para los amazónicos, la selva es, como acaba usted de decir, ellos dicen "el supermercado, la farmacia." El amazónico no lleva mucha ropa. No busca bienes porque es muy rico y feliz por cuanto la selva está integra, pero cuando la selva pasa al control de las empresas transnacionales que explotan el petróleo, que buscan su madera, etc., entonces, el amazónico tiene que empezar a buscar dinero. El amazónico ahí sí se vuelve pobre.

Entonces, lo que también aquí se ha dicho es que el concepto "Madre Tierra" es consustancial a todos nuestros pueblos. Esa es la diferencia, pienso yo, con el Occidente colonizador que tiene una creencia religiosa distinta y nosotros tenemos una relación espiritual, yo diría, "umbilical" con la Madre Tierra. La Tierra es nuestra Madre. Nosotros salimos de la Madre Tierra. Para mí, la preocupación que también creo que es la de todos los ancianos, es, ¿cuál es el legado que se va a dejar a nuestras jóvenes generaciones? ¿Cuáles son las enseñanzas? Yo coincidido mucho con lo que el último hermano orador, el que me antecedió, expresa. Debemos trabajar en un documento, tal vez, una declaración o un esfuerzo de unir principios. Ayer, yo decía "¿cuáles son los derechos que deben proteger a nuestra Madre Tierra?" Ahí, tal vez, habría que hacer una pequeña aclaración. Desde el ambientalismo, se habla, por ejemplo, de los "derechos de la naturaleza". Eso está en la Constitución del Ecuador. Es distinto a los derechos de la Madre Tierra. El ambientalismo es muy racionalista. Cuando hablamos nosotros de los "derechos de la Madre Tierra", se nos ve como que somos de la religión de la Madre Tierra porque es así como los colonizadores nos vieron. En esa relación umbilical que decía tenemos con la Madre Tierra, yo sigo insistiendo en que debemos pensar en los derechos.

Hoy, tenemos oportunidad, en el conjunto de ancianos que están aquí presentes, de pensar en los principios y los derechos que deben proteger a nuestra Madre Tierra. Yo creo que hay la oportunidad, en los ancianos, de dar un segundo paso. El año 1977, estuvieron aquí para reclamar derechos, para decir que los indios existimos y los indios necesitamos el

reconocimiento de Naciones Unidas. Lograron abrir las puertas, pero, yo creo que hoy es la oportunidad para que los ancianos den un segundo paso y digan: “Estos son los principios que hemos aprendido de los ancestros. Estos son los principios que practicamos. Estos son los derechos que deben proteger a nuestra Madre Tierra porque es nuestra Madre Tierra que nos mantiene vivos.” Eso va a preservar nuestras futuras generaciones o las siete generaciones, como esta mañana aprendí. Yo solicito hacer ese esfuerzo, Señor Presidente.

**José Carlos Morales:** Muchas gracias. Creo que van saliendo posibilidades. Tenemos que hacer algo en el día de hoy. Sea en la noche o cuando podamos preparar algunos principios, algunos escritos.

**Mike Myers:** I just want to make a brief response because I absolutely agree. One of the critical areas within the United Nations framework that we need to understand - I think it was in 1964, maybe 1968 - the UN General Assembly passed a resolution that is entitled “Permanent Sovereignty over Natural Wealth and Resources”<sup>32</sup>. This is during the time of the decolonization. It’s an interesting document because the document starts by saying that all peoples and nations have a right of permanent sovereignty over their natural wealth and resources. Erica Daes, who used to work with us, has written about that. She has written a very very strong document about how that resolution applies to Indigenous Peoples. It’s my position that that document, that resolution, is more powerful, more useful to us than the Declaration is.

The Declaration is that. It’s just a Declaration. It’s not law. It’s a big recommendation. In North America, they call it an “aspirational document”. You can aspire to these things. The Resolution of Permanent Sovereignty is a driving document. What does that mean to us? That needs to be our training, our education, our work. What does that mean to us? How does that affect inherent rights in Canada, beyond Treaty rights, this first inherent right? In North West Ontario, that’s what we have been beating about: inherent right. We’ll be able to stop the pipeline coming through there based on inherent right, because inherent right is tied to permanent sovereignty over natural wealth and resources. There are many more documents, I think, in the UN system. We need to look at them because many of them do start with the word “all peoples and nations”. That’s the door opener to go in and begin to get these laws to support us.

**José Carlos Morales:** Muchas gracias, Mike. Hay que buscar el número de la resolución de la Asamblea General, adoptarla y de algo nos puede ayudar.

**Florencio Morales Morales:** Bueno. Yo creo que, tal vez, decirle que, bueno, me siento honrado de haber participado en este Simposio, de haber conocido a los ancianos que comenzaron toda la lucha. Por esa causa, por ahí un poco, me animé a intervenir porque, en nuestro territorio, los Mapuche tenemos un consejo de ancianos. Ante cualquier problema que tenemos, consultamos a los ancianos. Yo creo que aquí, en este simposio, he encontrado a ancianos que han caminado muchísimo y que conocen todo el camino de obstáculos que se le pueden presentar a un indígena para la defensa de su territorio.

En Argentina, en la Patagonia, tenemos un cuadro de situación bastante complicado. Yo lo he escuchado al peñi Nilo Cayuqueo, recién, y él hacía mención a que varios indígenas abandonamos nuestras comunidades, nuestro territorio, para trasladarnos a las grandes ciudades. Eso se debe a que no hay una alternativa económica que nos ofrezcan los países que

<sup>32</sup> General Assembly resolution 1803 (XVII) of 14 December 1962, "Permanent sovereignty over natural resources".

nos gobiernan. La llegada de las empresas extractivas a explotar la actividad petrolera y minera hizo contaminar todo el territorio mapuche. Ello trajo consigo normas jurídicas del ordenamiento jurídico argentino que se aplican.

Nosotros, los Mapuche, tenemos un fundamento ancestral, nuestro *kimún*. Tenemos una base y una relación con la *Nuke Mapu*, la Madre Tierra. Eso no alcanza para discutir con el gobierno porque el gobierno le da una normativa jurídica a empresas extractivas que libremente pueden extraer el petróleo, en este caso, el gas no convencional que quieren extraer ahora. Hace tres días, se aprobó una ley para otorgarle a la Chevron, una empresa americana, la concesión de ese yacimiento. Varias dirigencias indígenas fundamentaron su lucha en el Convenio 169 y el gobierno hizo caso omiso. No se cumplen las leyes o, por lo menos, las normas internacionales que rigen hoy.

Bueno, yo le quería preguntar a los ancianos, ¿cuál es el camino para encontrar la manera de aplicar esas normas internacionales en caso particulares como el caso de las comunidades mapuche, en Argentina? Era todo lo que quería decir. Muchas gracias.

**José Carlos Morales:** Gracias, hermano mapuche. Bueno, yo creo que justamente, tratando de unir estos esfuerzos, podemos encontrar salidas. Sería bien interesante conocer ese principio del “kimún”. Eso es muy importante. Ya sabemos que, por el norte, yo le di seguimiento a toda esta serie de protestas en Canadá, que lo llamaron “No more”. Eso, a mí me impactó. Creo que tenemos que hacer esfuerzos en ese sentido. Ir recopilando todas estas cosas. Nos pueden dar la orientación, la ayuda. Bueno, conocemos los obstáculos, a ver cómo le buscamos las salidas también a eso.

**Tomás Condori:** Gracias, Presidente. La presidencia siempre apura en lo que no nos deja explicar lo que queremos explicarles. Hemos venido sabiendo que se van a reunir los líderes del año 1977. Están acá pocos, la mayoría se han muerto. Entonces, ¿qué estamos haciendo? Lo que estamos es escuchando explicar lo que no nos concierne. Somos varias culturas. Yo pertenezco al Pueblo Aymara. El Pueblo Aymara no se dice *Pacha Mama*, no se dice *Mamá*. Nosotros tenemos otro nombre, que lo que está queriendo nombrar, en general, es madre. No es madre para los Aymara. Tenemos otro nombre que Carlos puede decirles. El hermano Constantino también puede decirles. No es madre. Para nosotros es “*Tayka*”. No estamos hablando de madre, de padre no estamos hablando. Hay que distinguir. Somos varios. Somos de varias regiones, también. Tenemos otros conocimientos, no simplemente espirituales. Lo espiritual también es otro. En lo que quiero concentrarme, lo que yo entiendo que nos estamos aquí. Estamos pensando es cómo estamos resolviendo el recuerdo de los ancianos que estaban en el '77. Se han dicho: “la libre determinación de los Pueblos y Naciones Indígenas”. Se ha dicho “autodeterminación de los pueblos”. Con “tierras y territorios” se ha declamado. Entonces, ¿qué estamos hablando de cosas que no nos conciernen mucho? No nos gusta a todos. A otros debe gustarle hablar de la Madre Tierra, que la Madre Tierra que les protege. Nadie nos protege. Nos protegemos nuestra cultura, lo que conocemos. Yo les pido a la mesa que concentremos sobre la libre determinación y derechos de los Pueblos Indígenas. Es lo que hemos dicho en 1977. La autodeterminación de los pueblos. Ahora, estamos hablando de los bosques, contaminación y de otras cosas. Claro, que no estamos como pueblos auto determinados. Las empresas, el Estado embaten a los pueblos. Nilo dice que todos estamos embatiendo a la ciudad. No. Falta en la ciudad la protección. Justamente, nuestros hermanos en el territorio están despojados. Por eso, van a la ciudad. Eso hay que entenderlo. No puedo hablar en general. La discusión que estamos haciendo es general. Concentrémonos de nuevo, les digo, concentrémonos de nuevo sobre la libre determinación y derechos de los Pueblos Indígenas en recuerdo del año 1977. Gracias.

**Allene Chockie Cottier:** Thank you. I am not speaking as chair but a contributor to the discussion. To your comment, even though we are seeking and working towards self-determination, if we don't address the issues that we are addressing in these discussions today and throughout this session, we won't have anything left for self-determination once we achieve it. It's a continuing many level battle. We can't discard one for the other. We have to seek ways to encompass as we go and address all these multiple issues at the same time. That is a component of self-determination.

The other thing I wanted to contribute was that we really have to be aware when we're seeking self-determination and we're speaking of our natural world and our indigenous ways and everything else: the insidious elements that are out there by corporations are copyrights. Generic engineering and copyrights on our trees, our plants, our waters, the food, everything. Also, in the fracking process, they're injecting chemicals into the Earth deep deep deep down into the Earth that are as hazardous as nuclear wastes. They're destroying the Earth.

We can fight and fight and fight and say: "We want self-determination as natural Indigenous Peoples", but if we don't keep these things in our minds then while they're pushing us here and everywhere, they're also destroying any capability to grow. The one that really scares me is copyrights on genetic materials that they're making. They're making plants and displacing naturally developing and reproducing plants with plants that you have to go to them to be licensed to reproduce. They don't reproduce naturally. It's a long-term move towards the absolute control of food, water, everything we need to sustain life for all things.

That's one of the things. If we're talking about the protectors of the Earth and our own indigenous values, we have to have preserve and protect those things and fight these corporations and preserve in our own way, wherever we can, our naturally developing seeds and our naturally developing foods because when we get there to get self-determination, if we don't have those things able to reproduce, then we can't reproduce. It's just like sterilization, not just of human beings, but sterilization of the Earth so that few corporations will be controlling that.

Just an anecdote story. I was on my way to a meeting on the Trust Commission in North Dakota, South of the United States, where they have fracking as their income. The tribes have agreed to this fracking for oil. It's destroying their beautiful lands. It's destroying their waters and everything. On the flight, there were oil workers who said the chemicals are so bad that they will eat their hands off if they get exposed to their hand, to the tissue on their hands. Those are the chemicals that they're poring. There are big major secrets on this and they can't even petition to find out what is in these chemicals because they keep changing the copyright laws and information accessibility on them. They're killing the Earth on this fracking process.

We need to be aware of that. That's another battle. That's a long-term self-determination battle. It's relevant. The environment and what we are protecting and fighting this corporations for that. There's just so many different things that are going on like that, that are intended to destroy us. Even if we won all of these battles for self-determination today, that would be the next step: to prevent and fight copyright and corporate destruction of the Earth. We're not getting access to a lot of information that's destroying our Earth through these copyrights and patent laws. Thank you.

**José Carlos Morales:** Gracias, Chockie. Este es un tema. Yo creo que hay que entender lo que el tema de la libre determinación, como lo dice Chockie, está cruzado por una serie de ejes temáticos de los que hemos llamado, "derechos". Recuerdo muy bien que, en el informe sobre industrias extractivas, la ampliación del informe en 2012, el año pasado, se tocó el tema de la soberanía de los Pueblos Indígenas sobre sus recursos naturales. Ahí está. Es cuestión de recoger este tema. Se explica bastante el tema de la soberanía sobre los recursos. Creo que hay camino andado en esto. Tenemos que irlo sistematizando. No podemos hablar por la soberanía. Tenemos que tocar todo lo que corresponde a la soberanía, digo, a la libre determinación.



Tenemos que tocar una serie de aspectos. No es hablar de libre determinación. Eso no se entiende así. Se desglosa. El tema del derecho de los Pueblos Indígenas a participar en la toma de decisiones es otro gran campo que tiene que ver con la libre determinación. Si no hay ese aspecto considerado, no estamos hablando de libre determinación tampoco. El tema de la soberanía, es muy importante. Tengo en mi lista a la hermana mapuche, luego, tengo a Willie, Natalio, Oren, Bill.

**Maria Desponds:** Gracias, Señor Presidente. Saludo a todos mis hermanos que están participando en este pequeño simposio. Para mí, es la primera vez que yo participo directamente, no habiendo participado en años anteriores. Yo soy refugiada política. Soy mapuche de Chile. Después, tuve que abandonar este bonito tema por caso de sobrevivencia, aquí, en Suiza. Ahora retomo. Van a ser cinco años que he tomado de nuevo la defensa de mi pueblo. Lo estamos haciendo con otra compañera, en forma muy fuerte. Representamos alrededor de 37 comunidades, más otras comunidades que se han ido agregando últimamente. Hemos participado también en la Conferencia sobre el racismo. Eso me marcó muchísimo, al escuchar a la delegación de mi país, representando al gobierno de Piñera. Verdaderamente, nosotros tenemos muchos problemas. Quizás más graves que los que tengan acá. En Chile, los gobiernos sucesivos reconocen el Convenio 169, pero no lo aplican. Gobiernos anteriores, que se dicen democráticos, han decretado la ley 124, justamente, para quitarle valor a los artículos 6 y 7 del Convenio 169. Además, se decretó la Ley Antiterrorista ante el Pueblo Mapuche. Se han militarizado zonas completas de las comunidades más activas. Ahora, último, el 1° de junio, el decreto de ley 124, ustedes me perdonan la expresión, que “castraba”, en parte, el Convenio 169 de la OIT, ha sido reemplazado por el Convenio 125, que anula prácticamente todo el Convenio 169. El gobierno actual, que dicho sea de paso, muy pronto será cambiado (esperemos), dijo querer levantar y derrocar la ley antiterrorista que se le aplica a mi pueblo. Es todo un montaje que ellos hacen para poder llevar a los líderes de las comunidades, acusarlos de cualquier cosa y tirarles 10, 15 o 25 años de prisión. Entonces, justamente, los abogados que defienden a los pueblos autóctonos en Chile, dicen que a cualquier persona por un robo se le tiran dos o tres años. Aquí, cuando no hay nada. Porque después de cumplir cinco o seis años, aquellos hermanos salen de prisión, el gobierno dice que se equivocaron, que no hubo nada, que solamente fueron los tribunales que no supieron decidir en el caso. Entonces, ahora nos vemos confrontados nosotros a eliminar y poder hacer la máxima publicidad sobre el nuevo Decreto 125, que, prácticamente, anula todo el reconocimiento para el Convenio 169. Ahora, yo llamo la atención y veo si se puede hacer algo, en mi país. No tan solo en mi país, sino en la región de América Latina. En mi país, muchas personas, muchos hermanos que vienen acá, empiezan recién a hablar del Convenio 169, cosa que ya muchos tenían que darlo a conocer.

Las comunidades que nosotros representamos, abarcan cuatro provincias y no se pueden desplazar por falta de medios para dar a conocer en este tipo de seminarios o charlas, de manera más profunda el Convenio 169. Además, el gobierno no reconoce la consulta a mi pueblo. No reconoce la participación a mi pueblo. Entonces, aquí también hay otro grupo de las mismas comunidades que se han organizado, si ustedes quieren, políticamente para poder hacer frente e ir ganando paso a paso lo que el Convenio 169 nos facilita para llegar más allá. En estos momentos, yo creo que es ganar espacio por todos los convenios o los tratados que verdaderamente han sido firmados por los gobiernos, antes por el Pueblo Mapuche con la Corona española, como ha sido el Tratado de Tapiue y el Tratado de Quilín. Ahora, esos mismos tratados que nosotros, en las recomendaciones que les pedimos en la Conferencia de relatores especiales sobre el racismo, de recomendar al gobierno chileno que se reconozcan estos tratados que son reconocidos a nivel internacional.

Entonces, una proposición que yo veía y que justamente la hago aquí, si se pueden hacer una especie de seminarios dentro de los países latinoamericanos, por 15 días, traer grupos de ciertas comunidades. Ustedes conocen, Chile es bien accidentado. Tienen acceso las personas

que están más cercanas dentro de las comunas urbanas. Falta de comunicación. Falta de los medios técnicos más desarrollados. Son gente que, verdaderamente, están bastante aislados de lo que pasa a nivel internacional. Para mí, yo creo que eso sería un gran paso y un gran esfuerzo ya para ir despertando más el interés de los hermanos, no tan solo en Chile, sino en todos los países de América Latina. Verdaderamente, si queremos ayudar, veo que es la manera más práctica. Aquí, siempre vienen uno o dos hermanos que participan en la conferencia. Después, se olvidan que participaron y no entregan nada prácticamente de lo que llevan, porque muchas veces vienen apoyados por el gobierno.

El gobierno de Piñera ha dividido las comunidades y ha creado otras comunidades que hacen enfrentamiento con aquellas comunidades más progresistas. Yo creo que sería una de las soluciones y recomendaciones que se podrían tomar en cuenta. También para ellos, venir acá, a Suiza, ante las Naciones Unidas, tienen que tener un conocimiento de inglés mínimo, lo básico. Los discursos que se dan acá, en gran mayoría, son en inglés. Eso perjudica el entusiasmo y el interés que puedan haber de nuestros hermanos en Chile o en cualquier país latinoamericano. Ésta sería una de mis recomendaciones.

La otra pregunta que yo haría aquí es, ¿cómo se puede pasar por estos gobiernos que tratan de anular los convenios tan positivos y que tanta esperanza entrega a los pueblos autóctonos como el Convenio 169? Verdaderamente, en mi país, yo hablo de mi país, el Convenio 169 no se está aplicando. En el mes de junio, tuvimos la visita del Relator Especial de Derechos Humanos, el Señor Ben Emerson, quién le hizo una recomendación al gobierno de levantar rápidamente la Ley Antiterrorista. Entonces, el gobierno dice que el señor Emerson se deja llevar por los dichos de los hermanos que están en contra del gobierno. En contra del gobierno, si quieren ustedes, pueden estar todos los mapuches porque excavan las tierras de los mapuches para colocar las hidroeléctricas, para sacar el petróleo que hay en el norte de Chile. ¿Cuántas veces se ha tratado de hacer todo lo necesario para paralizar a "*Pascualama*"? Todas esas cosas yo quiero que también queden en conocimiento y se busque una solución para ir educando a las nuevas generaciones.

**José Carlos Morales:** Creo que, en la tarde, vamos a tocar también este tema, pero quiero decirle que no sé cómo es el sistema jurídico de Chile, pero, en la mayoría de los Estados latinoamericanos, las convenciones y los tratados están sobre las leyes nacionales. Una ley secundaria no puede anular un convenio, pero desconozco el sistema jurídico de Chile.

**Willie Littlechild:** Thank you very much and good morning to all delegates. I wanted to pick up a point, a very important point that our brother Mike just mentioned but also to support the voices that have expressed their concerns just now to add my voice to that.

I wanted to address, in particular, the very very important study Mike just referenced, which is the "Permanent Sovereignty of Indigenous Peoples Over Natural Resources", which was undertaken really with the bold leadership of Mme Daes. In that report, she links a resolution that was just referenced by Mike Myers and applies it to Indigenous Peoples. When you look at that report and you look at article 3 of the UN Declaration on the Rights of Indigenous Peoples, we have to recall that article 3 references both of the International Covenants which state: "all peoples have the right to self-determination." Importantly, there are two other subparagraphs to that article on the right to self-determination that were excluded from article 3 of the UN Declaration on the Rights of Indigenous Peoples. We could not win the argument at that point about ensuring that article 3 incorporates the ability of Indigenous Peoples to dispose of their own natural resources. We just completed a study, at the Experts Mechanism on the Rights of Indigenous Peoples, which I would humbly suggest delegates look at because, in that report, which is a focus on extractive industries, what it does is to link it with the right of Indigenous Peoples to participate in decision-making with a focus on extractive industries. In that report you will see that we picked up Mme Daes's "Report on the Permanent

Sovereignty of Indigenous Peoples Over Natural Resources" and linked it with article 32 of the UN Declaration. We argue that now Indigenous Peoples have a full right to self-determination.

Thank you, Mike, for bringing that very crucially important resolution and study that was done by Mme Daes and link that with the EMRIP study on extractive industries. You will see the argument now is made that we do have a full right to self-determination. That includes the disposition of our natural wealth and resources. Thank you.

**José Carlos Morales:** Muchas gracias, Willie. Sí, recuerdo bien que, inclusive, este estudio ya fue adoptado por el Consejo de Derechos Humanos y se convierte en recomendaciones universales para los Estados y los Pueblos Indígenas. Por eso, yo creo que es bueno, como dice Willie, darle una ojeada a este estudio del Mecanismo de Expertos, del año pasado, del 2012. Los que tienen acceso al Internet, lo pueden encontrar en la página web de la Oficina del Alto Comisionado para los Derechos Humanos. Ahí están todos estos informes que ya han sido adoptados por los Estados en el Consejo de Derechos Humanos. Tengo a Natalio, quien me ha pedido tres-cuatro minutos. Llegó tarde, pero aquí lo tenemos presente. Por favor, Natalio.

**Natalio Hernández:** Buenos días, una disculpa. El cambio de horario me ha vencido y he dormido lo que no había dormido en días anteriores.

Cuando vine a la Conferencia de Ginebra, en 1977, mi preocupación principal era la defensa de la lengua y la cultura de nuestros pueblos, lucha que habíamos iniciado a través de la Alianza Nacional de Profesionistas Indígenas Bilingües. En aquel momento, yo era el presidente de esta organización. Hoy en día, hemos logrado el reconocimiento jurídico de nuestras lenguas mediante la *Ley general de derechos lingüísticos de los Pueblos Indígenas* y la creación del Instituto Nacional de Lenguas Indígenas. Todo esto se logró en el año 2003.

Actualmente, una de las preocupaciones fundamentales de nuestros pueblos es la preservación de sus territorios. Durante la administración del Presidente Felipe Calderón, de 2006 a 2012, más del 60 % de los territorios de los Pueblos Indígenas fueron concedidos a las empresas mineras transnacionales, según los datos que ha proporcionado públicamente el Comisionado para el Diálogo con los Pueblos Indígenas. Esta situación ha provocado una nueva lucha de resistencia de nuestros pueblos, en diferentes regiones de México. Particularmente, quiero mencionar el caso del Pueblo Huichol, cuyo territorio sagrado ha sido seriamente afectado por la presencia, como he dicho, de las compañías mineras transnacionales. Con este caso que he mencionado, quiero ejemplificar la nueva amenaza de despojo sobre el asentamiento territorial y espiritual de nuestros pueblos y que afecta seriamente el medio ambiente y los recursos naturales en donde se asientan nuestros pueblos.

Por otra parte, quiero mencionar dos ejemplos exitosos sobre el cuidado del medio ambiente y el aprovechamiento racional de estos recursos por parte de nuestros pueblos. Uno de los ejemplos se refiere al proyecto forestal del Pueblo Purépecha del Estado Michoacán. El proyecto se ha desarrollado comunitariamente, a partir del conocimiento ancestral sobre el manejo del medio ambiente. Actualmente, sus productos de madera han sido colocados en el mercado nacional e internacional. Otro proyecto exitoso se refiere al cultivo de la vainilla del pueblo chinanteco de Usila, en el Estado de Oaxaca. La vainilla es una flor de una liana que se desarrolla en el bosque tropical. Su cultivo implica el mantenimiento del ecosistema y el cuidado del bosque. Además, para su cultivo, el pueblo chinanteco emplea abono orgánico, lo que ha permitido que el producto tenga una buena aceptación en el mercado internacional, particularmente, en Italia.

Finalmente, deseo concluir mi participación mencionando el proyecto que hemos iniciado recientemente en mi propia comunidad. En torno a la casa de la tradición, que le llamamos "Xochicalli" ("Casa de la flor"), estamos desarrollando cuatro líneas de trabajo: producción agrícola tradicional sin el uso de pesticidas para el mejoramiento de la alimentación de la

comunidad; bordados tradicionales para la recuperación de la memoria ancestral; la música y la danza para la celebración de las ceremonias tradicionales; la alfarería para la elaboración de utensilios de barro que contrarresten el uso indiscriminado de objetos industrializados de plástico. Una quinta línea: “*los huehuetlatole*”, esto es, la recuperación de la palabra antigua de nuestros pueblos para el conocimiento y la sabiduría que nos dejaron nuestros ancestros.

Menciono, finalmente, que otras comunidades de mi región están emprendiendo proyectos ecoturísticos, a partir del conocimiento ancestral del medio ambiente. Agradezco a los organizadores del Simposio que me hayan dado la oportunidad de compartir mis preocupaciones entorno al medio ambiente y también las pequeñas lucecitas que se empiezan a encender en nuestros pueblos frente a la amenaza global que se cierne entorno a la humanidad. [*Se despide en náhuatl*] “*Tlasocamati miac*” Muchas gracias.

**José Carlos Morales:** Muchas gracias, Natalio. Pueden ustedes ver que hay también buenas prácticas. Yo creo que, muchas veces, una batalla la podemos ganar planteando buenas prácticas. Tenemos que tomar en cuenta todo eso.

**Oren Lyons:** Thank you, Mr. Chair. Some of the events that are taking place in our country, which is in the North East of the United States, New York State, which is a central state and one of the first states in the Union, we are in the very middle of that state. On the issue of fracking and the issue of this corporate takeover, we have gathered a lot of support by working with other communities that are non-indigenous, that are local communities that surround our territories. They have looked to us for leadership on the issue of environment. Our attorneys have been very active in meetings and going to different communities and speaking and educating the general public on the dangers. To the point where the idea of fracking in the State of New York has come to a standstill. Still, it's not complete, of course, but the coalition between ourselves and the surrounding communities and their understanding and the education that is required, is very difficult. It's grassroots. It's "boots on the ground", so to speak, to have to go talk to these communities, even if they have 80 people, even if there's 50 people, even if there's 200 people. We make these rounds and we have now a very strong coalition who is worried about water. Of course, that's the first law of life. This fracking and these tremendously dangerous chemicals that are being put in this are destroying the very essence of our future. They're beginning to understand that, but it's a very slow and difficult process. It's working. It's reaching out. It's not what we usually do in the Indian country. We're usually on defense. On these points, we have common cause and the common cause is becoming effective. So, I think that we have to illustrate, to the public at large, how important these events are to their livelihood, to their children, to their people.

**José Carlos Morales:** Muchas gracias, Oren. Van saliendo, cada vez más, buenas prácticas. Como lo decía, creo que, muchas veces, una decisión, a nivel comunitario, repercute constructivamente en la solución de problemas, en el enfrentamiento a grandes problemas también.

**Bill Means:** [*Greetings in lakota language*] Good morning. Buenos días. Brothers and sisters, I want to talk a little bit about some of the work that is being done in this area. In particular, the right to self-determination. This right is not a noun in the English language. We say “noun”, that means a person, place or a thing. When you talk about self-determination, it denotes our call to action. I want to say that first. It's not some abstract term. It means that we have to move. We have to do something. I don't want us, in the process of this report that we're going to write here, to diminish 30 years of work on the Declaration on the Rights of Indigenous Peoples because, as we cite that Declaration and the various articles, as you heard



from Willie, it then becomes customary law. It can exceed its present status as “only a declaration”.

Remember one of our aspirations is to create a convention. The way that we do that is by using the Declaration. In many cases, where I come from, in our territories, we use the Declaration in common cases. For example, in the theft of our children, in the water rights, when we go to the US Courts, we always use now the Declaration and the various articles. This is what we have to do throughout the indigenous world: always cite the Declaration as an act of self-determination.

In another way, I want to look back, as well, as a successful campaign that many of you talked about: building coalitions with the non-indigenous communities. I remember when I first came here, in 1977, there was a very active movement worldwide campaign against apartheid. One of the most successful texts used in fighting apartheid is a movement called “divestment”. What that means is that those corporations, many of whom are American, many of whom are European, many of whom are Canadian, that those corporations be challenged because a corporation is not a person but is made up of many persons. So, we have to challenge those corporations in the area of divestment to let the shareholders know what are the effects of the exploitation of these resources: people are forcibly removed; the water is polluted; the plants are destroyed. I see common sense may prevail in many cases for the shareholders. That has always been a successful way of combating the corporate exploitation.

I want to mention those areas and continue to cite, hopefully, on our report from this meeting, very specific articles in the Declaration and other articles such as mentioned: the EMRIP report, Mme Daes's. We also have a report from the Special Rapporteur, James Anaya, that's here. We can cite a lot of the work that we've done over this past 30 years so that we create customary law as we move forward in all regions where Indigenous Peoples live. Whether they're under European system, British system, American, Canadian, we can introduce the Declaration as a resource, as documentation for our rights. I don't want us, in our rush to challenge these corporations, forget 30 years of hard work and formation of the Declaration. Let's use that as a working document, as an instrument of self-determination.

**José Carlos Morales:** Muchas gracias, Bill. Creo que justamente eso, recogiendo las prácticas que están ocurriendo, los instrumentos, los informes y ver todos los conceptos que se han desarrollado, tenemos armas ahí para la lucha que se nos viene y que es muy fuerte, en estos momentos.

**Michael Eckford Aka Anderson:** Thank you. Good morning to everybody. Just listening to all the previous speakers clearly demonstrates that we who are here amongst the world leaders of our people, we all speak of the same thing. We speak of the same problems and we share common history.

I just want to, from my intervention, identify that back home we have been working now to unify our tribes in one of the main river systems. It's called the Murray-Darling basin system. It's a massive area of land that is almost the size of Europe, in many cases. We have a system where the river flows down for about 3500 kilometers and a lot of the rivers and tributaries feed into this from many areas. We have a total of 47 nations, aboriginal nations, that all live along this system from North to South. What we have done is we have forced our way into the government system in Australia and we have created a water sharing plan within that system. We're working towards getting what we call “cultural water” and “cultural flows” throughout that system to cover all of our important locations, our iconic sites, and to keep feeding those areas. We have now a law that has been put into Australia. They were crazy enough to ask us to write the preamble statement of this document, in which case we have put into the preamble the recognition of every one of those nations along the pathway of the river.

Australia now has a legal system, within its national Parliament, that recognizes the sovereignty of those nations that were identified within those territories.

Some time back, we have been working on these extractive industries and talking about our self-determination rights. If I can just come to this point. This is some legal advice that was given to the Australian Prime Minister, John Howard, during the 1990 period into the 21<sup>st</sup> century. This was a team of white lawyers that look after the constitutional interests in Australia. They are known as the jurists who wanted to look after the Australian Constitution and protect it. When we started arguing about the extractive industries and aboriginal sovereignty and our self-determination rights, some advice went from them (and I think it's very important for this conference here):

A case is likely to be constructed by aboriginal people on the basis of sovereignty to test the Crown's ownership of minerals [we're talking about the English Crown]. If a case for sovereignty is successful, then there might be a latitude for a claim of compensation in respect to at least the royal minerals [which is silver and gold] or a royal deed payable to indigenous groups for minerals extracted, both past and future. If Crown ownership of minerals is affirmed in the amendments [they were amending the native titles Act at this time], there might be a case for compensation mounted by indigenous groups. The states are very worried about this possibility and have subsequently encouraged the federal government to avoid any affirmation of Crown ownership. Overseas, such as in some cases, in some areas of Canada, mineral rights are vested in Indigenous Peoples. There may be a strong push for such precedent to be extended to Australia, particular, if coupled with the sovereignty argument. The granting of mineral right as native title right may well be a position the federal government is willing to concede, should it find itself in a difficult negotiation position with the indigenous groups. This would be a simple method of the government displacing the burden of compensation for those who wish to acquire the mineral rights as simple case of use of pay.

Then they concluded their concern by arguing that the sovereignty was clearly under threat in Australia and overseas. They went on to say:

The recent mutual decision of the Canadian federal courts has recognized the international nature of aboriginal rights and ensured that aboriginal customary rights be preserved across international borders. The aboriginal rights are clearly being distinguished and recognized as distinct from aboriginal title. The distinction warns an ongoing attention. The issue of domestic sovereignty is set to dominate future international discussions [that is in relation to Australia sovereignty] on indigenous rights. Decisions made by the United Nations together with precedents in other countries would potentially change the map of this country. Land rights and native titles in Australia are examples of a very dynamic debate which is open-ended and which can be simply linked to international conventions and trends to develop a credible basis for arranged outcomes with far reaching and irreversible consequences. Australians tend to take their sovereignty for granted. That sovereignty is now being contested. We must become more aware of the issues and the players and be prepared to defend their sovereignty if we have to maintain it.

As you can see, we have the British alliance groups who are very concerned about the developments that we have been achieving in the last 30 years, not only domestically but also internationally. I think it's so important for us an international collective from the various regions of the world to make sure that we are all on the same page, talking the same language. Thank you, Madame Chair.

**Allene Chockie Cottier:** Thank you. I just want to add to the comment and reinforce the comments with which Bill contributed. The best way to reinforce is to use and refer to all of

the agreements and declarations that we've already got in place over the last 36 years. By using, we begin to legalize, in spite of the other fights against to undermine the initiatives that we already have in place. The practice is as important as the document or more important. As long as we keep referring back to them and say this is the foundation. We're finding that in the United States, that almost every even previously conservative government funded agency now refers to the United Nations' Declaration. We were told it didn't have any meaning or weight, but it is bearing weight because we are using it and referring to it and forcing complying with it and the recommendations therein.

**Rafael Mashinguishi:** Buenos días aún. Yo que quiero recordar es que todos los países han aceptado los tratados e instrumentos internacionales e, inclusive, contemplan en sus respectivas constituciones. La Constitución del Ecuador, en español, en lengua shuar, dice muy claramente: "el derecho de las nacionalidades indígenas y su derecho, la protección de sus territorios." Sin embargo, aquellos derechos de los Pueblos Indígenas en la Amazonía ecuatoriana no han sido respetados. Creo que es de conocimiento a nivel internacional lo que en este momento está sucediendo en la Amazonía ecuatoriana, sobre el proyecto de la extracción de petróleo en el proyecto Yasuní. Quiero solicitar, de alguna manera, a esta sala, que se incorpore en las recomendaciones de esta sala que se mantenga el respeto contemplado en la Carta Magna sobre aquellas decisiones de actividades activas en el proyecto Yasuni, toda vez que el informe de la misma UNESCO, de enero de 2010, escrito por Mariela Nieto, dice lo siguiente: "En el Ecuador, las investigaciones recientes indican que el porcentaje de cáncer entre las comunidades indígenas que viven en las zonas petroleras es 30 veces mayor que la media nacional. El de cáncer de riñones y de piel, 15 veces. El de estómago: cinco veces." Es decir, no es cierto lo que está proponiendo el gobierno del Ecuador que tendrá que utilizar tecnologías de última generación para evitar que todo esto suceda. La experiencia nos dice que no habrá tecnología de última generación que trate de evitar la contaminación del ambiente, especialmente, del agua. Estas experiencias no solamente son en el Ecuador. Estas experiencias las tenemos en casi todo el mundo. Gracias

**José Carlos Morales:** Muchas gracias, Rafael, por el ejemplo de lo que está aconteciendo en su país. No tengo alguien más. Creo que tenemos unos minutos todavía más, aquí, esta mañana.

**Joji Cariño:** I'd like to contribute some of the situations in Asia. In the Philippines, the national law is already to recognize native title. That's contained in the Indigenous Peoples Rights' Act. Of course, the UN Declaration affirms inherent rights. The issue that arises is that there are many other conflicting laws that overlap native titles. Even the Indigenous Peoples Rights Act, while recognizing ancestral domains, recognizes what they call "already existing rights" in those domains. In fact, it also confirms mining leases, logging, tenures, etc. The Philippines has embedded in law these conflicting laws that exist in the Philippines. Therefore, when it comes to asserting into the ground, normally, the police forces enforce, for example, mining tenures and the other so called "rights", property rights, that the government had also given to other third parties, external parties. Therefore, the priority now is for indigenous communities to assert self-determination and sovereignty over those resources through actual practices, through, for example, the development of community development plans, resource management using customary uses, etc. The highest priority is the strengthening of communities to assert what is already recognized in law against contradictions and conflicts that the government has not yet harmonized in terms of its legislation.

This is the same in Indonesia, where, only a month ago, the Supreme Court affirmed that

customary forests are not part of the State's forests. Practically, 85% of lands in Indonesia are considered State's forests. This will require a complete change in the way the law and land use is recognized to actually give the customary forests back to the Indigenous Peoples. That is such a strong reversal of the current structure of law and the current power of the forest department and forest concessioners that it will be quite a big struggle to actually realize what has now been recognized in law. For example, many communities are now retaking customary forests and asserting that the Constitutional Court has already recognized that these are their forests. There is a potential for strong conflicts within the communities over the use and ownership and title over those lands and resources.

I think one of the challenges for us, now that international law has affirmed our inherent rights, as well as the basis of our rights based on native title, basically, is how can we address these existing conflicts in law so that these requirements for government to reform law, as well as to give their backing to our rights will be actually realized. Currently, they still give the backing of the State to other kinds of tenures in the paper concessions rights. How can we regroup, at the international level, using existing resolutions like permanent sovereignty, the UN Declaration, which is a statement of the international covenants to begin addressing the very real issues of conflicts on the ground, in our communities so that we can have real outcomes and very good gains directly for the communities themselves.

I think, in the first instance, which is what's happening in the Philippines and Indonesia is really having a very strong educational program within the communities to really make a strong assessment of where have we reached in terms of the law and where can we begin taking direct steps whether through court cases or through negotiations for recognition or withdrawal of third-party interest within our lands. There is a real need for one exchange of experiences about the gains we are making in our countries, but, also, very direct support and solidarity for how the indigenous communities who best know how to use the law in our countries can actually start consolidating these. We really need to take it to a new level of consolidation as to what we have already gained and how we move forward from there. In relation to that, in the Philippines, all of the key biodiversity areas are on indigenous lands. Therefore, the government has had to acknowledge that if they are going to make any advance in terms of their commitments to save ecosystems, conserve biodiversity and really take care of the natural world, their key allies now are the Indigenous Peoples. That is one of the areas that we are trying to press upon governments.

With respect of some of their additional obligations, apart from the human right's obligations, is that if they actually respect our human rights and our self-determination rights, there will be a whole range of other benefits and collaborations that can happen to address some of the overriding survival issues that we're facing today: climate change, loss of biodiversity. I think we need to consolidate on many fronts - the human rights front, the environmental front - the fact also that even in climate change, it is now in our territories that the knowledge about plants, animals, adaptation, mitigation, etc. There's really a very big contribution that Indigenous Peoples can make. How can we have that big message to the world that Indigenous Peoples are really key partners now in addressing all of these problems? None of these can be addressed without a sincere real effort to recognize our self-determination. That self-determination will also find its gains in terms the protection of the natural world and a whole range of issues like climate change, even the issue of seeds and foods. These are really now in the knowledge of Indigenous Peoples. Thank you very much. *[Applause.]*

**Jose Carlos Morales:** Muchas gracias, Joji. Creo que usted dio el punto clave. Nosotros tenemos que hacer o proponer un trabajo fuerte, decisivo, con la educación en nuestras comunidades, en nuestros pueblos: capacitación con educación. En los sistemas educativos de nuestros países, en realidad, no plantean soluciones a los problemas nuestros, directamente en las comunidades.



Por ejemplo, tenemos un caso en Costa Rica de un pueblo que ya estaba totalmente destrozado, abatido, por la presión del Estado, por la presión de los funcionarios con motivo de la construcción de una represa hidroeléctrica. Ya no tenían salida. Ellos decían: “Ya no podemos hacer más. Estamos vencidos aquí.” Se les veía en las caras de ellos, realmente, la tristeza del fracaso de haber luchado años sin ningún resultado. Tuvimos la experiencia (aquí está Alancay, que se metió de cabeza en la comunidad) de llevar a un abogado indígena internacionalista que ustedes conocen. Se llama Fergus MacKay. Llegó, le dio una capacitación de dos o tres horas a la comunidad y los hermanos indígenas estaban tristes, abatidos. No tenían salida. Al final, dicen: “Bueno, pero si usted nos plantea que podemos hacer algo, ¿cómo lo podemos hacer?” Él continuó explicándoles todo lo que habían hecho en otros casos. Puso de ejemplo el caso de Saramaca, Suriname. Dijeron: “Bueno. Si esto es así, vamos a empezar. Vamos a hacer uso de los instrumentos internacionales.” Así, hubo un cambio en los delegados que estaban ahí en la reunión. Dijeron, por otra parte: “Bueno, pero, ¿cómo vamos a preparar nosotros un documento? No conocemos estas cosas a nivel internacional?” Nuestro amigo les dijo: “Bueno, si me dan tiempo, un par de horas, yo preparo un pequeño documento, y, si ustedes están de acuerdo, lo firman.” Creo que fue un gran apoyo que nos dio Fergus MacKay, en este caso. Preparó un documento rápido. Él tiene mucha experiencia porque ha estado en la Corte Interamericana de Derechos Humanos, en la defensa del caso Saramaca contra el gobierno de Surinam. Preparó el documento. Todos lo querían firmar al instante.

Fue así como se envió un primer documento al Comité para la Eliminación de la Discriminación Racial, el CERD, acá. Inmediatamente, un par de semanas después, el gobierno costarricense estaba sometido a un cuestionamiento de que no se había cumplido con todos los requisitos que contempla la ley internacional. Así siguió el asunto. Luego, otro documento al Relator Especial. Desde hace dos años y medio, a raíz de estas intervenciones sistematizadas con este lugar, que afecta también a nuestro pueblo, el Pueblo Brunca, se ha paralizado la construcción de la represa y están en negociaciones, van y vienen. El gobierno es muy hábil para manipular, para descartar a personas que le sean claves, que pueden ayudar a la gente a capacitarse. Por ejemplo, nosotros dos no estamos dentro del *team* que el gobierno estableció, pero no importa, seguimos capacitando a la gente porque somos libres de hacerlo. Hoy, esa comunidad está fuerte. La tenía totalmente dividida el Estado. Hoy, está fuerte, está haciéndole frente a la construcción de esta gran represa que va a traer enormes perjuicios para la zona, para el territorio nuestro, grandes beneficios, probablemente, para el país, pero enormes problemas para la comunidad.

Creo que el tema que aquí nos ayudó fue la capacitación a una comunidad pequeña que se convirtió en una fortaleza, en algo muy decidido a continuar la lucha, cuando ya estaban totalmente fracasados. Ahí seguimos. Estamos al lado de la comunidad, capacitándolos. Les di una capacitación en todo lo que es el tema de la consulta y el consentimiento previo, libre e informado y, cada vez, ellos abren - uno ven los ojos que abren - tienen posibilidad de continuar la lucha. Pongo el ejemplo porque creo que puede estar ocurriendo en muchas partes del mundo estas situaciones donde nuestros pueblos, nuestras comunidades ya están totalmente derrotadas. Creo que hay una salida. Hay salidas para sacar adelante problemas de esta naturaleza.

**Oren Lyons:** It seems to be coming quite clear that we have to have the discussion that relates to these issues, precisely, the issue of natural law, the issue of common law, the issue of the laws of states. We have to have this discussion amongst ourselves. We have to remind ourselves of those laws. Indigenous Peoples have many laws. They're not written, they're known. They're so old. They're so ancient. Everyone knows them. You don't have to write them. That's what it used to be. We seem to be losing that section right now with our new generations. Anyway, those laws that Indigenous Peoples have been adhering to, which are the laws of nature, are the surviving laws for our species, for everything. The ability to create the language discussion and at international forum on these kinds of issues along with the

laws of states is what we have to meet. I think the only way we are going to do that is to take the advice of the Madame back here who suggested that we organize a meeting, she said, ten days. I would say, at the very least, to have this kind of discussion. We need to address these specifics. It was really clear, from the delegate from the Philippines that we know a lot, but we have to consolidate that and we have to adjust that to the contemporary situations that we face today. They are probably the common sense approach to what's happening today. Our laws, which are quite simple, which is to share. That's a very fundamental law: everybody to share, to protect the commons for the future and for everybody. The commons belong to everybody. The air belongs to everybody. The water belongs to everybody. That includes all the animals. That includes the plants. That includes everything which must of course be included but which is not in the contemporary laws of states. It is up to us to clarify that and somehow or other now, we are going to have to convene this kind of a meeting to address that and consolidate the advantages that we have created over these past 36 years. We have managed to do quite a bit and we should understand that we have many victories here. We have to consolidate that and move on to the larger family of man, so to speak, and the family of the Earth itself. I suggest that we consider convening such a discussion on these laws of nature and the laws of man and the common defense for the common life. Thank you.

**Laura Calmwind** [*She speaks in Anishinaabemowin*] I've come here today. I've been here the last few days, to listen on the discussions. I am really happy to be here. I've heard of really good talk that I will take back to my territory. I came here with the authority of the grandmothers in my territory and with the support of the leadership of my community, with the very minimal resources that we have. My responsibility is to take back what I hear here and to report back and to share that information. What I wanted to share a little bit about is my community of Kitchenuhmaykoosib Inninuwug (Anishinaabe) [located in Ontario, Canada] - and I know that most of you have heard our story before - so I can provide details of our position to protect ourselves by following the original instructions that were given to our peoples in our territories.

I really feel that it's important that we talk about the original instructions as part of the discussions and moving forward. As original peoples, we were given original instructions to be self-determining in our territories. It's based on those original instructions that were given to my people that we were able to take the stand that we did to protect our waters and all the other resources within our territory from the invasion of mining companies that want to come and extract all the rich resources that are in our territory. We were able to be successful up to this point to keep those people out of our territories because we decided, as a community, to follow the advice of our elders to follow our original instructions. We were told by our elders that: "[*she speaks in Anishinaabemowin*] [we were given everything that you see around: the water, the animals, all the natural resources, to live and to use those resources and we have not been given instructions by creation to change that. For, as long as we have the moose running in the forest and the waters flowing, and we are still able to down to the lake and take our dipper and drink from the lake.]"

There are not many places in the world where people can do that anymore. As long as we have that, we will survive. We will continue to live because we will live according to our original instructions. We have not been instructed to build a mine in our territory and to allow a mining company to build in our territory. That's why even to this day we still have that position, in spite of all the challenges that we are facing; especially, what they call the "ring of fire", where the mining companies have come together as a coalition to build a chromate mining and other mining activities in our territory. I know that there's been talk about inherent rights and responsibilities. I feel that that's our responsibility to include our original instructions and whatever we do in the documentations. We all have our own original instructions, however they may be, but they are very common for Indigenous Peoples around the world that is: we honor our original instruction.

I also wanted to say that, if there's a meeting to be convened, that I really would like to see more grandmothers from the territories, if they're able to leave their territories to be here. When you're talking about survival laws and all the other ways, we want our young people to survive into the future because we do have those ceremonies, those life giving ceremonies, that we perform for the peoples and for the Earth, and for the universe. We have water ceremonies that not only honor the waters here on this planet, but we also honor the waters that are out in the universe. That's how far our original instructions go: not only for this world.

I just wanted to share that and have a little say to contribute to discussions. I was also asked to say something about how important water is. When I came here, the very first time, when I arrived here, the thunders came over. We were quite honored to hear them come over. When the thunders came over, the water poured. It rained quite heavy. I took my little cup and put it outside and collected the rain waters. With those waters, we were able to smudge plants ourselves because we're not allowed smudge in the hotels or in the buildings. Because we wanted to follow our original instructions to follow what there is to be done in the ceremonies while being here, in this part of Mother Earth, the thunders found a way for us to cleanse ourselves and for that, I am grateful. It's because we were relying on our original instructions.

**Conrad Russel Young:** [*Speaks in cree*] "My name is Kapapamihat, he who flies around." My English name is Conrad Younger. I come from Maskwacis. It's known as Hobbema, Alberta, the Four Nations, Central Alberta. I just would like to thank everybody for their contributions and the prayers. With that, Mr and Mme Chair, I have two comments and a question.

My first comment is in regard to the World's Preparatory Conference I attended in Alta, a couple of months back. I remember one of the Maori ladies discussing a prophecy of the Maoris, and she said, I am paraphrasing: "he who controls the flora and the fauna will control the world in the future." I was really startled and intrigued by that statement. I'm sure it applies here in environmental discussions.

The other thing I want to discuss is in regard to back home the environmental conditions that we are facing in Alberta, within the province and within Canada. This new item that the government is trying to propose through legislation. It is called "Water aids." I'll just read two things from here quickly, citing the legislation:

A "water right" refers to the right of the user to divert water from the water source, for example, a river stream, lake or source of ground water. In Alberta, water right is articulated on paper as a water license which the government issues under the Water Act and its regulations. A "water license" typically defines the amount of water that can be diverted, the timing of diversion, the rate of diversion, the source of water and the other terms and conditions, as well as the seniority of the water right. "Seniority" is determined by the date of the license application and determines who gets the water first, in case of water shortage. A "water right transfer" occurs when a water license holder transfers all or a portion of their water license to another party, which often involves a financial transaction. Generally, a transferred water right maintains the same seniority in terms and conditions of diversion as stated in the original water license because the water right is bought and sold between willing buyers and sellers. The term "water market" is often used.

This is being proposed as a solution to water access and needs. This legislation is putting First Nation's people in a position of liability when I know we are already consistently in a state of crisis, when it comes to water; while, outside the reserve borders where we are situated, mainstream Canadians enjoy all access to water and infrastructure. More importantly, they can afford the maintenance and operations with the money provided by the government to municipalities, small towns and villages. It's only on the reserves that we have these crises to water. Right now, there are a number of First Nations assessing our Treaty right to water. It's so important and challenging at the same time because our leaders don't want to try and

challenge our own Treaty rights in the domesticated courts of Canada. At times, it weakens our Treaty position.

I just want to share, along the lines of what our sister was talking about, back home, our elders talk about our language being self-explanatory. In our history of creation, water, when it introduced itself to man, its name is "Niya Pimatisowin", "I am life". I always remember that because one of my elders said: "Even an atheist would understand that water brings life." My question, Mr and Mme Chair, is in regard to prophecy. I struggle back home with this. How does prophecy provide solution? Because we have all these prophecies I don't know if that's the work we're getting at, maybe it's a personal challenge, but sometimes it deters and detracts progress, when we are trying to develop solutions for ourselves. Just to perhaps add light to Mr. Lyons question the other day "how do we access 7 billion people?" I appreciated you talked about the MOOC because I believe that's the way. One of our solutions going forward is a mass education system and being able to just be open with all this ancient knowledge because it is always a cultural fundamental difference at stake. Thank you.

**Allene Chockie Cottier:** I would just like to make some comments. We had some discussion, last night, addressing that topic: how do you move modern international instruments to the benefit of the Indians? We have to examine why so many of us through generations have protected, hidden or had to hide our spiritual practices and our values and our stories to protect them from being destroyed. We have to recognize that all of the work that's being done over the last 34-36 or 40 years for the rights of Indigenous Peoples of the world and have recognition of that. In some cases, we need to go back and re-valuate why we hid so much of our tradition. Why were we forced to hide and put up so many protections? There are sacred ceremonies that we will always keep in that sacred place. There are sacred things that are unique to our respective indigenous languages and origins and things. There are many many things that are in our stories and in our traditions that we've protected to preserve. I think we need to re-evaluate our preservation practice in modern times.

If we don't find mechanisms of opening those stories to our youth who continue and will continue to be taken away into other environments, we need to give them mechanisms of access, mechanisms of openness so they can learn how to incorporate that story into contemporary life. It's being done and started in some places in the forms of cartoons, storytelling, video games. We need to look at what we had to hold so close for so many centuries, now in places to protect. Now, we have to open it to protect it. We have to open it to teach other people why they should adopt our ways and relinquish what they've been living with in these systems that continue to fail. That's part of reclaiming our indigenous existence in this world and saving our Mother Earth or Father Earth, whoever you title it in whatever region you're from.

For us, it's Mother Earth. We want to preserve our Mother. How do we reproduce if we don't preserve our Mother and all the intelligence that comes with that? We need to find new mechanisms of sharing that information for the preservation of our future generations. When we, as mothers, and fathers talk about teaching and preserving our ways, how can we do that if we don't share it? In the globe, as it gets smaller, smaller and smaller, people is looking at our ways to save their world also, other peoples that are no longer considered indigenous. At one point, in the world, we were all indigenous to our lands and our respective places. Somewhere in the heart of everybody is that desire to preserve for future generations. We can't do that without sharing.

So, we have to discuss now, that we have some contemporary modern mechanisms in place to protect: how we address that and extend it to our traditional values and ways that we had to hide for so long as part of preservation. It behooves us to do such things. One major component that we've had success with is language preservation. So much of our value and we interact with one another and relate is in that language. English language is extremely limited in how



you communicate with one another, how you establish relationships and everything. Now, we have to move forward with how we open up these things for the world. That is also in the name of our own preservation. My own thing with this, to my heart is that we can't preserve until we do a whole 180° turn back to when the others who have lost their indigenous heart start functioning under our system again. Instead of trying to kill us and pull us into their system, we have to pull them into ours. That's the future we're fighting for. Thank you.

**Clem Chartier:** Thank you, Mr. Chair. In dealing with the topic of environmental conditions and the 1977 first meeting, as a law student in the summer of 1977, I went back to my community for a summer project. In that time, they were beginning to have hearings on the opening of uranium mines in North Western Saskatchewan. I'll just say North Western Saskatchewan basically is comprised of some 14 Métis villages and 8 First Nations reserves. "First Nations", for those that aren't aware, are Indian people. There was great concern by our elders, First Nations and Métis elders, and traditional resource users that this was going to disrupt our way of life. We had a three day camping conference in our lakes. We could still drink from our lakes, but more and more they were becoming threatened. Of course, our position taken was that we were opposed to uranium development, uranium mining, exploitation, but, of course, we were at the losing end of that.

Some 30 years later, again, coming to our communities is an organization known as the Nuclear Waste Management Organization. Basically, they're looking now for safe storage of uranium waste. People are saying (the majority of uranium comes from North-North West Saskatchewan): "Well, let's put it back where we took it from." They took it from a natural state. Now, it's been contaminated, it's been altered and it's much more dangerous. They want to bury it there. From the opening of the mines, many of our people got jobs there. A lot of cancers developed as well, but you also have now an expression of interest from one First Nation's reserve and one Métis community. That's dividing our people again. We now have a group of elders that are fighting against that. It's pitting our communities against each other.

Also, since then, we've had Four Spree exploitation developing. Basically, North West Saskatchewan has the Indian reserves, First Nations have gotten together and formed a corporation called Mystic Management so the white man and the government gave them the force management license agreement for them to exploit the resources themselves. In the early 1990s, there was a group called Protectors of Mother Earth again led by First Nations elders and joined by Métis traditional resource users. Again, after about a year, they were arrested and marginalized.

These things have gone forward and those issues are still there, these forced issues are still there. What's happening is, of course, it is affecting the environment. We've noticed now there's less birds, the fishes have been contaminated. We are seeing climate change and it's very visible, even from myself as a relatively still young person. There's acid rain. In the seventies, we complained a lot from acid rain coming from the Tar Sands. What they did is they built a stack higher so it blows over us and blows somewhere else. We still get that. Those issues are still very important to us and we still need to look at that.

I won't go to much more into that, other than to say now, in my country, Canada, the government has now shifted its focus from developing in fact aid to economic development. Their whole shift just did away with the Canadian International Development Agency (CIDA) and have added it to foreign affairs as the Department of Foreign Affairs and International Trade and Development. Basically, they focus now in Latin America or in the Americas, but basically Central and South America. They recently are in the process of creating an institution, arms linked of course - I think there are two universities who may have gotten the contract - to look at assisting corporations in South and Central America to get to know the communities better and to bring the communities on stream so that they can begin to exploit those resources.

We're facing these kinds of things by our governments or State governments as well. The Assembly of First Nations and the Métis National Council, which I represent, working with CONAIP<sup>33</sup> in Peru, and with CICA<sup>34</sup> in Central America, had a workshop on extractive industries in Tinta, Peru, last November. We did use the EMRIP report, we did use the Special Rapporteur's report and we started talking about these issues. There are many issues, in Guatemala for example, I hear that a lot, in Peru, in other countries and in Canada of course, as well, we have major issues. So, I fully agree with Oren Lyons speaking about the need for us to get together using the laws of nature and whatever other laws that can help the instructions that were passed on. We need to begin to develop strategies to be able to combat these forces that are destroying our environments. I know in my community we want to continue eating ducks. We want to continue to be able to eat the fish and we want to continue to be able to drink the water directly from the lakes and rivers. Thank you.

**Q"apaj Conde:** Gracias, Señor Presidente, por darme la oportunidad de intervenir en este punto. Primero, quiero agradecer la excelente exposición del hermano mayor Mike Myers, quien creo que ha inspirado el debate que ahora estamos teniendo. Simplemente, quiero retomar el punto de debate que creo que fue planteado a partir de la protección de los derechos de la Madre Tierra. Mme Chair Chockie, hizo el énfasis sobre la protección contra las patentes a recursos genéticos. El foro, las agencias, dentro del sistema de Naciones Unidas, donde se discuten esos temas son CBD, FAO y la OMPI. Simplemente, quiero recordar al Simposio de que la OMPI está dispuesta a recibir a un grupo de cinco personas que el Simposio pueda nominar para reunirse con el director de conocimientos tradicionales de la OMPI y exponer sus preocupaciones. También mencionar que la OMPI, lo único que hace es proveer el apoyo secretarial a miembros Estados de la OMPI. Son los Estados quienes toman las decisiones y dan la línea directriz a la OMPI. Sin embargo, el Comité Intergubernamental sobre Conocimientos Tradicionales ha expuesto que uno de los *stakeholders* más importantes sobre conocimientos tradicionales son los Pueblos Indígenas. Se trata de impulsar la participación de Pueblos Indígenas en estas negociaciones. Lamento la informalidad de esta comunicación, pero, para la tarde, en esa mesa de allá, voy a traer información relevante sobre el trabajo que se viene haciendo, sobre el Comité y otras formas de participación dentro de la OMPI para Pueblos Indígenas. También aprovecho esta oportunidad para anunciar que la OMPI, en el mes de diciembre, realizará un taller práctico sobre conocimientos tradicionales y propiedad intelectual. También estará ahí, en la tarde, una descripción de qué es el taller, cómo aplicar. El taller está dirigido exclusivamente a Pueblos Indígenas y comunidades locales. Se podrá financiar la participación de dos participantes de cada una de las siete regiones socioculturales reconocidas por el Foro Permanente. Como han visto, estoy participando en el evento. Si hay inquietud de alguna persona en tener mayor información, estoy dispuesto a compartir cualquier información. Gracias, Señor Presidente.

**Natalio Hernández:** Agradezco por la nueva oportunidad de tomar tres minutos y compartir alguna reflexión sobre el tema del medioambiente. Quiero decir que, desde hace 10 años, soy profesor de la Universidad Nacional Autónoma de México, la UNAM, con el tema de educación intercultural para todos. Desde esta perspectiva de diálogo de saberes, de diálogo de conocimientos entre nuestros pueblos y la sociedad mayoritariamente occidental, o sea, una sociedad urbana con pensamiento occidental, debo confesar que, al principio, me sentía muy raro. Muy raro en un ambiente universitario en donde el modelo educativo parte de un modelo occidental de pensamiento. Un paradigma, digamos, occidental en la formación de los universitarios. Diez años después, siento que me he reencontrado y estoy más con la confianza de ese es el camino correcto.

<sup>33</sup> CONAIP - Confederación De Nacionalidades Indígenas Del Perú.

<sup>34</sup> CICA – Consejo Indígena de Centro América.

A partir de la experiencia que yo les comenté de este proyecto de desarrollo que estamos llevando en la comunidad son cinco líneas de trabajo: la línea de la danza y el canto; el cultivo tradicional de los productos para mejorar la alimentación; la antigua palabra de los mayores para reencontrar nuestro conocimiento y nuestra sabiduría ancestral. Yo estoy convencido, ahora, 10 años después de hablar con los jóvenes universitarios que no son indígenas. Muchos de ellos se reencuentran. Han empezado a buscar el pensamiento de sus pueblos de origen. La mayoría de los jóvenes que van a la universidad también tienen raíces indígenas, provienen de un pueblo indígena, sus abuelos hablaron alguna de estas lenguas que se hablan en nuestro país, en México.

Todavía más, al venir acá, a este simposio, me regalaron accidentalmente un libro que se llama *La relación hombre – naturaleza*, que es una antología de textos de un grupo interdisciplinario. Ellos dicen: “Nosotros no vamos a hablar de la interdiscipliniedad del conocimiento, sino de la intradiscipliniedad del conocimiento.” Hay un sicólogo, hay un lingüista, hay un biólogo, hay un antropólogo, tratando de explicar cómo el conocimiento tradicional también es ciencia. Dicen: “Nos damos cuenta ahora que todo nuestro desarrollo de pensamiento es un pensamiento occidental que no nos permite ver [todos ellos son mexicanos] el conocimiento ancestral mesoamericano sobre el que se desarrolla la sociedad mexicana contemporánea.” Esto termino diciendo: me da una luz de esperanza para seguir en el camino que Chockie nos ha planteado, a raíz de la pregunta del hermano joven que viene del Canadá. Muchas gracias.

**José Carlos Morales:** Muchas gracias, Natalio. Esos son de los buenos caminos o rayos de luz que se encuentran a veces en todo este complejo tan grande que nos afecta desde el punto de vista medioambiental y la libre determinación, etc.

**Marjorie Dressyman Lavallee:** [*She Speaks in Nēhiyawēwin (Cree)*] Good morning, my relatives. I am very honored to be here. My name is Marjorie Dressyman Lavallee and I am a Cree grandmother from Red Pheasant, Saskatchewan, Canada. I had a question and a comment.

First of all, I wanted to say that, as when I first came in 1977, we came to fight for our rights as Indigenous Peoples of the world. I was very young at that time. It was a new beginning for me to come on my journey as an educator to help our people back home and around the world. We know that, as Indigenous Peoples, we all need our liberty, our freedom and our economic self-sufficiency as a way of life to survive. When we look at those three goals for our survival, we say “pimatisiwin”, “the ability to make one’s living”, “tipayimisowin” is the freedom and liberty and “tipeywatisiwin” “independence”. We know that’s what we need to survive as an Indigenous People of the world. Coupled with our traditions and spiritual values that we need to follow, as my sister here has reiterated that we have to know the role of each and every one of us as we journey on in this world and we’re getting older. When we came, in 1977, I was very young and I was just starting on my journey as an educator.

Today, I have reached the age when I feel I am recognized as an elder back home and as a leader in spiritual teachings. I know that I am getting up in age. I am questioning, when we look at that title of our Symposium: “From the experiences of the first delegates to the empowerment of the younger generations.” How are we going to groom our young people to be the best that they can be in this world? We talk about making our young people the gems that we want to emulate all over the world. What are we going to do, when we as the elderly are going on into the happy hunting ground? Each and every one will take our turn going, that’s a reality. We know that. We have been given so many number of years to live here on Mother Earth. How do we prepare our young people to follow that path and the dreams that we have? So when we talk about all these wonderful things that we want to do, how are we going to empower our young people in our communities?

As an educator, it has been very difficult for me to have all this information in front of me to teach our young people, to make the information available. As one person, you can only do so much. My question, when we look at that title of this, what do we envision for the future of our people, the lineage that we are going to leave to our younger generation? We should make all of this information available to each and every community in this world, for our younger people; not only our younger people and our leaders that are currently leaders in those communities so that they can help empower their own community members as well to make them aware and to be conscious about what's happening here. Consciousness is survival. We all need to be aware of what's happening. For the future of our young people, we have to groom our young people to fight for their rights after we were long gone. How do we do that to be successful in our goals and reaching our goals as indigenous leaders and Indigenous Peoples? Also to make sure that our young people are not losing sight of our spiritual values that we have to. [*She speaks in Nēhiyawēwin (Cree)*] That's number one.

**Michael Eckford Aka Anderson:** Mr Chairman, Mme Chairman. I just simply wanted to say that in the last three years, I've been working with a group of non-aboriginal people who come out of Canada, America, New Zealand and South Africa. They've been working on putting together a whole series of mechanisms to include in this climate change discussions. That's about Earth law. They've been working and stumbling around to try to understand what is Earth law. They first started calling it "wild law" and my response to them, two years ago, in an international conference in Brisbane, Australia, was that: "Only non-aboriginal people see nature as wild." I asked them to change the title because we are not wild. This is not wild. So they have. They are working towards creating laws around the country, around the world to include the recognition and create laws for nature. It's just something that I think we might direct ourselves to in the future, because there is a very big group now of academics throughout the world working and trying to establish laws for nature and getting that recognized. They are coming out of universities. They are academics, legal people, people in various professions. I've been involved with them for three years now. They have a conference in Australia at the end of this month. I think that's something we might like to tune into and to contribute to. Since we have these people working towards this, I think it's a good idea that we locate with them.

## **Message from Vladimir Sanghi, First Delegate of Russia**

### ***Mensaje de Vladimir Sanghi, Anciano de Russia***

**José Carlos Morales:** Muchas gracias al hermano. Para finalizar las intervenciones de este mañana vamos a darle la palabra a Bill, que tiene un mensaje que darnos sobre una carta.

**Bill Means:** This message comes from Vladimir Sanghi, who is from the Russian Republic. It says:

*"To the Symposium of the Indigenous Peoples, United Nations, Switzerland, September 10th to the 13th, 2013.*

*My dear comrades and veterans of the world movement of Indigenous Peoples!*

*Dear young generation of Indigenous Peoples of the world who are to inherit their Father and Mothers' achievements in the movement of their peoples into the state of self-government and autonomous existence,*



Thursday, September 12, 2013 / Jueves, 12 de septiembre 2013

*I accepted the invitation to participate in this Symposium with enthusiasm, especially because I have something to say, something I would like to share. However, a sudden illness has forced me to stay in Moscow.*

*It has been six years already since that eminent day when the United Nations General Assembly adopted the Declaration on the Rights of Indigenous Peoples, which gave all Indigenous Peoples, without a distinction of their place of residence, the same and equal rights for their development. It should be noted that all continents and all countries do not yet successfully enjoy all of the Declaration's postulates. Today's Symposium will contribute to the introduction of useful experience of different Indigenous Peoples in the fulfillment, within their communities, of their rights affirmed in the Declaration. However, it is worth stressing that a huge percentage of the indigenous population has no strongly developed political views. And I insist it is necessary to teach them according to the following principle: seeing once is better than hearing twice. It's important to organize seminars and trainings for representatives of different Indigenous Peoples in the countries where the local Indigenous Peoples have already created their developed autonomies. For example, in the last working years of the UN Working Group on the Declaration, together with social figures and chiefs of practically all the tribes, an Inuit Autonomy was created in Canada. It would be of great use for the other Indigenous Peoples, who up until now, have not yet managed to realize the postulates of the Declaration in their territories - for instance, the Nivkh, who have lived in the Sakhalin Island for thousands of years - to meticulously study how the Inuit people in Canada resolved the self-determination issue. They might learn how their autonomy provides them the renaissance of their ethnic identity, the renaissance of their spirituality, their language and ancestral hearts, their traditional right to ancestral lands, the provision of ethnic education and up-bringing of children, the economic and social development, the creation of the self-determination mechanism and hierarchy and the interaction of the federal organs of state power.*

*I wish success to this Symposium!*

*Vladimir Sanghi*

*Founder of the Social Movement of Low Number Indigenous Peoples in Russia*

*Founder and first President of the Association of Low Number Indigenous Peoples of North Siberia and Far East of the Russian Federation*

*Honorable President of this Association*

*Chief of the Nivkh tribe*

*Writer*

I would also call the attention for the honoring of Jimmie Durham, Cherokee, who could not be here due to health reasons. He was one of the founders of this conference, in 1977, who came to the NGO community, here in Geneva, asking that an Indigenous People's conference takes place in the future, which was realized in 1977. Again, we must acknowledge the FBI for interfering with our Symposium here. It couldn't be anybody else. [*Laughs and applause*]

**Allene Chockie Cottier:** OK. I'd like to make an announcement before lunch. At 2.00pm, by the globe outside of the cafeteria area, out on the grass, will be the formal photo of all of the participants. Please finish your lunch and get out there by 2.00pm, so that then we can get back to our afternoon discussion that I think will be very good. Some people may want to discuss resolutions and some things that take specific kind of activities. Please, be efficient with your time and we'll see you after lunch. Thank you.

**José Carlos Morales:** Gracias a todos. Creo que quedó pendiente algunas cosas que los compañeros reunidos anoche querían exponer en esta sala, pero podemos quizás complementar esta tarde.

**Nilo Cayuqueo:** Queríamos comunicarles que, en base a la reunión que hicimos anoche, lamentablemente - no pudimos estar todos - se hizo un borrador con algunas propuestas de esta conferencia. Es una síntesis de lo que se discutió acá, pero con algunas propuestas. Está en español. En la tarde lo discutimos, es un documento, un borrador.

**Oren Lyons:** On the issue of Treaties and agreements, since the Haudenosaunee were on the East Coast of North America, we were one of the first peoples to meet the invasion of Europe. A consequence of that was that we have long long relationships, many many Treaties, many discussions and hundreds of years of meetings. The earliest meeting was with the Dutch, in 1608. Henry Hudson, who was an English captain on a Dutch ship came up through what is now (they named it) the Hudson River. Our name for that river is the “river that flows in both directions”, because with the tie that comes in from the ocean and all the way up, 100 miles up. Anyway, he came as far as he could with his ship, on this river, and then greeted our people with the Mohawk, on the Eastern Door of our Confederation, and later, in 1613, another ship came, a Dutch ship with two Dutch captains.

We made an agreement then. That agreement has been our “grandfather of all Treaties” afterwards. In that agreement, we said that we would tie their ship to our shore and that we would work with them as friends. We decided, at that time, that we would call one another “brother”. We said: “How will we greet one another?” They wanted us to call them “father”. We said: “Well, although fathers have a very strong love and relationship, they also have the authority and the responsibility to chastised.” We considered that brother was so much better and they agreed. Thereafter, you will see in all of our discussions and theirs as well, we addressed each other as “brothers”, on both sides.

That was 400 years ago, this year. To commemorate that agreement, we gathered our two rows, our non-native brothers and sisters one row of canoes and our canoes here and we went down the Hudson river. We went into New York City, which 400 years ago was New Amsterdam, and we met the Consul General of the Kingdom of the Netherlands. He officially greeted us. We shook hands. A 400 years old handshake took place. For our documentarian, who has been very active as you can see, we’ve engaged her to be with us for the next two years to document all of these events that are going to be taking place which include the World Games in Denver, where the Iroquois nationals will be playing to the rest of the world as well in Lacrosse. Anyway, here we are. Gwendolen Cates did four segments, six minutes per motion and she’s going to show two. She’s going to show the first and the last to give you one idea what this was all about.

Here is the link of the video: *El enlace del videa está aquí:* <https://vimeo.com/78230758>  
**password: wampum**

**Allene Chockie Cottier:** I want to thank you very much and your nations for that presentation because you have always been in a position of earliest contact and the hardest fighters for our rights. You continue to play that role as we go through this struggle to continue to be remembered and take back our role in maintaining Mother Earth in our societies. Thank you very much. I have one announcement or reminder. If you haven’t already filled this form, please do so and turn it in over in the corner so that they can include your name as a participant on this conference when they start publishing all the names and activities. We will move directly. We’re running short on time again, but for good reasons. We’re doing good work. We have one more working group. It’s called “The evaluation of the situation of the Indigenous Peoples in the world and the role of the UN: accomplishments, failures and examples of successful practices.” We have no specific presentation. Is everybody clear on the topic? I think there were some others who wanted to include something?

**Evaluation of the situation of the Indigenous Peoples in the world and the role of the UN: accomplishments, failures and examples of successful practices.**

***Evaluación de la situación de los Pueblos Indígenas en el mundo y el papel de Naciones Unidas: logros, fracasos y ejemplos de prácticas exitosas.***

**Dalee Sambo:** Thank you very much. First of all, I am Dalee Sambo Dorough from Alaska. I apologize for not being here for the extent of these morning discussions but, actually, I think that my comments will probably move us right into this discussion about the United Nations and the responsiveness to Indigenous Peoples. I understand that earlier today there were some comments with regard to the status of the UN Declaration on the Rights of Indigenous Peoples. I think that, from my point of view, a little bit of context and background with regard to that could be useful. I have been involved with the human rights standards setting, not only here at the United Nations, but I was also involved in the two year revision process of the ILO Convention, both in 1988 and 1989. Willie, the other day, made reference to the principles that were delivered to the Working Group on Indigenous Peoples, in 1985. Those principles arose out of the 1984 World Conference on Indigenous Peoples that was held in Panama City, Panama. I was a part of that small drafting group, in preparation of those principles. Indeed, they were delivered to the Working Group in 1985. Since that time, I have sustained my direct participation in every meeting related to the UN Declaration on the Rights of Indigenous Peoples, on behalf of my people, the Inuit, throughout the Russian Far East, Alaska, Canada and Greenland. I also participated in the work at the Organization of American States, but, more recently, have not been directly engaged. I was pleased to hear the comments that were made by Willie the other day about some of those standards that have emerged in the OAS context.

Very quickly, I think it's important to draw attention for all the participants here to the recent expert commentary by the International Law Association concerning the UN Declaration on the Rights of Indigenous Peoples. The International Law Association is very easy to find in internet: [ila.org](http://ila.org). The International Law Association created a committee on the rights of Indigenous Peoples. This was initiative by James Anaya, who was a member of the ILA and subsequently resigned from chairing that ILA committee because he had been named as the UN Special Rapporteur on the Rights of Indigenous Peoples. It would have been seen as a conflict. I was invited to be a member of that ILA committee and the reports are extremely useful and both reports of the ILA can be found on the ILA's website. They have two reports. One that was adopted at our meeting, at The Hague, and the final report, adopted in Sofia, Bulgaria.

This is the first international legal commentary on the Declaration on the Rights of Indigenous Peoples. The intent is to inform the international legal community, but also the international community, generally, on the rights and standards contained in the Declaration. The committee involved not only indigenous persons like myself, but also international legal scholars from across the globe. Again, just quickly, there are some key provisions that do correspond to existing State obligations under customary international law. Though it can't be argued that the whole of the Declaration from its first preambular paragraph to article 46, in its entirety, represents customary international law; however, it's absolutely crucial to state that there are key and important provisions that are in fact a part of the body of customary international law and representing legal obligations by State governments around the globe. Quickly, those particular provisions, first of all, the right of self-determination, are understood to be customary international law. So, the language of article 3 in the UN Declaration on the Rights of Indigenous Peoples does in fact represent a principle in customary international law. It's important to point now that self-determination is one whole right. In the Declaration negotiations, States tried to split the right up and create a false dichotomy between internal self-determination and

external self-determination. We, as Indigenous Peoples, effectively countered those arguments and expressed accurately and intellectually on this fashion that the right to self-determination is one full right. We exercise it internally amongst our own people, but also we exercise it externally in fora such as this. Our engagement with the United Nations over the past 30 years is another expression of our external exercise of the right of self-determination. Also, in terms of customary international law, principles autonomy, self-government, and everything that we do in our internal affairs (how we organize ourselves in terms of political institutions, how we express our responsibilities to one another as individual members of a larger collectivity) that expresses the right to self-determination.

Again, an important principle in terms of international customary law related specifically to the right to self-determination is free, prior and informed consent. This too is a principle of customary international law. Another key provision or set of provisions within the UN Declaration is the affirmation, respect and recognition of our rights to lands, territories and resources. When you think about customary international law, we're really talking about the fact that States behave in a particular way vis-à-vis these obligations. No one can argue with the fact that States across the globe have in fact dealt with Indigenous Peoples rights to lands, territories and resources. A perfect example is what we just saw on the screen with regard to the first treaties of the Haudenosaunee. Again, in terms of State legal obligations under customary international law, all of those provisions within the UN Declaration on the Rights of Indigenous Peoples related to lands, territories and resources are within this purview of customary international legal principles. Also, collective rights. Finally, the right of Indigenous Peoples to reparation, to redress, to recourse. This is an important area in terms of customary international legal principles, because we all know that many of us have been disenfranchised in terms of our rights to lands, territories and resources, among many many, many other rights.

I just wanted to say a couple of things also about the corresponding obligations. We know that one of the key issues with regard to the standards, including the customary international legal principles that have been embraced by the UN Declaration on the Rights of Indigenous Peoples, is implementation, actual "operationalization" by States. It's a key area that we need to continue pressuring in assertive and aggressive fashion: States to be responsive to. I think that this forthcoming World Conference on Indigenous Peoples is an important venue to highlight the shortcomings as far as implementation of the Declaration standards and also to press governments with regard to their existing legal obligations in the context of customary international law. I wanted to highlight those particular points. One of the things that is going to emerge in the next session of the Permanent Forum on Indigenous Issues is the theme of good governance. If you think about the need for implementation of the Declaration standards and the key principles of good governance, the pressure, the owingness, the burden, the responsibility is upon States. Not necessarily the United Nations as one big, sometimes, faceless international organization, but moreover out there, on the ground, within State capitals and the opportunity for real dialogue between Indigenous Peoples and respective Nation-States.

Two other quick comments. The statement that was read out by Bill earlier, from our brother, Vladimir Sanghi: He made reference to Nunavut and the Canadian Inuit land claim agreement which is, in fact, a modern day contemporary international treaty that purportedly is afforded constitutional protection in Canada. I want to point out that it might not necessarily be the model because it is actually an agreement that endorses public government and not specifically indigenous self-determination. The structures that were put in place are of a public government nature. I think that's important to state. Though the provisions of Nunavut are incredibly extensive and comprehensive in terms of affirming rights to lands, territories and resources, affirming rights to hunting, fishing and gathering, affirming surface and sub-surface rights, and so forth; those are significant things, but the indigenous communities and the world community should know that the government of Canada has not held up its end of a deal with regard to the provisions in Nunavut. The Inuit have had to file a legal case against the Canadian government for abrogating its treaty obligations. For some of these reasons, it's not really the perfect model.



However, I would like to point out that the Labrador Inuit Land Claim Agreement may, in fact, be one for at least those indigenous communities in other parts of the world that are seeking templates and models to study and take into consideration when redefining their relationships with States. The reason why I point to the Labrador Inuit Land Claim Agreement is because it is an indigenous specific agreement in terms of their right of self-determination as Indigenous Peoples, not public government. It affirms their rights to lands, territories and resources, both surface and sub-surface. It affirms and entrenches in law their harvesting rights, their rights to a wide range of internal as well as external self-determination. One of the elements that is quite significant about this land claim agreement is that it affirms the right of the Inuit to the 12 mile territorial sea of the coast of Labrador. This is, to my knowledge, other than the Maori Treaty of Waitangi and Greenland (there are few other examples in terms of coastal territory), consistent with the provisions in the UN Convention on the Law of the Sea. The Labrador Agreement does in fact confirm the right of Inuit to the coastal areas. This is, from my point of view, highly significant. Especially, when we talk about environmental issues, as we did this morning.

On that note alone, I think that it's important to recognize that, as far as the Arctic is concerned, there are extraordinary and dramatic changes that are taking place just by virtue of climate change. Inuit have tried to put the indigenous human rights face to climate change at center stage. I think that the former chairperson of the Inuit Circumpolar Council, Sheila Watt-Cloutier, was most effective in doing this, in putting the human face to the adverse impacts of climate change and other environmental issues, in place for the world community. It's scary to think of what's going to take place with regard to the Arctic, the melting sea ice intersecting with the interest of multinational corporations and the Arctic Rim Nation States with regard to shipping, minerals, oil and gas development. (I could go on but the chairs give me the time out sign). I just wanted to point out that these are very serious issues that are not solely going to affect the Inuit and the Arctic, but as the Earth's barometer for climate and a wide range of other things, it's going to affect all of us indigenous coastal communities, indigenous communities in interior areas. Whatever role that the Inuit, Saami and other Arctic Indigenous Peoples throughout the Russian North can play in linking arms with others to counter some of these issues or draw attention to them. I think the Inuit, the Saami and the Russian Indigenous Peoples are willing to make those contributions and further outreach in the area. Thank you. *[Applause]*

**Clem Chartier:** Thank you, Madame Chair. I think there are a number of mechanisms in place, such as the UN. Dalee's offer of cooperation. I know we have myriad issues that we could be addressing specifically. I think it's a good opportunity to discuss how there can be further interaction and action taken by Indigenous Peoples. At the UN level, we have come a long way since 1977. I experienced a lot of it. A lot of it has mentioned, so I won't go over that.

I, however, since 2005, began concentrating more in the Americas and engaging in the Organization of American States. I started attending General Assemblies since 2005. What I've noticed is that we've put practically all of our eggs in the UN basket, although, as Dalee mentioned and as Willie referred to, there is a process right now within the OAS on a draft Declaration on the Rights of Indigenous Peoples of the Americas. It's going very slow. In fact, those countries, particularly Canada and the United States, who initially did not support the UN Declaration took the position that they'll seat at the table, but they will not engage because the indigenous participants supported by most governments said they will use the UNDRIP as the minimum standards in developing the Americas' one. Canada and United States says: "Well, we don't support it, so we can't engage." Even though they've come out with support, limited support with conditions of the UNDRIP, they're still not engaging at that table.

I believe that we should be engaged more, similar to the Inuit Circumpolar Conference. They are concentrated on specific issues. I believe we, Indigenous Peoples in the Americas and the Caribbean, must pay more attention to what's happening in our backyard. The OAS is made of

governments. At their General Assemblies seat foreign affairs ministers. It's actually a governmental body that meets. There's no opportunity for us to make interventions and to lobby. In that respect, I should also mention, they also have the Summits of the Americas, which formally met every 4 years, but now meets every 3 years. The last one was last year in Cartagena, Colombia. The next one will be in Panama, in 2015. In the past, there was a companion form of Indigenous Peoples meeting that made a presentation to the General Assembly of foreign affairs ministers. That happens once every (back then, four years) now every three years. That's not enough. The OAS has been trying to get us more involved, but they want us to join as civil society. We are there saying: "No. We don't want to join as civil society. We want to be recognized as Indigenous Peoples, Nations and governments with our own space to make presentations at general assemblies." Currently, they have space for civil society, the private sector, workers, labor and youth. So we say: "We want our own space." They've been resistant to that, but we have to continue pushing that.

Since 2005, I think I missed one, but at most of those sessions, I am the only indigenous person there. There might be several more, but as part of employees of governments. Our voice is not there. Because we are not there, they don't take our issues too seriously. Last year, they did not hold this session on the points of consensus and negotiations on the draft because they had no money. In June of this year, in Antigua, Guatemala, I was there. They did pass a motion again, similar to the one last year, saying they will hold at least one between now and the next assembly, pending resources. Last year they didn't hold it, they said because of money. They may say the same thing again this year. It might just die unless we say: "No. It has to be done." We can't say that unless we are here. Next year's session, next June, is in South America, I think it's in Paraguay but I'm not quite sure. Those of us that are active in the Americas and Caribbean need to make a more concerted effort.

Since about 2005, I've been meeting with various leaders as I traveled through the Americas, putting up the notion that we should -we can't resurrect the World Council of Indigenous Peoples, the indigenous world is much to large now- but at least in the Americas, similar to the Inuit and the Sami, they have a regional body, there is no reason why we can't have a regional body for the Americas and the Caribbean as other Indigenous Peoples have regional bodies elsewhere. Those bodies could meet, maybe once every ten years. Regionally, I'd like to see us, again, in the Americas, form some kind of indigenous leaders forum of the Americas, whatever we want to call it, and have a permanent establishment. Something that will replace the role of the World Council of Indigenous Peoples used to play. Two years ago, we set up an organizing committee made up of the Assembly of First Nations, the Métis National Council, CONAIP in Peru and CICA in Central America. We're trying to find ways and means to get this going on. One of the initiatives we undertook which I mentioned earlier today, was a seminar on extractive industries in Tinta, Peru, by Cuzco, last November. We continue to look at ways to continue to try to formalize some kind of structure where we can bring our thoughts and ideas together, share information and ensure that OAS recognizes us and creates a space for us within that system. I believe, in addition to what is happening at a global level, we need to concentrate as well in the regional level. Thank you.

**Kenneth Deer:** My name is Kenneth Deer, Mohawk. I haven't said anything until now, because I came here to listen to all the old people that were here before me. I just wanted to hear from those of you who were here in 1977 and all of the things that happen before that and since that. I've been involved since 1987. I've come back every single year, ever since '87 until the present. I've been here consistently. I am still amazed by all the stories that I have heard things that happen before I ever got here.

Since we are talking about achievements, I just wanted to relay what I see, what was successful here. People look at the Declaration as a successful campaign. There are things that went well and some things could have gone better. There are three things I want to reinforce. One is, when Indigenous People came here and continue to come here, it was always very important

that our delegations were varied, in a sense that we had lawyers, we had chiefs, activists, we had elders, women and we had youth. All of these things, I think, made our delegations successful in the broad range of thinking. We didn't just rely on lawyers; we did not rely just on activists. We had to have the elders, to have the woman and to have the youth, who sometimes challenged us, there. All of those things together made our delegations effective. It also impressed States. I remember people bringing their babies to the UN, until they didn't allow children under 12 or 16. We had a very much holistic delegation coming in. That was very effective. Our delegations were different from other delegations, from other interest groups and certainly different from States. I thought that was very very successful and gave us balance and a broader view of issues that we had to cover.

Related to that is what was being called the Indigenous Caucus. It was really called the "Indigenous Peoples Preparatory Meeting", when I started coming in the 1980s -all of you remember that- the Indigenous Peoples Preparatory Meeting used to meet for a whole week before the Working Group on Indigenous Populations to top our strategies and text for the developing declaration. I think, when I came, in '87, there were 12 articles. By the time I left that year, there were 18 draft articles. The work that was going on with Indigenous People to try to work by consensus with all the different, various, people from around the world speaking in different languages, coming together, coming into agreement, coming into consensus of what we wanted to see in the Declaration. What kind of text we wanted. What we wanted the Declaration to say. It was an amazing feat. We had some difficulties from time to time. I remember when we didn't have much money, we had to use volunteer interpreters. We wondered why English speaking were going in one direction and the Spanish speaking were going in another direction. We wondered what was wrong. We realized that interpretation wasn't that great. People had good hearts, but you make one wrong word and you're going in two different directions. It caught suspicion between the two language groups. It took a while to figure that out. That was part of the learning experience. That's why we have professional interpreters now. It's necessary. You have got to have good interpretation if you want to work together effectively. It was a valuable lesson to learn. That's why we need Docip and IWGIA, and all these to supply us with those things. That was an important part, when the NGOs made their presentations, they played a very very valuable role. We didn't bring interpreters with us. We didn't bring photocopiers and scanners and computers, at that time. I remember one year, in 1989, we were the first delegation that brought a laptop with a battery that weighted like 25 pounds. We worked in the corner. Today, things are different. Communications are faster, instant and sometimes you don't have to be here to have an impact on the situation.

The Caucus can be rough at times. We had different points of view, different ideas of strategy, of should we go right, or left or up or down. There were some really hard meetings. What brought us together is that we all had common problems. We were all colonized. We were all dispossessed and disempowered. That's what held us together. A tremendous amount of solidarity was built around that. Because we had common problems, we had a way to find common solutions and work together. That was what was successful about the Caucus, although it wasn't perfect. When you get hundreds of different indigenous nations you're bound to have differences and difference of opinions and different world views. The suffering was common and that was what held us together. It was so effective that today other interest groups are copying the Indigenous Caucus.

I was interested to hear what Oren Lyons was talking about how we watched the women, how did women get their empowerment in the UN system and ended up with a World Conference. We said: "Gee, we should do that too." We did. Now, people (in the 80s, early 90s) were telling us: "Indigenous People don't have the right to self-determination. This declaration will never see light of day. It will never pass." Yet, we got it through. It took a long time, but we got a declaration that says (article 3): "Indigenous Peoples have the right to self-determination." That took a hard work, lot of work. Other people are saying: "How did they do that? How did the Indigenous People get a Declaration? How did they get a Working Group? How did they get an Expert Mechanism? A Permanent Forum? A Special Rapporteur?" Other people who are look-

ing at us says it's because of the Caucus, because we had a caucus that actually worked. Other special interest groups don't work that way. They all come to Geneva separately with their own agendas and the only time they meet is at the UN meeting itself. They didn't caucus for one week or two days before. That's what we did. That was what was different. That was successful, successful modeling. Every major UN meeting that deals with indigenous issues always has a caucus now. Before, there was only one meeting, WGIP, now there are many, but all of them have caucuses. That's a successful model.

The other point that I thought was very successful about Indigenous People in all of our campaigns is that we hold the high moral ground on these issues. We're the ones that were colonized, dispossessed and disempowered. We are the victims of Nation-States and corporations. That's our strength. We have the high moral ground on all of these arguments. We don't need terrorism. We don't need extreme acts of violence to prove our point. It probably weakens our point if we ever go in that direction. Everybody knows that we have the high moral ground. That's what scares the *living* hell out of States. Especially, countries like United States and Canada because they know that. I always tell the story about the debate on self-determination in the Working Group on the Draft Declaration. I was at this reception where this representative from the Brazilian government came up to me while I was at the buffet table and said: "*Monsieur Deer, I can understand why you're passionate about self-determination, because you have the moral argument on your side.*" I thought for one second and I said: "*Does that mean you have the immoral argument?*" He hesitated for a minute and said: "*Yes.*" They know they have the immoral argument and that we have the immoral argument. That's the strength for us. We should never give up the high ground, the moral high ground. I think that's why, when we continue, we don't have to play games. We don't have to lie. Sometimes, the truth hurts. I am not saying that everything we have done is good. We've massacred people, once or twice. We can't deny history. We still, no matter what happens, have the high moral ground over land, territory, identity and all of these issues of self-determination. We have the high moral ground on this. All we have to do is defend the moral ground. That's our strength. We may not have power, but we have strengthened, we have a far better moral position than the States that we have to deal with. I just wanted to share that. I think those are our strength. That's what I've learned over the last 26 years. Thank you.

**Allene Chockie Cottier:** Thank you very much. I think having been here since the beginning, I am in total agreement. We, amongst ourselves, have shouted and debated and argued and laughed and cried. It came for good reason. The indigenous way of working, including our children, our women, and our elders, foremost in our minds is removing in a contemporary world, in a contemporary way of dealing with issues and, especially, when you come to the United Nations.

I just want to share one thought that crossed my mind when speaking of the regional separations that are forced upon us by these different national and international organizations. The pollution that is affecting the thawing of the polars caps and all of those things, that pollution comes from the center of the world, when you follow the tides and the currents. We need to look at how we maintain our regional representation with our unique issues in our regions. We each have different histories and agreements that we have to comply with, layered on top of the international agreements. Our unity is our strength. Where does waters from the Equator carry the garbage of the world up to the caps, they contribute to the destruction of the people there. That affects all of us. We have to find ways of working together and not separated. Some of the discussion here has reminded me again that we are still few. Rather than complying with the separations that they try to impose upon us by the way they organize the big international, national, regional organizations, that's again "divide and conquer", we have achieved what we have achieved because we have found ways to fight that common threat. And we have unity to present our legitimate right to this earth because we are the Indigenous Peoples and we were here first. We have our history. Because of our history and who we are, we are more

interested in our seven generations forward. Our planning is really in those lines. That's what separates us from the exploitation of the capitalist kind of world that we have to function within. I think we have to not forget the unity and succumb to the separations that they're trying to impose on us. These are some of thoughts that come to mind.

I think that the other thing that's happening that we now have to even be more aware of: we have been successful this far because we adhere to this unity, in spite of our various differences and complications. Now, they're having more and more indigenous faces and they're adopting our international language that we've used as "self-determination" and "rights" and so on and so forth, and adopting it and manipulating it to look like what we've been talking about and fighting for. The effects are the exact opposite. In each region, I think that's something we need to become more aware. If this conference is about how we are transferring our information forward, many of us who have been so long won't be here to remind the youth and the new people coming in what those things are about: the divide and conquer and then bringing in our own, people that look, act and talk the same things than us but who have different goals. We need to learn and teach that recognition. Simultaneously, the unity that you're talking about having our children, this is still about our babies, not about us. It's still about what we're leaving them in this world and what the world is to become. That's what holds us together. That's our common strength and our common thread. We mustn't succumb in. It has always been a struggle for us because we are very few in a big pond. That's just my thoughts as I am listening to what's been said.

**Mary Simat:** I just also wanted to share a little bit of some of the challenges that, for example, the African delegates had, when we studied coming to the UN. One of the most challenging part was that we found ourselves alone at the UN. Each one of us came here on their own funding. You just bump into someone, even from your own community and you are like: "Oh. So you are also here." That one became a challenge because we didn't have a front to speak about our issues back at home. We didn't have an organized way of talking about the issues we wanted to present here at the UN. So we wasted a lot of time trying to put ourselves together so that we could be able to come out with the same position. When we arrived here, during the time of the working groups, we used to look at other delegates from other regions really well organized. We would see the Asian groups. We were like: "The Asian groups are so organized. The people from Canada really knew what they were coming here for." We copied from them and thereafter, we formed the Indigenous Peoples of Africa Coordinating Committee which now brought us together. Of course that, for us, from the African regions, first of all, there will be a lot of politics of positions. Everybody wants to become that. Everyone wants to become the chair. Everybody wants to be in the committee. Also the one goal of wanting to be a representative in the whole system took us really behind. Finally, when were able to come up with an organized system, then we were able to come out with strong positions.

The other challenge was going back home. Dissemination of the resolutions that were made at the UN became a really big challenge because of bad communication, because the level of communication wasn't at this level as right now. Of course, with the bad infrastructure back in Africa, it's very complicated. People didn't have networks to pass out the resolutions that were made.

The other key thing -I don't know if every one of you have noticed that- but when we started coming here, all those delegates from Africa, the old generation that started coming to the UN, disappeared. I know so many of them are still alive. They didn't disappear to death, but I look at the composition, especially of the people that are here today, and thinking about some of them who are still at home. At a certain time, they completely went. So, a very big gap was created between that age and then us and then now, of course, the youth. I think we still have to try and look for what happened to them and why they did not carry on with this kind of work, like the way I see the brothers and fathers here, I hope, that they are still fighting out for the rights of the people in their own places.

Then, the challenge of recognition of Indigenous Peoples in Africa, that took us a very long time. During the time we were lobbying for the adoption of the UNDRIP, that was also a great challenge that we went through. Otherwise, we would say that we have succeeded in many ways because it has made us stronger back in our own regions. Some of us were able to lobby through our Indigenous Peoples Members of Parliament. Also, to push for the Constitutions, we were able to have our own counties and actually have our own self-determination.

Those are some of the achievements. I am sure I may not speak about what has happen in all of Africa, but, particularly in Kenya. We are able to control our resources now and use them as we wish. That is a big step that we went through. Also being able to look for the hunter-gatherers groups who are really out of networks. IPACC was able to get into the forest and brought them all together. Now, they are very strong. As you are aware, Kanyinke, the chair of the Permanent Forum, is from a small group from Kenya. Those are some of the achievements that we have been able to make. Finally, we have had a lot of women at the Permanent Forum as Permanent Forum members. My sister is over there. She's a member<sup>35</sup>. Also, having them going back home and creating organizations that are working very hard for the rights of indigenous women, the youth and the children.

**Roxanne Dunbar Ortiz:** I have really enjoyed listening as Kenneth Deer said. He had been doing a lot. So many things to say. I was trying to gather what I would say that would be coherent. I am not sure if it will be coherent. I'd like to endorse many of the things that I've already heard. I was taking notes on Dalee Sambo's presentation. I think it's so important in tracing how we have been able to actually build and create international law. Sometimes, we think of international law or law as static thing, as if it's written in stone. Actually, it's a creative process. Law is made in all kinds of ways. We have common law. Britain doesn't even have a written constitution. One of the problems in the United States is the Common Law that is being interpreted in written supposedly in stone, say to do with water rights, land rights and private property. I think we need to be conscious that we are creating. To be creative, to expand our minds (I don't like the word "aspiration", I know it's a UN word), a vision of what it is we're going towards and to keep building the framework for that and adding the building blocks.

I've been thinking a lot about the assumption that in the UN, you go from a declaration to a covenant but, actually, that's not the case. The Genocide Convention had no declaration beforehand and the Declaration on Human Rights was so a long time before there were actual conventions written. There was no declaration on racism. So forth it's not an automatic process. I think we shouldn't limit ourselves. I like what Dalee said, but also Bill this morning, that the important thing is we are using the Declaration as if it were law for tribal governments, for tribal judges, for state judges, for federal court cases. I learned this from one of my mentors, Judge Frank Newman, in putting international human right's law into pleadings, into cases, to get it written in. In that way, to make the Declaration a substantial international law and not think so much about just the mechanical, making a convention, as if that's something better, and putting all your energy into creating under document rather than building meat on the bones of the Declaration.

In that regard, I've also been thinking about strategy. I do think that we need to get into the political realm somehow, where self-determination is subject matter. I've been thinking of something like a council formation within the institutions that exist within the United Nations. The possibilities, again, Judge Newman, was one of the architects of the Council on Namibia. He educated his mentees like me on how that worked, how do you build something (he compared it to a three ring circus), the UN, in a positive way. Within that, you have all kinds of acts going on. It's very hard to take over something that's already there to get inside of it because you're very small. The best thing is to create something new. That was done with

<sup>35</sup> Lilian Muzangui Mbella, member of the UN Permanent Forum on Indigenous Issues from 2005 to 2010.

the Permanent Forum, but it has its limitations in terms of jumping to the political realm. That's not even allowed. The discussion is not allowed. I was sort of thinking that we should sidestep the convention as our visioning and go to something bigger, actually. Thank you.

**Constantino Lima Takir Mamani:** Bueno, ojalá que no molesten y me corten. Para mí, es un poco penoso cuando algunos hermanos tenemos un poco más de libertad, de hablar un poco más y otros no. Tal vez se molesten con mi manera de ser. Un poquito, me da pena, pero yo debo dar una opinión respecto a la ONU: sí, hay fracasos, sí, hay progresos, etc. Yo pienso que tenemos que decir las cosas por su nombre. Si ellos, la parte opositora a nosotros, no tienen cuidado de nada, ¿por qué nosotros no podemos tener también nuestra boca suelta para decir la verdad? Pienso, sinceramente, que, en este tema, no existe ningún progreso. Tal vez más diríamos que son fracasos, porque, definitivamente, nos están tomando en cuenta como unos pueblos de simple supervivencia.

Yo pienso de que, en el continente Abya Yala, lo menos que, en estos momentos existe, es más o menos algo de 250 millones de hermanos nativos. Eso no se puede tomar en cuenta como simples sobrevivientes o que por compasión nos están haciendo sobrevivir. Las Naciones Unidas, no sé, realmente, no dan muy buenas luces a lo que somos nosotros. Entre ellos, por ejemplo, no se está tomando en cuenta una especie de prioridad, tal vez, diría, en los países donde existe la mayoría nativa. Están tomando en cuenta como una ínfima minoría. Sobre eso, con los censos, los países colaboran, en ese sentido, porque hacen falsos censos. Con ese también nos están asesinando también moralmente. Nos están exterminando también. Porque si se toma un mayor porcentaje, en cada censo están disminuyendo. Están diciendo de 60-70 %, están poniendo 50 %, unas preguntas en el censo que hacen mañosamente. Después llegan a 40 %, 30 %, etc. Hasta que los indios no existen, pero, si nosotros nos fijamos físicamente, como ellos siempre dicen y decían: "Tu fisonomía no te permite para tal cosa." Si eso tomamos en cuenta, en el lugar de donde vengo, somos el 90 %, repito. Manejamos encañonados con la metralla en boca, como nosotros no tenemos armamentos, no podemos. Como nos dividen también, no podemos defendernos. Entonces, en muchas partes está ocurriendo eso. ¿Acaso no está continuando el exterminio? Hay exterminio. En este, mi país, donde estoy viviendo actualmente, por ejemplo, comparado con otros países, ¿qué porcentaje ha crecido? Allá no está creciendo casi nada. ¿Qué quiere decir? Que hay más exterminio. Será por una u otra razón.

La hermana que acaba de hablar hace ratito ha dicho toda una verdad. Creo que ahí podemos atenernos un poco también. Yo quisiera que las Naciones Unidas tomen en cuenta, tal vez, un poquito prioritariamente: habría que empezar con esos lugares que son en mayoría nativa. En estos casos, en el continente Abya Yala, la mayoría nativa sería esto que se llama Bolivia capciosamente, porque su nombre es Q'ullasuyu y, luego, Perú, Ecuador, Guatemala, México y la isla de Aruba que también es la mayoría, posiblemente, con censos, tal vez, lo está poniendo a muchos países ya en minoría. Aquí hay más mestizos. No, señor. Si hacemos un análisis científico, de acuerdo al cruzamiento de las razas, hay raza pura. Que no me vengán a engañar diciendo que no hay tal cosa. Eso es falso. Hay. Si ponemos en la fotografía, aquí, se va a ver. Hay purificación y repurificación de la raza y por eso es que la discriminación también existe tal como está.

En Bolivia, nada menos que el cardenal Julio Terrazas y otros han dicho que no hay esclavitud. Han dicho que no hay racismo. Sin embargo, la Organización de las Naciones Unidas y otros organismos han ido a constatar allá y han comprobado que en Bolivia hay el peor racismo y hay esclavitud también más que en cualquier otra parte del Planeta Tierra. Allí está la prueba. Aquí, nosotros somos un monumento contra el racismo que estamos luchando. Nosotros, los indianistas, comunitaristas somos presos políticos. Somos prisioneros. No somos una nación clandestina como alguien nos dice. No, señor, de ninguna manera somos nación clandestina porque la nación clandestina significa estar libre. Está en algún lugar pero libre. No. Nosotros estamos a la vista de todo el mundo. Estamos presos porque todo el mundo nos ve que estamos presos. Controlados de todo. Controladas nuestras casas. Controladas nuestras reuniones. En

estos momentos, todos los indianistas, comunitaristas de este lugar piden asilo político en cualquier parte del mundo porque somos permanentemente perseguidos, permanentemente controlados y permanentemente vigilados. Todas nuestras actividades.

Entonces, no podemos decir que la Organización de las Naciones Unidas nos está considerando muy bien. No. Tienen que tomar en cuenta a esos países con mayoría india y, después, a todos los demás hermanos, la reconstitución de nuestros estados ancestrales. En el continente Abya Yala, no hay un solo país ancestral reconstituido. En el mundo entero, creo que hay ocho. Cuando nosotros, en el año 2000, nos hemos constituido, la Organización de las Naciones Unidas nos ha dicho: "Ustedes serían el noveno en reconstituirse en el mundo." Seguramente, de Israel, no sé de dónde han pensado la cosa, y son ocho que están reconstituidos. "El noveno, serían ustedes." Pero, tratándose del continente Abya Yala, no hay uno solo, entonces seríamos los primeros, pero no podemos funcionar, pues, si nos tiene agarrado el Estado boliviano, no podemos accionar. Nuestras contribuciones de los impuestos y tantas otras cosas más, no podemos administrarnos porque ellos administran como quieren. A estos foros internacionales, ellos, su gente manda la gente nativa que está con el oficialismo, que está en contra de nosotros. A ellos manda, los financia, lo que sea, pero nosotros no tenemos la voz. Esa es la purísima verdad.

Entonces, ya entrando al otro punto, la parte, posiblemente se van a enojar conmigo, pero estoy diciendo la verdad y nada más que la verdad. Lo que quisiera que tome en cuenta la Organización de las Naciones Unidas va a impulsar o no va a impulsar la reconstitución de los estados ancestrales. ¿Va a seguir garantizando a los estados opresores? Bolivia es un país opresor. Argentina es un país opresor. Estados Unidos y todos son países opresores. Están peleando sobre nuestras cosas. Por ejemplo, en Bolivia dicen que pelean entre Bolivia y Chile sobre el mar. ¿Qué tienen que ver ellos con nuestras cosas? El mar es nuestro. Bolivia debe devolvernos el mar. Chile debe devolvernos el mar. ¿Qué es esa pelea de las Malvinas? ¿Acaso Malvinas no es nuestro? ¿Por qué tienen que pelear Inglaterra y Argentina por las Malvinas si las Malvinas son nuestras? ¿Qué quiere decir eso? 100 % que la invasión continúa. Que nos sigan diciendo de frente: "Son indios ustedes. Son objetos, animales. No tienen derechos." Que nos sigan diciendo eso. Mejor. Eso es lo que enoja y calienta a la parte opresora nuestra. Por favor, no puede ser esto. Da realmente pena que se hable. Acaso porque hay independencias. No ha cambiado absolutamente nada. Las leyes siguen siendo de Sevilla, como nosotros sabíamos que iba. Sigue yendo, hoy en día. Podemos demostrar con lujo de detalles. Por eso es que tienen miedo a enfrentarnos en un foro-debate, en el tema que quisieran y más fundamentalmente político. Porque saben que les vamos a hacer ahíncos. Entonces, sí. Hay esa situación. Repito. Las Malvinas, el mar y tantas otras cosas, es pelea de nuestros asuntos porque somos nosotros los dueños y no ellos. Esta Pacha Mama, a esta Madre que están diciendo, es bien claro. Para los blancos, es Europa la Pacha Mama. Hay que respetar como lo que corresponde. A África a los africanos ha dado la Pacha Mama. Hay que respetar tal como es. A los indios, a los amarillos, Asia y a los indios, el continente Abya Yala se nos ha dado. Ese es nuestro derecho y a eso no vamos a renunciar. Personalmente, y los hermanos indianistas comunitaristas jamás hemos renunciado a Kollasuyo. En cambio, para nosotros siempre será abominación, vomitable Bolivia porque no es nuestro. Hace muchos años atrás, había dicho bien claro, en un foro-debate, en España, en uno de esos canales, yo no me recuerdo cual, Jaime Pasa Mora estaba de presidente. Traigánselo Bolivia aquí, a Europa, a algún lugar. 44 hectáreas, prepárenselo y que venga ahí. Como el Papa está funcionando en 44 hectáreas, creo. Que funcione ahí, pero no es su tierra allá. Es nuestra. Es del indio: quechua, aymara, tupi, guraraní, etc. Esa es la verdad.

Para terminar, quiero decir esto. ¿Cuál es Q'ullasuyu? Q'ullasuyu es casi siete veces Bolivia. Q'ullasuyu es 6.950.000 kilómetros cuadrados. No es 1.078.000 kilómetros cuadrados donde está nada más. Entonces, digamos, todo Bolivia es Q'ullasuyu. Todo Chile, toda Argentina, todo Uruguay, todo Paraguay, gran parte de Brasil y buena parte del Perú, eso es Q'ullasuyu. Y el Tawantinsuyu es todo el sur. 17 811.000 kilómetros cuadrados. Entonces, por favor, yo les



ruego comprender esta parte de que la Organización de las Naciones o de otras leyes, porque aquí no están claras las leyes que tiene. Personalmente, estoy tratando de hacer dejar a los derechos humanos. Pienso que algún hermano o hermana por aquí tiene ya algún documento. Estamos reclamando. Personalmente, estoy presentando un proyecto de ley reivindicatorio en el continente Abya Yala. Estaríamos empezando con los seis países de mayoría india y el resto tiene que seguir luchando porque somos dueños de casa. Aquí no puede gobernar nadie sino el dueño de casa. Aquí no hay igualdad de derechos. Eso es falso. Porque el dueño de casa tiene prioridad y privilegio de derechos. Eso es lo nuestro. En cambio, el visitante peor con lo que es hostil, como vulgarmente se dice, ¿acaso han hecho trámite para invadirnos? De un plumazo nos han invadido y nuestro deber, nuestro derecho es ahora, si se quiere hablar de democracia, de libertad, es que tenemos que tener prioridad de derechos. Si, en Bolivia, son apenas el 10 % de blancos mestizos que nos están manejando con armas. Dentro de La Libertad, apenas el 10 % en la administración pública tiene que estar y no puede estar más. Esa es la purísima verdad. Entonces, yo ruego, por favor, no se enojen conmigo. Seguramente, yo soy la persona que dice: “Hágase odiar.” No, yo no tengo miedo de hacerme odiar. Yo sé que me odian. ¿Por qué? Porque somos los autores de presentar la demanda indemnizatoria y tantas otras cosas más. Lo que es la verdad. No más. Muchísimas gracias.

**Allene Chockie Cottier:** Thank you very much. We are already fifteen minutes over our time for this section and we have one more speaker who has asked to speak. Then, we will close this section for a ten minute break and come back for our plenary session. I really appreciate all your words, all your responses and comments, but we will discuss later. Thank you.

**Willie Littlechild:** Thank you very much, Mme Chairperson and good afternoon to everyone. Yesterday, I was going to tell a story about witnessing a ceremony because of the agenda item at the time. I think it leads into this one as well.

If I may share a quick experience with you, as delegates. On December 21<sup>st</sup>, when the world was predicting that it was going to come to an end, the Mayan spiritual leaders had a gathering in Guatemala. For whatever reason among thousands of people, I was asked to come and join the elders in a spiritual ceremony. The ceremony was to say goodbye to grandmother and grandfather sun, as they said, because the Mayan calendar was coming to an end after 5 200 years. It was two ceremonies. One to say goodbye to grandfather sun and one to welcome baby sun. In that ceremony, the elders said, at least through an interpreter, I was told in the ceremony that in this new era, in this time of new energy, the elders had four instructions to give at the ceremony. The first instruction they said was the role of spirituality has to come back to leadership. The role of spirituality has to come back to leadership, said the elders. The second instruction they gave was that women will take a more prominent role in the future. The third instruction they said was we must work very very hard on unity so that we can build on the great strengths of Indigenous Peoples. The last one they said was things will get better. Things will get better for Indigenous Peoples. I wanted to share that with you last night because it seemed appropriate when we were discussing the role of spirituality and the role of women. I leave that there because this ceremony, they told me, was done every 400 years, the ceremony in which they made these instructions.

With that, I want to skip to the successful practices part of our agenda and share with you, very quickly, some successful practices. First of all, consideration must be given to combining both the ILO Convention 169 and the UN Declaration in the work going forward because they're complementary. One is a convention and the other is a declaration. In that regard, we have to change the debate in terms of the terms we use. We, as Indigenous Peoples should not repeat words like “it's a non-legally binding document.” We should not repeat words like “it's an inspirational document.” We have to change that frame because we're just repeating what States are saying. We have to change that to a more assertive way. An example, a question was

raised this morning: how do we implement these international laws? What I have seen, that implication on the ground, is where governments as indigenous governments adopted the UN Declaration themselves. That was an assertive implementation of international law. They've also, in some cases, adopted the ILO Convention themselves, as an indigenous government. Secondly, some have gone and included the UN Declaration, the ILO Convention, the Convention on the Rights of the Child in their constitution for their community. It has become law in their own community as well. For example, the Treaty nations and Treaties n°6, 7 and 8 have done that. In the chiefs' assemblies, every resolution that comes to the floor has now a reference to an article of the UN Declaration. It does a number of things. It teaches as we do the link with the Declaration on what it is that we are trying to do as chiefs. It's incorporated in the resolutions. Consideration to promote implementation of legislation, for example, a recognition act or an implementation act at the federal, state or provincial level. I know that's not our government but they need to recognize through their own legislation those important documents. We need to utilize all levels of parliamentary committees, whether it's a human right's committee, whether it's an aboriginal or indigenous affair committee, whether it's an international affairs committee.

We need to use those parliamentary committees to not only enforce implementation but educate the parliamentarians. In that regard, there's also a UN handbook being developed for parliamentarians of the world to get to know more about the Declaration as parliamentarians. When there's a lawsuit, in the statement of claim or in the statement of defense, I think someone said earlier that we need to refer to the Declaration, whether we use it as an offensive argument or a defensive argument. We need to put it into the courts. The judges themselves need to be educated on the Declaration. Perhaps another handbook is needed to be in the way of parliamentarians to educate the judges. Companies are starting to use handbooks on the free, prior and informed consent. That's also raising more awareness in corporate community. At the academic level, the UN Declaration needs to be more and more taught at the college and university levels. I know it's done in some colleges, but we need to do it globally, at the university level. Not only that in our community schools. In our communities, it must be in the curricula to be taught to the children. I just shared those thoughts with you because in my original presentation on Treaties. I did not present this part because it was the last part of my presentation. I hope now that I caught up some of the time from that presentation and really thank you sincerely for having that opportunity. *Hai hai. [Thank you]*

**Allene Chockie Cottier:** Thank you. I just want to comment on that also. I think we can teach, especially, where we have Indian control in our education systems. When we're teaching math, we can incorporate these items. We can incorporate international finance in the way, we in our indigenous way, international law and how it affects us financially. For teaching English classes whatever, it can be the content of what you're doing: utilizing our international instruments or international work can be the foundation of what you're teaching, no matter what the subject may be. I think we have to stop thinking very narrowly where we get denied so often that we have to teach what's happening in international law. We have to teach the Declaration. We have to teach this. We can teach education. We can teach reading and use it as the reading subject matter so it becomes daily course of discussion and knowledge within our general knowledge base. It doesn't have an isolated corner of knowledge. When we do that, then again, it becomes part of our life at any level. It's not just when we leave our people and come to the United Nations or when we're just in a legal situation. We need to make specific efforts to incorporate and not be limited by what we've been told. If you think about the way we learn math in the United States anyway, it's count the rabbits, one, two, three. Well, count the treaties, one, two, three. What does it mean? We need to be more assertive in interjecting our international and our rights and everything into the day to day language. That's where I think we need to give that message to our youth. It's not something separate from who we are in our day to day existence and take every opportunity to find a way to introduce it into the basic language, whether it's in cartoon form, whether it's in game form, whether it's in an app, on the

tribal radio or phone systems. That's where this language and this discussion need to go if we're going to be successful in the long-term. With that, we need to take a break. We're already half an hour behind on the agenda, so maximum of 10 minutes.

**Florencio Morales Morales:** Quisiera hacer un comentario, solamente. Valorizo mucho lo que dice el hermano de darle el carácter, no de decir que no es una declaración no vinculante. Yo creo que hay que darle el carácter de vinculante. Ahora, a mí se me presenta un problema para comprender esto de darle carácter porque, en Chile, en el territorio mapuche tuvimos la posibilidad de tener dos Relatores Especiales que fueron a conocer el problema de violación de derechos humanos que hay en Chile. Hasta hoy están aplicando una ley antiterrorista que hace que haya presos mapuches, perseguidos. Un poco, por ahí, esas visitas quedaron en recomendaciones. Ahí, me parece que un poco le quita el carácter de vinculante a la Declaración porque el gobierno mismo utiliza esa visita después. Dicen: "Bueno. No pasó nada. Quedó en recomendaciones, nada más." Yo creo que también tendríamos que reflexionar acerca de cuál es el seguimiento que hacemos sobre el trabajo que se hace en el terreno a partir del Relator Especial, nada más. Gracias.

**Allene Chockie Cottier:** Thank you. I think we need to go back in the course of it. We need to take the break, first, but we need to speak about natural law. How does law evolve in the first place? Whether it's international law, the law of your home or any level of law. It evolves by use and interaction of people. That's the first step that we can utilize: our natural law and it will eventually become international law. That is it. Take the break [*Laughs*].

## **Evaluation of the situation of the Indigenous Peoples in the world and the role of the UN: Recommendations for the Future.**

### ***Evaluación de la situación de los Pueblos Indígenas en el mundo y el papel de Naciones Unidas: recomendaciones para el futuro***

**Allene Chockie Cottier:** Good afternoon, ladies and gentlemen. We are short on time and we have an additional presentation. The presenters are not in the room. We will proceed with the topic for our plenary session. It's "Evaluation of the situation of the Indigenous Peoples in the world and the role of the UN and recommendations for the future."

That's really big, but I think, in light of the conversations, we need to discuss where are we going from here and how do we continue the good work and use limited numbers to continue to build. Most of all, how do we transfer this information to our youth so that those of us who have spent the last decades working on all of this work understand its history. For instance, in South America the instrument, the Declaration is not being used in a good way. In North America, in the United States, we're using the Declaration to expand in the governments. We're using it as a human rights document to say "as Indigenous Peoples in the United States here is something that proves that we have international agreement to our rights" and using it to force by practice its consultation and reference in almost every arena of discussion, when they're talking about development, or education or language or anything. Using a document and its content, we can make it become real. It may be by international definition not an instrument of law, but if we put it into common practice, it will become law. Elements of it will become law. I think that's what we always need to keep in mind, just as I was saying, previous education to someone.

We need to incorporate the concepts that we're presenting here for our future generations into

every aspect of our education. If we're teaching math, we should be teaching math that supports the work we're doing here. If we're teaching language, we should be using language that supports the rights we're fighting for here. If we're teaching computer applications, we should be teaching computer applications that teaches them how to access these international instruments that we're using, developing and creating here to learn so that every time our youth come to the table, they don't have to re-learn like we had to in the beginning. We came here like lost souls and big eyes with lights in our eyes, on the highway, when we first started here and wondering around saying: "What do we do?" Now, we have mechanisms and teachers and experience behind this so we need to teach our youth and transfer that information to them so that they can continue the good work.

Simultaneously, we need to look at how the governments who are against what we're trying to do in this work, have adopted our instruments, our declarations in the process of twisting the words. In the United States, we see that all the time, where they're using the very words and definitions and descriptions that we've used to reclaim our rights and using them in a way to take them back and minimize them again. In each of our regions of the world, the battle goes on. I think the biggest thing is: -and again, I always think I have many levels in me, like we all do, but most of all, I think as a mother- how do we transfer information to our children? Because our children are being struggling to survive and struggling to find identities and struggling to find a place. We may not have these little land bases and reservations and places, especially for those who are small in population, to keep our children there. How do we use new technology to transfer this information to them? As I was saying, we need to incorporate it into every aspect of our life so this is common language in our families, in our homes, in our schools. So they don't have to say: "why are you leaving me? Why is it a separate issues?" It has to come out in our daily life. That's the only way to be successful at this work. I think that it's always been an issue with the education.

We're being educated around the world by systems that don't support our thought process. We're only recently, in North America, reclaiming our government structures to incorporate our traditional thought patterns and everything so that we can naturally incorporate and expand and go back to many of our own ways of judging and being accountable by law and things for our community. We are utilizing these instruments that we have already created to do so. We have to make it part of our daily life if we're going to effectively move forward. If you look at us, those of us who were here in the beginning of this struggle and at the first meetings, our group, in that photo, was very small. The knowledge of what we had to go through at that point in time where we were just saying: "You can't kill us off. We want to survive." Now, we've got a hold where we can survive, but we need to use these mechanisms and incorporate them into our daily lives so that they're not foreign to our own children so that they can carry this movement forward and broaden it. Most especially, I think we need to incorporate what I've seen in the last 20-30 years: more and more non-indigenous peoples are looking to us for the answers to a world that's falling apart. In some ways, it's back on us.

Our values and our structures of seeing ourselves as entire beings, that we're entire beings with the universe, with the land, with the Earth and everything so that our "seven generation concept" has to include all things and all beings if we are to survive in a meaningful way. We have to always keep that in mind: moving forward. How do we incorporate people who are now our friends? Who used to be on the other side, in a natural way? Ultimately, whether it's 50 years from now or 100 years from now, we'll become the entity. The world changes back to an indigenous policy, indigenous values, indigenous world. Then, we move forward from there. That's just my comments.

**José Carlos Morales:** Solamente me quería referir a la pregunta que hizo el hermano mapuche y también a un concepto importante que planteó aquí Willie Littlechild. El hermano, allá, hizo una pregunta que puede frustrar mucho a los jóvenes cuando no se le da solución a los problemas, cuando los Estados bloquean los instrumentos internacionales y nacionales, etc.

Es una lucha interminable y creo que lo estamos sufriendo en nuestros países. Aún quedan, creo, instancias de las cuales se pueden echar mano. Yo explicaba el caso de la represa hidroeléctrica en Costa Rica. El Estado no tenía absolutamente ningún respeto por el Convenio 169 de la OIT, la Ley Indígena en Costa Rica, ni la Declaración de las Naciones Unidas. Simplemente, el pueblo estaba ya destrozado. Echamos manos de los ámbitos internacionales y, ahora, el Estado está cuestionado.

Si hay algo que los Estados se preocupan mucho es que los cuestionen internacionalmente. Hay que manejar todas esas armas. Si no se llega a nada, si se violentan todas estas posibles soluciones, queda todavía echar mano a los tribunales internacionales. En el caso de las Américas, en la Comisión Interamericana de Derechos Humanos, hay más de 100 casos ya de Pueblos Indígenas. Muchos gobiernos están preocupados porque si un problema no se resuelve en la primera instancia, que es la Comisión Interamericana de Derechos Humanos, donde se sigue un proceso que se llama la "solución amistosa" -yo no soy abogado, me estoy metiendo en un campo que no es el mío- cuando no se resuelve, a ese nivel, una solución amistosa donde se siente el Estado y los delegados del Pueblo Indígena afectado, ese caso pasa a la Corte Interamericana de Derechos Humanos. Algunas veces, escucho a delegados, a hermanos indígenas que dicen: "Yo voy a presentar la demanda a la Corte Interamericana."

Eso no es así. Tiene los pasos a seguir y eso tenemos que conocerlo. Cuando se capacita en nuestras comunidades, hay que decirles cómo funcionan los mecanismos. Primero va a la Comisión Interamericana, luego ya, si no hay un arreglo amistoso, se va a la Corte. En estos momentos, hay más de siete casos que se han resuelto y se ha condenado a los Estados. Nicaragua fue condenado por dos casos: por Awas Tingni y por el caso de Yatama, en el tema político. Eso es muy importante. Nicaragua tardó años, pero creo que, al fin, empezó a cumplir con la demarcación territorial, no sé. Aquí está el abogado, Armando Rojas, de allá, que sabe más de la historia de eso. Luego, en el caso de Surinam y en Paraguay, hay infinidad de casos. Sé que el caso de Chile, cuando encarcelaron a 144 compañeros allá porque los consideraban terroristas o no sé qué, que ocuparon unas fincas, ese caso está en la Corte ya. No he seguido yo eso de cerca, aunque tengo la Corte a dos kilómetros de mi casa. No he ido porque no he tenido tiempo, pero creo que ahí está y los Estados se preocupan cuando ya están en esos niveles porque pueden ser condenados a indemnizaciones y a cumplir con los convenios internacionales. Yo creo que ahí... Claro, hay que estar preparado de que no son soluciones de hoy para mañana. Eso lleva mucho tiempo. Hay casos que llevan siete u ocho años, pero, en algún momento, se llega. Ahí se puede ver si la comunidad... porque lo presentó y sí puede salir perdiendo el caso. Yo no creo que haya habido un caso en la Corte que haya sido condenado un Pueblo Indígena, absolutamente, porque ahí se llega cuando ya ha pasado el colador, primero. Entonces, hay formas, hay que tener paciencia, hay que conocerlos.

Eso es parte de la educación, de la capacitación que tenemos que dar en nuestras comunidades, con nuestros dirigentes y todo, porque no se puede capacitar millones y millones de personas. No se puede. Hay que buscar algún método. Hoy en día, con la tecnología digital, quizás, puede ayudar. Hay que ver cómo se puede ir avanzando en ese sentido, pero hay posibilidades. Yo sé que la pregunta es una pregunta muy fuerte, sobre todo, para los jóvenes, que pueden frustrarse. Los jóvenes están viviendo una época en que todo lo resuelven rápido, con la tecnología digital, pero esas cosas llevan su tiempo.

Para terminar, lo otro, lo que dijo Willie Littlechild, en relación a si la Declaración es vinculante o no vinculante, en una oportunidad, decidimos algunos compañeros y no recuerdo quién fue el de la iniciativa, que no habláramos más de usar esos términos frente a los Estados. Porque los abogados del Estado, normalmente, son dados a decir: "Eso no es vinculante." Hay argumentos para demostrar que sí es vinculante la Declaración. Aquí está Dalee. No sé cuántos abogados hay acá, pero si empezamos a escarbar artículo por artículo de la Declaración, nos damos cuenta que, prácticamente, el 90 % de la Declaración está tomado de otros instrumentos que están debidamente ratificados por los Estados. Me voy a referir a la libre determinación, el artículo 3 de la Declaración. El artículo 3 simplemente se adaptó,

introduciendo el término “Pueblos Indígenas”, pero es, prácticamente, la copia fiel del artículo 1º, tanto del Pacto Internacional sobre los Derechos Económicos, Sociales y Culturales, como del Pacto Internacional de los Derechos Civiles y Políticos. Esos dos instrumentos están debidamente ratificados por no sé cuántos Estados. Habría que ver el cuadro que tiene la ONU, si algún país de América, de nuestro continente, no lo ha ratificado. Uno, con base en eso, puede decir: “Mire, esto, al menos, hay que respetarlo.” Así nos vamos con otros artículos. Cuando se habla de los derechos del niño y de todo eso que se incluye en algunos artículos de la Declaración, esos fueron tomados del Convenio Internacional de la Niñez, o algo así, de ahí. No usemos el que no es vinculante o es vinculante. Quitémonos ese vocabulario, que son muy dados a usarlo los abogados y, especialmente, los de los Estados. Que me aclaren aquí los abogados que están presentes. Nada más quería aclarar esas dos cosas.

**Florencio Morales Morales:** Bueno, hermano. Voy a ser breve. Tal vez, por ahí, no tengo el carácter de funcionario de la ONU, pero voy a tratar de ser breve. Tal vez, por ahí, mi comentario fue malinterpretado. Yo no quiero sacarle fuerza a la juventud indígena. Tomé el término que utilizó el hermano, que a veces me resulta difícil su apellido porque está en inglés. Willie: yo tomé eso que dijo él como que hay que dejar de decir que es “no vinculante” esta Declaración de los Derechos de los Pueblos Indígenas. Yo creo que hubo un paso principal. Yo conozco todo el proceso que usted hizo mención, hasta llegar a la Corte Interamericana. A mí me parece bárbaro el conocimiento que usted tiene acerca de los pasos a seguir.

Yo voy a esto: si nosotros vamos a hacer un encuentro internacional de Pueblos Indígenas para la promoción y aplicación de la Declaración, estamos intentando de que esa Declaración sea vinculante. Creo que uno de los primeros pasos que tenemos que dar, si visitamos la región afectada, como, en este caso, la Araucanía mapuche, me parece conocemos bastante del tema. A mí, me pareció bastante contradictorio escuchar a la Misión Permanente de Chile en este último encuentro que tuvo el Mecanismo de Expertos, de decir que es un gobierno multicultural, pluriétnico y sigue aplicando la ley. Entonces, si le queremos dar el carácter y vamos a hacer una Conferencia Mundial de Pueblos Indígenas para darle el carácter de vinculante a esta Declaración -que se tardó muchos años, que los hermanos que son ancianos aquí dicen que se trabajó mucho con la “s” para darle el carácter de “Pueblos Indígenas”-, entonces, yo creo que, talvez, si la queremos hacer vinculante, tenemos que empezar por lo particular, para llegar a lo general. Para mí, lo particular es la visita de Stavenhagen. En primer lugar, el conoció bien la violación de derechos humanos. Hizo sus recomendaciones. Después tuvimos la visita del actual Relator Especial.

Entonces, yo digo, si queremos hacer vinculante esta Declaración, para cumplir con el término que hoy se discutía sobre la autodeterminación, si nosotros nos queremos autodeterminar como Pueblos Indígenas, como naciones que estamos dentro de Estados que se fueron a instalar, yo creo que el seguimiento de ese trabajo que se hace por los Relatores Especiales va a dar el primer paso a que se reconozca la autodeterminación de los Pueblos Indígenas en Sudamérica y que esa Declaración de los Derechos Humanos de los Pueblos Indígenas sea vinculante y respetada. Hasta ahora, solamente pierde credibilidad porque el gobierno argentino también hace de estas reuniones venir a decir que son multiculturales pluriétnicos y que van a financiar y van a apoyar a la gente para la promoción y la aplicación. Un poco, medio que nosotros nos quitó un poco la fuerza.

Por esa causa, el comentario que hizo el hermano me parece muy loable, pero me parece que hay que dar los primeros pasos. Yo sé todo el proceso que hay que seguir para defender un caso. Hasta ahora, lo hemos defendido regionalmente, nosotros, no a nivel internacional. A mí, me parece que como usted lo comenta, me parece bárbaro, pero no quisiera, en ningún momento, quitarle fuerza al movimiento para que lo sigan los jóvenes. Yo lo único que quiero es que esa Declaración que se trabajó durante tantos años y ocupó tanto tiempo sea vinculante y sea reconocida por los Estados que financian estas reuniones y que vienen a decir que son multiculturales y pluriétnicos. Muchas gracias.

**Armando Rojas Smith:** Gracias. En realidad, estas discusiones, muchas veces, nos frustran, en el sentido de que se ha luchado tantos años para que lográramos conseguir algo y, de repente, no sabemos si es vinculante o no vinculante. Si vamos a usar el término “vinculante” o “no vinculante”, tampoco debemos usar el término “vinculante” porque, en realidad, este instrumento que se aprobó tiene una eficacia jurídica no vinculante. Sin embargo, si consideramos a la Declaración Universal de Derechos Humanos, tiene igual creación y, a pesar de que no es vinculante, hoy día, es muy vinculante y se ha retomado en todas las constituciones de este hemisferio y se convirtió prácticamente en vinculante. De hecho y de derecho, porque una vez que entra en las constituciones nuestras, ya es de derecho.

Así, yo creo que esta Declaración tiene su peso en oro también. ¿Por qué? Porque constituye las aspiraciones de nosotros, de nosotros Pueblos Indígenas. Si bien es cierto que, como expresa José Carlos, la manera de hacerla vinculante en los países de cada uno de nosotros es a través de todos estos instrumentos que ya son convenciones y ya están aprobados, como la Convención 169 y todos los otros instrumentos. Yo creo que debemos de tomar la Declaración como la parte dogmática de nuestros derechos. Estos otros instrumentos que sean la parte ejecutiva de estos derechos, hasta que podamos lograr una convención de los derechos indígenas. Yo sé que se ha planteado aquí que queremos una convención y es cierto, pero hay que acordar una cosa: las Naciones Unidas dan un paso cada 10 años. De manera que si nosotros iniciamos este proceso ahora, dentro de 10 años, vamos a ver algún cambio sí o no de esta convención. Mientras tanto, lo que tengamos en estos momentos, pensemos que es lo mejor que tenemos en estos momentos. De manera que no me gustaría ver que estemos discutiendo estas cosas de vinculante, no vinculante cuando a nosotros nos afecta tanto lo no vinculante como lo vinculante. Queremos que sea la simple Declaración de Derechos de los Pueblos Indígenas.

**Dalee Sambo:** A few comments on this particular topic because frankly, I agree with Willie's comments earlier about how we, as Indigenous Peoples, collectively characterize the Declaration. First of all, I think it needs to be understood that the nature of human rights - and this is something Bill Means was talking about the other day - is that they are inherent in the legal status of the human being. Every single human being. They can't be destroyed or taken away. That's different from them not being recognized or violently being abrogated. The peremptory norms of international law like racism, slavery, torture and piracy and so forth. The nature of human rights is that they're inherent. They' can't be given by a government. They can't be taken away by a government. Them being recognized or respected is a whole other thing and that's one of our big problem. I think it's important that we understand this.

Also, I think it's important for us to recognize that the Declaration isn't creating any new rights. The Declaration was a way to embrace the indigenous perspective of what our basic, inherent, fundamental human rights happen to be. That's what the Declaration exercise was all about. If I borrow language in existing international covenants like the International Covenant on Civil and Political Rights, the International Covenant on Economic Social and Cultural Rights and any other existing instrument out there, we have to recognize that it's not creating any new rights. If we begin to utilize -and I do think that Willie's caution is really important here- the language of, for example, the United States that is merely aspirational, this is highly problematic, especially, after what I said before about the customary international law principles which are crystallized in terms of the rights to self-determination, reparations, recognition of Indigenous Peoples rights to lands, territories and resources. All of these other related issues. We shouldn't overlook the fact that even before the Declaration was adopted, in 2007, the human rights treaty bodies were generating jurisprudence on the basis of the draft declaration on the rights of Indigenous Peoples, namely, because we weren't creating any new rights. They were just trying to figure out how it is that we deal with the gross violation or the

violation of Indigenous Peoples individual and collective human rights.

As far as this question of a convention, I think we need to really carefully think about it, in terms of the present usage of the Declaration and because the human rights treaty bodies are creating jurisprudence, because the national courts are creating jurisprudence, specifically, on the basis of our interpretation of what our rights happen to be. If we look at this enterprise, it is a political enterprise to morph the Declaration into a convention. We have to take into consideration the extraordinary risks that exist if we demand that that be done. I appreciate the challenge that was given to the youth if we have a perfect alignment of the stars that allows the future nations of the world. We recognize that there may in fact be other nations that join the United Nations. Greenland is a perfect example of this. They're in the cusp of total independence. At this moment in time, 193 nations of the United Nations, only 22 of them have ratified the ILO Convention 169. If we morph the Declaration, it's a major uphill battle.

We have to recognize that once you put that in place, yes, you might have a recourse mechanism; yes, you might be able to make human rights complaint; yes, you might be able to utilize it in other ways, but it will only be binding on whoever ratifies it. I think the ILO Convention is a good example of: "OK. Yeah." Norway was the first to ratify ILO Convention 169, but Norway has a really different relationship with Saami people. It's not the same for those who are being oppressed in some of the worst ways that we know about on earth at this point on time. Again, I appreciate the challenge to future generations that when the time is right and when there's a greater capacity for the international community to genuinely, in good faith and with the right political will, want to undertake the mission of a convention, that's a whole other story. I think we need to pause and think carefully about such a political enterprise. I could say a lot more about that particular dynamic, but I think we have to take the caution that Willie was making earlier and take it seriously and build on what we happen to have here and now today.

I'll finish with one other comment. The way that we handle the issue of the UK no wanting to recognize collective rights of Indigenous Peoples -it wasn't just the UK, but they were the main face of it, the ultimate colonizers on the planet- was to go around the entire room as far as every Indigenous People, nation or community that was represented and ask them: "How many of your national constitutions use the word 'peoples'?" How many of your national laws and policies use the word "Indigenous Peoples?" This is what customary international law is. It's what the State behavior happens to be. We had a long list by the time we were done of national laws, constitutions, policies and so forth that used the term "Indigenous Peoples". In Spanish, it was "indios". It depended on the particular legal context. This was the way that we were able to force Nation-States to say: "Yeah. We do that. You're right. This is our behavior. This is what we've done domestically. Why should we oppose it internationally?" It wasn't that easy in terms of the argument, but that's an example of how the present language of the Declaration can be utilized to force change.

Of course, we would all like that big stick. I would love to have one. I would love to be a Permanent Member of the Security Council, but we're not and we don't have that big stick. We have to use what we have in terms of the present day tool of the Declaration and whoever made the comment of intersecting it with the ILO Convention, intersecting it with the OAS proposed declaration, any other international human rights' treaty or instrument or existing indigenous nation-state treaty out there. Whatever tool it is that we happen to use. We should cultivate that and also maybe have our own internal quiet discussion about what are the pros and cons and the real potentiality of a convention.

**Allene Chockie Cottier:** I am going to take chair privilege. The reason we need to connect so heavily and find ways of drawing in youth and expanding through common use of our language and these issues throughout our systems, whether it's in your home, in your school and not just leave it in these international bodies, is the common law of it. Going back to when we were



here in the first meetings, we had to fight for to be anything collective. Any of those rights were relegated to individual rights, not collective rights. Our biggest struggle early on was that understanding of what it meant to have collective rights and to be “peoples” with an “s”, not just “people” that could be relegated to: “You have the same individual rights as the rest of the people of the world”. As Indigenous Peoples, we had our collective existence and philosophies and everything that preceded what is in place now. There was this battle of two different worlds. Us in one world, trying to utilize their law, their structure and everything that was totally intended to eliminate us as collective groups and peoples, and our collective rights. We sat in many meetings just fighting over that “s”. There were “peoples” not just “people”. To recognize us as collectives not individuals. Part of that is they recognize children rights, they recognize women’s rights, they recognize dog’s rights, they recognize every other kind of rights in the world but getting them to recognize collective rights, which then had a place for us and our issues was a major battle. I think that’s some of what we need to be sure, moves forward and doesn’t get lost in these discussions.

People take for granted now, when they refer to people, “Indigenous Peoples rights”, that it was always that way. No. It was a battle to get that term in place, just in those couple of little letters and notations. We sat in meetings for hours fighting over one letter because of the weight that one little letter carried with it. That’s some of the history of this battle and why, as I said before, all these issues need to be brought to our daily lives and dealt with our regional differences and how we bring back collectively to recognize those collective rights. There are so many behind the scenes discussions that I can’t bring into open discussion, but those are some of the issues: using the standards that are in place may sound correct, but we really need to seriously analyze our actions here forward because the way they’re written and the intend of how they’re written may end up taking away from where we go. We still have the opportunity to use natural laws and common law to incorporate where we’re trying to go with our indigenous rights. In the United States, I know that we’re using them very effectively and changing a lot of the tribal governing structures. They’re incorporating what we’ve done in international work into they’re tribal laws which are countered to a lot of the laws that were set up as colonial governments with that they were previously functioning under. There’s a lot that can be happening but you have to understand every little detailed word and the implications of it and not take it lightly. The most important of that is that our collective rights that people assume already that they’ve always been there and been recognized and they haven’t.

**Joji Cariño:** I think we also need to see how the adoption of the Declaration is being felt in a whole range of other arenas. For example, the Convention on Biological Diversity in its treaty, which is the Access and Benefit Sharing Convention, the Nagoya Protocol, actually recognizes the UN Declaration on the Rights of Indigenous Peoples. While its mandate is on biodiversity issues, it accepts that the mandates arising out of the human rights that in fact the UN Declaration is the international standard to be followed, that gives guidance, even to its action with respect to access and benefit-sharing. In that other Convention, free, prior and informed consent is required for the use of traditional knowledge as well as genetic resources. The UN Declaration is actually the international standard to be used. That’s the same with the UN Framework Convention on Climate Change. While the implementation and the debate over the use of Redd+ [*Reduced emissions from deforestation and forest degradation*] is still an issue of self-determination for each of those communities as to whether or not they will use that mechanism, in fact, that Convention has also recognized the UN Declaration as the safeguard with respect to social issues or human rights of Indigenous Peoples.

As our agenda item is on the situation of Indigenous Peoples in the world and the role of the UN, we need to see this holistically. How the UN Declaration, together with a range of other conventions are actually reinforcing the status of Indigenous Peoples and the need for us to be very robust actually in our evaluations of the current situation of Indigenous Peoples. One of

the obligations of States within these treaties is the reporting and the oversight mechanism in the same way that the Universal Periodic Review is required in human rights. The Convention on Biological Diversity requires national reports from governments as to how well they're implementing their obligations on traditional knowledge, customary sustainable use and respect for free, prior and informed consent. There has been an initiative from a number of indigenous organizations and communities to strengthen community-based monitoring and information systems in order to generate for ourselves the necessary information as to how well states are meeting their obligations. Also, to generate this information for our self-determined development. For example, through community resources management, land-use planning, etc. I encourage that more of us strengthen our community monitoring systems to hold states accountable, but also to generate our own information so that we can do our own plans better. A few years back, the UN Permanent Forum brought out the book *The State of the World's Indigenous Peoples*. That has not become a consistent publication. If we are going to track progress of how this UNDRIP is being used, then we will need to set into place a way of continuous monitoring so we can really see whether the outcomes at the community level are really improving with the passage of these laws. I hope that will become a more collaborative activity among more of us to strengthen our monitoring systems. Thank you.

**Bill Means:** I want to mention, I think it was the first day regarding the aspiration or challenging the youth you may be moved towards a convention. I also accompanied that by identifying the UN as turtle. It took us 30 years to get the Declaration. In my mind, the United Nations is made up of Nation-States. In order to move to the next step, first of all, we have to have support of Nation-States, which means those States that are majority of Indian, indigenous, have to take the lead to support that effort for a Convention. So, our work is at home, not here, within the United Nations as of yet. Our work is to use the Declaration presently. Every case we can domestically. Whether it's an issue of children, a criminal issue. Whatever it is, we use the Declaration to create customary law. Also then, we organize our governments, especially where we have majority Indigenous People to support the aspirations, to actually implement the Declaration so that in the future they can introduce the concept as a Nation-State of a convention. We're getting ahead of ourselves, a little bit, I think because we haven't really done our best to implement the Declaration before we move on to the convention.

We're still challenging, as the previous speakers said, the institutions within the UN to recognize the Declaration. We continue to do that, but meantime, at home, in our communities, especially where we have the majority, but even in a place like United States to eventually elect a person that will have a belief in the human rights of Indigenous Peoples, where we have an indigenous majority, we have the most realistic hope of doing that. Even some places where we have elected an indigenous president, we haven't had that advocacy on the issue of human rights. We haven't had that advocacy on the issue of indigenous rights, even though we've had some indigenous presidents, here, in this hemisphere. I think we normally get ahead of ourselves too far. We can still call in the long term. When we operated our movements, we got short-term goals, we got long-term goals. I think it's part of our long-term, as Indigenous Peoples. Of course, we want a convention, but in the meantime, we have to organize at home. We have to challenge the institutions. We have to challenge the UN institutions to recognize the Declaration, then, move on. We have it out there. We have already introduced the idea here. Even Martínez Cobo introduced it way back in 1992. He said: "We did a Declaration that will lead to a convention." It's not a new idea. It's just that we don't want to forget Martínez Cobos' dream, which is really Augusto Willemsen-Díaz' dream and our dream. I just want to say that it's a vision. It's up to us to execute the reality of the vision. [*Greetings in Lakota*]

**Allene Chockie Cottier:** I'm going to use executive privilege and call on people that have never had the opportunity to speak.

**Madonna Thunder Hawk:** I just wanted to say one thing shortly. Just what Bill was talking about. I just realized that yeah, I have something to say because we just did exactly what you talked about a few weeks ago in South Dakota. We had the UN representative from the United States to come up to South Dakota on child trafficking by the State of South Dakota. Thanks to Phyllis Young and the Standing Rock Sioux tribe and her knowledge of the Declaration and all the articles that are in there and how they relate to the trafficking of native children in South Dakota comes under the genocide. They had it all laid out. They actually sent a representative out. All she did was come and explain them what she couldn't do. That wasn't the point. The point was with the Declaration and the representative of the UN in the United States coming out to South Dakota. That just spread like wildfire. Right now, we have congressional people that have influence in the agencies that fund child welfare programs. I am talking of direct funding to the tribes of South Dakota. It started a little wave, if we understand about the Declaration and use it at home. The State governments and those people, they just immediately run for cover because: "Oh my god! Those Indians got a representative from the UN coming out here." It was really scary for them. So, yeah, you use it at home.

**Armando Rojas Smith:** Thank you. We, as the delegates or the elders from 1977, we are drafting a resolution that we would like to set forth before this Symposium about the creation of a council of elders to give a follow up to accompany the youth in their struggle and also to participate in any events that it is necessary that we participate. Especially, in the one that is coming up in 2014, in New York. We have a document that is from Alta. We think that there are important items or themes in the Declaration that we would like to be more clear, to have more understanding about it. We are trying to propose a parallel conference. For that, we want first the recognition of all the delegates to this Symposium that we can constitute this council and participate in this Conference. I would just like to present this now officially to the people from whom we would like a "yes" on this.

**Allene Chockie Cottier:** That would require some discussion?

**Nilo Cayuqueo:** There is a draft we wrote originally in Spanish. It has been translated into English. It's a two pages document about the outcome of this conference. We need to revise and discuss that. We need at least one hour to do that, hopefully, because we need your input. We want to do the right thing. I don't know if the English speakers had the opportunity to read the document. Otherwise, I support Armando's idea to have discussion on that. If you all agree, we can discuss it. It's very important. This is the main theme of the conference. Our document, that will be sent to all the brothers and sisters around the world, that will be sent to the international public opinions, the NGOs and everybody, letting them know that we have met here and we had this document. All the things that Armando was highlighting are in this document. I would like to start to discuss it right now to see if we have any agreement on that.

**Carlos Mamani:** Gracias, Presidente. Yo voy a proponer algunos puntos para ese debate. Sin embargo, quería aprovechar y comentar el debate anterior respecto a la situación de la aplicación y la implementación de los derechos contenidos en la Declaración de las Naciones Unidas sobre los Derechos de los Pueblos Indígenas.

Particularmente, en Bolivia, hemos vivido momentos de mucha emoción desde el año 2005, cuando Evo Morales fue elegido presidente de la República de Bolivia. Eso ha sido un hecho muy importante para nosotros porque, como ya lo dijo el hermano Means, el hecho de que un indio asuma la presidencia de un Estado es un hecho fundamental. Así, hemos tenido, luego de

la adopción de la Declaración de las Naciones Unidas, una ley de la República de Bolivia que lo adopta como ley. Eso hace que, entonces, la Declaración tenga carácter vinculante, es decir, de aplicación obligatoria. Luego, cuando se aprobó una nueva constitución, en el artículo 30 de la Constitución del Estado Plurinacional de Bolivia, se incorporan casi todos los derechos establecidos en el Convenio 169 de la OIT y también, en la Declaración de las Naciones Unidas.

Por otro lado, hemos tenido bastantes avances en la región. Son dos países donde ya no se habla de Estado-Nación. Estoy refiriéndome al Ecuador y a Bolivia, donde, formalmente, son Estados Plurinacionales. En el caso del Ecuador, se habla de “nacionalidades indígenas” y, en Bolivia, se habla de “Pueblos Indígenas”. Es más, en el caso de Bolivia, se incorpora en la Constitución del Estado Plurinacional el principio de la descolonización. Entonces, lo que ocurre es que, en la letra de la Constitución, hemos tenido gigantescos avances. Sin embargo, a pesar de que tenemos a un indio como presidente de Bolivia, del Estado Plurinacional, los Pueblos Indígenas continúan enfrentando amenazas de megaproyectos, de industrias extractivas, persecución de sus líderes. Entonces, ahí, tenemos grandes problemas. Yo no voy a denunciar nada. Sin embargo, creo que está en la obligación de los Pueblos Indígenas de implementar sea el Convenio 169 o como sea la Declaración de las Naciones Unidas sobre los Derechos de los Pueblos Indígenas porque también los Pueblos Indígenas nos hemos acostumbrado a que sea el Estado quien haga las cosas por nosotros. El derecho a la libre determinación es un derecho nuestro y a nosotros nos corresponde ejercerlo. Es así que, en Bolivia, desde hace tiempo, opera un proceso que hemos llamado de reconstitución, que los hermanos del norte hablan de “restauración.” y nuestro propósito es restaurar lo que fuimos antes. Por ejemplo, nosotros no pensamos en Bolivia, pero sí pensamos en el Q’ullasuyu. Ese es un proceso en marcha y para nosotros, ahí, sí vamos efectivamente a la descolonización. No estamos trabajando en organizarnos sino que estamos restableciendo nuestros órganos de gobierno.

Ahora, entrando al documento al que hizo referencia Nilo. Resulta que las resoluciones que establecen la Conferencia Mundial sobre Pueblos Indígenas para 2014 prevén la realización de una evaluación, dice: “de las buenas prácticas en el cumplimiento de los objetivos de la Declaración”. Lo que nos hemos olvidado, el conjunto de los Pueblos Indígenas, es justamente de hacer este ejercicio. Entonces, yo recomiendo que, en el documento que ha estado haciendo el hermano Nilo Cayuqueo, el hermano Rojas Smith de Nicaragua, Misquito, pueda incorporarse como un punto la evaluación de los objetivos de la Declaración desde su aprobación, en 2007, hasta el presente. ¿Qué avances hemos tenido en el conjunto de los países donde los Pueblos Indígenas existimos? ¿Qué dificultades hemos tenido? Las dificultades las tenemos en el orden práctico. Para mí, esto es importante porque lo que va a resultar de la Conferencia del 2014 es lo que llamaríamos “un plan de acción”. Dice la resolución que lo que debe resultar es un documento orientado a la acción. Ahí, es importante tener un estado de situación de qué está pasando con la implementación de la Declaración de las Naciones Unidas sobre los Derechos de los Pueblos Indígenas.

**Allene Chockie Cottier:** OK. Are you asking this body of the remaining delegates to take action or a vote?

**Carlos Mamani:** Lo que propuse es que, en el documento que ha preparado acá mi hermano de Nicaragua y el hermano Nilo Cayuqueo, incorporen un punto en ese documento que establezca la necesidad de hacer esa evaluación de la aplicación o el cumplimiento de los objetivos de la Declaración, desde su adopción, en septiembre de 2007, hasta el presente.

**Allene Chockie Cottier:** I’m just hearing request for action and seeing that we have limited time and limited numbers. Are you requesting action? We need to split discussion and action

because it takes a different kind of chairing responsibility. If you want action, we need to have a clear definition of what the action request is and what kind of vote you want, if you want a vote. If you just want to submit a document and have it included in the reports. This one has a budget attached to it. I don't know if this body has the authority to do anything in that regard. I am unclear as chair what you're asking me for, other than declarations. Do you just want this included in the documentation? This documentation has a budget attached to it and some action item. So, that is different.

**Natalio Hernández:** Yo creo, Señora Presidenta, que debemos concentrarnos ahora en el borrador del documento que ha elaborado el hermano Armando de Nicaragua para que podamos, en ese documento, reflejar lo que hemos reflexionado estos tres días y que ese documento nos sirva a nosotros para llevarlo a nuestras regiones, a nuestros pueblos y que también podamos presentarlo a la Conferencia del año próximo. Es decir, un documento que recoja nuestro pensamiento y nuestras propuestas de cara al 2014, en Nueva York. Para esto, yo sugiero es que el tiempo que nos quede ahora nos centremos en el borrador del documento y nombremos a dos personas para que recojan eso y mañana nos presenten el borrador enriquecido. Muchas gracias.

**Constantino Lima Takir Mamani:** ¿Puedo hablar? Toda la tarde, creo que estaba pidiendo la palabra. Lo importante que quería decir, al respecto a los derechos de los Pueblos Indígenas, es aquello de que hay que recordar dejar hacer, dejar pasar está en auge. Se acata, pero no se cumple. Está en auge. Por tanto, las definiciones muy correctas de los hermanos, está muy bien, realmente, pero aquí, la nota que podemos agregar nosotros es, en realidad, desvinculante. ¿Por qué? Porque a nosotros nos están considerando como siempre nos han considerado. Yo quisiera que, en esa ley, que tiene no sé cuántos artículos, solamente hay un artículo que, en cierta manera, podemos emplear: el artículo 5, donde, en una parte dice: "si lo desean". Pero, los Estados, en estos casos, el gobierno boliviano, esto no hace caso. Nos tiene amarrado con su ley. Por otro lado, esta ley del 13 de septiembre de 2007, ha cumplido con todos los estilos legales de Bolivia, por ejemplo. Luego, ¿qué es lo que está sucediendo aquí? Nos quieren amarrar a su constitución. No puede ser. Esa ley se tiene que cumplir ya sobre la marcha. Eso no permite allá. Eso es lo grave que existe, en realidad. A grandes rasgos, quería hacer conocer eso. ¿Qué más se puede hacer? En cuanto al documento de nuestro hermano, Armando Rojas y Nilo Cayuqueo, con algún arreglo, tal vez, no me gustaría oponerle tanto. Si los hermanos pueden corregir un poco, que lo corrijan, pero de una vez hay apoyo. Creemos, como ancianos, como viejos que somos, como viejas y viejos que somos, nuestro espíritu, nuestros ajayus tienen que acompañar a la juventud y nuestro deber es dar la fuerza a nuestra juventud, a esa generación que va a dar una nueva fuerza más y que nosotros podamos, si tenemos posibilidades, orientar a nuestros hijos, tendríamos que decir en ese sentido. Hay total apoyo solamente con las correcciones que naturalmente existe. Muchísimas gracias.

**Pierrette Birraux:** Tomorrow morning, we should discuss how to do the side-event and the City of Geneva's reception. In fact, the side-event has already been organized by the Organising Committee and I think you already received the agenda. We can discuss it eventually now if you wish so. Then, for the City of Geneva, I had to discuss with them. They wanted to know exactly what we will do. I had also to discuss with several of you the programme of tomorrow. I can give you the programme of tomorrow night. If we do that now, tomorrow morning you will have the time to discuss the declaration. We'll be sure that it's being translated. This is my proposal.

**Mike Myers:** I think you're talking about this document that says "Indigenous perspective on human rights". I just heard that the Organising Committee did this. I've never hear about it.

**Pierrette Birraux:** We had a meeting yesterday at lunch. We discussed that and I tried to be the relationship between the different tables.

**Mike Myers:** Yeah and I told you to tell me what you came up and nobody told me what you came up with until now, with this document here.

**Pierrette Birraux:** I told the two tables what the result was.

**Mike Myers:** This whole idea was designed, put together and brought to us for approval?

**Pierrette Birraux:** You are the Organising Committee who has to tell what I have to do.

**Mike Myers:** I want to ask. Bill, what do you know about it?

**Bill Means:** I'm just seeing that for the first time. I did participate in the discussion last night with regard to several issues. This was only the cover page, I think, that I have. I don't think it calls for anything.

**Allene Chockie Cottier:** As Chair, right now, I am confused. I am unable to discern whether you are calling for action and, if so, what action are you calling for and who was asking for the action and who wants to implement the action that is being requested. I hope that's simple in terms of what my needs are in information. I've been hearing that these things are happening but I don't know what people... I was supposed to be consulted on this and got secondary hand information. I knew it was happening but I couldn't tell any detail about what it's supposed to be.

**Dalee Sambo:** Thank you. As far as the side-event here, I was asked late yesterday if I was willing to moderate it. If you don't want the side-event to happen, then we should just say "yes" or "no". If you want it to happen, but not in this format, then it should be adjusted. That's all I know about it because, again, late yesterday I was asked if I would moderate a side-event in the context of the Human Rights Council and the Symposium.

**Allene Chockie Cottier:** For me, I was asked if a presenter would come and we would be in agreement for such things. The people who were supposed to present the issue at the time were not in the room and so we've now proceeded with other discussions and now we're coming back to what was asked for previously and in the course of things, I feel unable to describe what people were asking for. This document has a budget attached to something that's supposed to be an agreement of intent, but to have a specific budget is another discussion.

**Dalee Sambo:** Just in order to finish. I think we should dispense with this particular issue of the side-event. I'm happy just to have lunch tomorrow and not moderate a side-event, but, if people think a side-event is useful, a side-event should take place. It's not necessary to have it in this format. I don't know how the composition was put together and so forth. I think if we can just dispense with this and then the other matter of which relates to a parallel conference with an attached budget (I don't have the attached budget). I read through the information about a parallel conference. If we can dispense with this issue of a side-event, now, and then we can proceed to the other issue.

**Armando Rojas Smith:** Sí. Quiero aclarar el documento que hay en la mesa. Se trata de la primera reunión de notables indígenas de 1977, donde también hay una carta que se está escribiendo a la Unión Europea y, adjunta a esa carta, está un presupuesto. Esto no tiene nada que ver con el Simposio, sino que es una iniciativa de los ancianos reunidos para crear una organización de los ancianos para dar seguimiento a muchos de los temas que tienen que ver con los Pueblos Indígenas. Nosotros necesitamos presentar esto aquí para que le den su aprobación a esto y nosotros, después, vamos a hacer la gestión porque ya lo hemos hecho. Es simplemente ir a buscar y dejar los papeles. No vamos a discutir aquí ese presupuesto ni nada de eso, porque aquí es de otra naturaleza. Que se apruebe el documento, que es lo que nosotros necesitamos.

**Allene Chockie Cottier:** The problem I have with that, and I don't know if everybody present here has the same issue, is to get a body to recognize and adopt an instrument that has a budget attached to it means this body is saying: "we agree to this funding of this entity." Those are two separate questions: In principle, to adopt something or to in fact be endorsing to go seek money elsewhere. That needs to be clear. I don't know if anybody else has problems with that.

**Michael Eckford Aka Anderson:** Madame Chair, I am just getting a little bit disappointed here because I come from a long way. What I am seeing here is manipulation by one section of the Earth and the rest of us are not getting an equal share in being able to have a contribution here. I did not come here to listen to all the American stuff, although we share a history and we share a struggle. I think we need some equity in terms of speaking rights. I am a little bit disappointed with the conduct of the meeting. There are some very serious issues. Everybody is here talking about the UNDRIP and there are those of us who are questioning UNDRIP and the fact that there is a clause in there that says if we want our rights... I want someone in this room who is promoting this UNDRIP to explain to me whether or not we accept the fact that if we want those rights that are in UNDRIP that we have to recognize first the territorial integrity of our invader state and our oppressor because that's what's in UNDRIP. If you want to work within that system, my fellow brothers and sister, well, then I am sorry. We don't accept that. I do not recognize the belligerent State of Australia nor its British colonizer, the Britons, who colonized and set up a state. I think that what we need is to ensure that we get some equity here in this discussion because this is really not fair.

I've been watching here now for a while. I think that, with all due respect Madame Chair, we really need to share the load here and have people have their right to speak and give equal time. I think that's absolutely necessary. I really want someone and I think maybe Willie Littlechild may be able to give me some answers here in terms of what is the rights of Indigenous People if we do not recognize the territorial integrity of the State. How does that apply to those indigenous populations or peoples within their own countries who don't want to recognize that State? Does that mean we're left out of those considerations? If that's the case, well, I don't want to have a bar of it. We've come here to ask those questions. To have this clarified to make sure that we understand where everybody else is going. I will not accept that and my people will not accept that. We talked about sovereignty. We're getting a bit mixed up here because some want to work within the system and work with their fellow oppressors tuned and play the fiddle and dance the tune. I listen what brother Constantino Lima keeps saying. We had an indigenous president, but he doesn't even recognize the rights of Indigenous People within his own country. With this being the case, I think we need to clarify where it is that we're going if we're going to talk about sovereignty. Are we going to talk about sovereignty within the Nation-State and recognize the dominant state and have second sets of rights, second-class rights as a sovereign people? No.

Then there are the other questions that I wanted to clarify. What about those people who are indigenous, who've never signed a Treaty and have never been part of a Treaty. We don't have those treaty rights. We don't talk about those Treaty rights. We talk about sovereignty as an independent nation of people by ourselves, exercising our right. Our intention is to be recognized as an own self-governed territory in the first instance to get into the door of this big house. As a non-self-governing territory, as non-treaty people, we have fought in the courts back home to win the rights and be recognized. Now, we have the High Court in Australia saying that the Australian legal and political system operates as a very fragile skeletal framework because they are not sure of the sovereignty because their sovereignty is given to them by an act of the British Parliament, which is the Constitution. Madame Chair, I think, in respect to these questions, I think we need as a collective and I thought that we would share the knowledge that we all have and fight together to bring down the States that are oppressing us so that we can find our way. My brother Mike Myers has talked about the fact that he wants to get into this place, so do I, but I will not get into this place if I have to recognize the territorial integrity of the State that oppresses my people. What we need to do is we need to work out which way we want to go here. We cannot walk both sides of the fence here. We have to make a choice. Madame Chair, with that, I will leave that. Thank you.

**Ron Lameman:** Thank you and good afternoon. I think I am starting to understand what I thought was happening here is not happening. I thought somebody was putting together a declaration, sort of acknowledging the work that has been done and how we're going to empower the youth to carrying on. That was my understanding. I guess I misunderstood. I don't see a document. Is there a document that is being printed? That's my question.

**Allene Chockie Cottier:** We're supposed to be closing at 6.30. I just want to add to the comment. I'm sitting up here very confused because it was my thought. I've been confused since I got here. I am sorry. The agenda item, I thought, was giving guidance to our youth and some direction and that we would end up with something meaningful for them, some steps, some cautionary notes, something. I understand the need for this other action, but in the way it's structured and, especially, to adopt it with a budget attached and not having a budget discussion, I have problems with it personally. I am feeling really sad that we don't have more concrete direction to be handed to our youth, which I came here thinking was the bottom line. What happened before? What's happen in between? What's changed? What do we hand off to our youth to give them guidance? In that, I am leaving this evening or in the morning and I am not feeling like that's been done and accomplished. I am feeling now very frustrated as chair because we're at the close of the day and this discussion doesn't make sense for me. I've had people talked to me and give me bits and pieces, but as it comes to me forward now it doesn't give me enough information to make sense. I think it's really part of the comments that we've heard so far. We've always had trouble, from day one, to try to figure out the policies that brought unity to our diverse issues and the diverse ways we've been colonized and where we find ourselves in contemporary society, in relation to the governments that are dominating us and denying our existence and our rights. That has always been the struggle. What are we handing to our children? That's basic for me. I am a mother, before I am anything else. What guidance am I giving to my children who are dedicating their lives and their existences to this of work to help them move forward and not get them so frustrated and confused that they quit. It's their survival. It's generation's survival forward. I think we, as adults, in the way -and this is my criticism- we structured, we failed. I am leaving tomorrow morning and I feel like we've failed to do anything constructive for our youth in this meeting because I haven't seen anything concrete that gives them some clear guidance or comments on where we stand today. We have a lot of work to be done. It's even more insidious now because, in North America, the governments have taken all of our international work and usurped our language to continue to



deny our rights. It's very finite work and steady that needs to be done to see how we continue this battle for our rights and our independence and whatever status we are in the world now, and whatever numbers we're dealing with, how we move forward so our children do have future generations that are meaningful as Indigenous Peoples. Right now, I am sitting up here as grandmother feeling like a failure because I am not feeling this from the content of what I've seen.

**Dalee Sambo:** Two points that were made. Ron's comments first. I was under that same impression as well. Frankly, I am not one of the political leaders from my community. I am a resource person. I offer the information and knowledge I have. I thought that what Ron stated in terms of our discussions here really was the outcome: the first delegates on the historical perspective and then some advice and guidance, as far as future generations are concerned and the work of the youth here for the next three years in collecting more information about our human rights.

The point made by our Australian brother is a point well taken. I am happy to have a discussion. I don't know if we actually have the time and the space to do this, but I am willing to do that one on one, in terms of the interpretation of the language of the Declaration, especially, article 46. I know exactly what you're talking about and I am happy to have that discussion. We can do that out, one on one or right now, if you want to, in terms of my interpretation. It is highly problematic language and I am willing to walk through and have that discussion. At this moment of time, what I would suggest, especially, since Nilo Cayuqueo has walked around the room and handled down yet another document, is that we dispense with everything, with the exception of the document that he just now circulated that says "First meeting of the 1977 eminent indigenous delegates in the United Nations." If this is the draft document which is supposed to embrace and reflect what we've discussed and also provide some guidance to the future generations and the youth that are here now. Maybe that's what our actual work should be. I don't know.

**Carlos Mamani:** Señora Presidenta: muchas gracias. Disculpe usted, yo no estoy muy de acuerdo con las palabras y lo que usted acaba de decir de que no hemos tenido ningún avance. El evento que los reúne es, ante todo, para hacer un homenaje a los hermanos y hermanas que vinieron aquí en el año 1977. A partir de esa experiencia, poder conversar respecto a los avances o a las dificultades que hemos tenido en el logro de la construcción de los derechos de los Pueblos Indígenas, en especial, los avances que se han tenido. Por ejemplo, cuando llegaron acá, en 1977, no había ni siquiera el Grupo de Trabajo sobre Poblaciones Indígenas. Hoy, tenemos grandes avances. Tenemos mecanismos especializados sobre los derechos de los Pueblos Indígenas. Está aquí nuestra hermana Dalee Sambo que es miembro del Foro Permanente y hemos contado con la participación de dos ex presidentes del Mecanismo de Expertos. También contamos con instrumentos internacionales de derechos de fundamental importancia para nosotros. Eso, creo que son grandes avances. Lo que ustedes han hecho en el año 1977, creo que los jóvenes lo han recibido y también, yo soy un beneficiario, lo había dicho el primer día, en aprender de la experiencia de ustedes, en reflexionar. Tal vez, no hemos podido profundizar nuestras discusiones, pero cuando yo escucho a los hermanos mayores hablar sobre las relaciones tan especiales que tenemos con la tierra, con la Madre Tierra, creo que son profundas enseñanzas. Eso es un gran avance. Capaz que nosotros estemos confundiendo el espacio. Tenemos el Foro Permanente o el Mecanismo de Expertos para discutir, tal vez en mayor detalle, estos asuntos que hoy estamos queriendo discutir.

En relación al documento que hicieron llegar, yo entiendo, son dos cosas distintas las que llegaron a la mesa. Uno es el proyecto de resolución que redactaron el hermano Rojas y el hermano Nilo Cayuqueo respecto a establecer un consejo de hermanos mayores o ancianos, no sé cómo se llame. Eso nada tiene que ver con la carta a la Unión Europea y al presupuesto. Yo

creo que ahí se les entrapapeló y no debió llegar ese documento. Acá, lo que se discutió y yo traté de aportar, es la resolución. Quisiera, Señora Presidenta, que sea esa resolución que podamos, tal vez, mejorarla. Tenemos tiempo hasta mañana.

En cuanto al evento paralelo, el día de ayer, en el almuerzo yo entendí, hermanos mayores, que sobre esto discutimos. Además, esto ya es un evento previsto en el programa que todos nosotros hemos recibido en conjunto. Hemos tenido varios días de trabajo. Yo tengo la dificultad de no hablar, digo, el idioma imperial de Gran Bretaña o de los Estados Unidos. Yo tengo mucha dificultad con el inglés, pero, asimismo, hice mis esfuerzos para poder trabajar el programa desde La Paz, desde Bolivia. Cuando llegamos, ayer en el almuerzo, hemos conversado muy claramente respecto al evento paralelo. A mí me gusta cómo se ha hecho, incluso que la hermana Dalee Sambo sea la que modere la realización de ese evento paralelo porque, los días que hemos estado reunidos aquí la generación del año 1977 más los jóvenes que nos acompañan hoy y otros que hemos estado participando, yo entiendo que se necesita mostrarlo en el contexto del Consejo de Derechos Humanos de la sesión que se está realizando aquí. Entonces, Señora Presidenta, yo no veo mayor dificultad en que mañana podamos realizar ese evento paralelo. Necesitamos mostrar los progresos que hemos tenido, el contenido tan profundo de nuestros diálogos y conversaciones que hemos tenido. Asimismo, yo creo que los jóvenes también han tomado el compromiso. Es como tomar posta.

Nosotros antes teníamos la tradición de los *chasquis*. Los *chasquis* eran los mensajeros del Inca. Un *chasqui* hacía contacto con otro *chasqui*. Pensamos que, generacionalmente, los jóvenes también han tenido la oportunidad de recibir los consejos y los mandatos de los mayores. No habría que pensar que aquí hemos tenido frustración, Señora Presidenta. Yo creo que hemos tenido grandes avances, en cuanto a diálogo. Hemos tenido dificultades. Como le digo, yo tengo grandes dificultades en entender a los hermanos del norte, a usted, porque yo no hablo el inglés ni ustedes tampoco hablan el español, pero hemos tenido el apoyo de Docip, que agradezco nuevamente. Hemos tenido la traducción y creo que ahí hemos podido entendernos. Yo solicito a los hermanos que podamos adoptar el programa del evento paralelo de mañana y se realice ese evento paralelo porque si no, entonces, ¿cómo lo vamos a mostrar? ¿Cuál es nuestra capacidad de difundir el trabajo que realizamos?

**Nilo Cayuqueo:** Voy a hablar bien corto. I will try to be very short. I think we have to decide what the priorities are from this group. I don't mind to vote on the side-event. I don't have so much things to do. I think it's the priority for us to have some outcome from this conference. It's very important to let the people know in the world that we have gathered here, that we have a document. We have to let the people know what are we proposing as a group. I think it will need time to discuss that. I support the idea of Pierrette<sup>36</sup> and other people not to have a side-event and to have a discussion on this very important issue. Unfortunately, we didn't have the document this afternoon, I do not know, we misunderstood, I was misunderstanding, anyway, I think we have it now. This is a draft. Maybe it's not very well translated, but we have something. It's important to start to discuss that. I would like to invite, I support the idea to discuss this document because it will be the presentation of this meeting, of this council of elders or whatever you want to call it. We are going to tell the world what we did here, what we are proposing, what the intention is. We have to establish a group of discussion and a network of people with the elders, women and men. We invite the people from 1977 who were not here to join us. I think we have a very important group of people who have a lot of knowledge and experience and to take advantage of that for the future of our people. I propose to have a time to discuss and not to urge a side-event. This is a proposition. I think it is also the feeling of several of my sisters and brothers too because this is the priority. We need let the people know what we did. This is very important. People are expecting what the elders did in Geneva. Did they just make a presentation to show themselves to the Human Rights Commission or

<sup>36</sup> Pierrette did not suggest not having the parallel event which was in the program as established by the Organizing Committee.

Council? No. We came to discuss because we are activists and we are involved in activism in all the territories. We need to let people know what we are doing. We are proposing again to discuss this document and what is the outcome of this. It's very important. Then, we'll discuss this document.

What happen yesterday, to clarify a little bit, if I can, it's that there were the two ladies of the European Commission and they agreed to consider a proposal from us if we decided to go ahead and to have a meeting in New York next year. They asked if we could send the letter of intention. We asked Tony, Bill Means and Bill Simmons if they could draft a letter of intentions to the European Commission to be discussed here after we discussed the document. We have agreed to meet next year with all the delegates from all over the world to have a panel conference and then we can go ahead and try to find funding for this purpose. That was the idea. It was misunderstanding.

**Bill Means:** The basic problem here is we're introducing ideas and items that are not on the agenda. So people are confused. When you look at the agenda, it's totally different. There's at least five issues that people have been talking about in the last half hour. For example, we have the question of UNDRIP and article 46 that our brother from Australia asked questions. Then we have the issue of the upcoming World Conference of Indigenous Peoples, which we haven't had a chance to discuss, whether or not there should be a parallel conference. That's another issue. Number 3. We have the issue that Nilo Cayuqueo just talked about, the establishment of an elder's council, that's not on the agenda. Number four, I think, is the number one priority issue, is what the final document of this group. Number five: we have introduced, which is on the agenda, do we have a side event? Yes or no? We have got at least five issues on the table, four of which were not in the agenda. That's why people are confused. Some of us know about all five. Some of us only now, maybe, about one. I guess we have to decide, I think Nilo mentioned, what is priority for tomorrow? What are we going to do tomorrow? Do we have to make a whole separate agenda for tomorrow? Do we have the time? Do we have this room? Do we have translation? All those things. That's my question. We have five issues on the table. How do we deal with them? I think the number one, personally, is the report from this meeting. I think that's number one. Everything else is secondary to me.

**Roxanne Dunbar Ortiz:** I thank Bill for clarifying those issues. I think now we're all on the same page. I support Nilo's proposal because I think questions have come up and there's a need for discussing and this final document that comes out will be a part of that process of answering also some of these questions and having extending this discussion. I won't be here tomorrow, but my opinion on the side-event is that it would be nice. It's a presentation, but it's not a discussion. It's a presentation. I think, the way things have developed, that there are more pressing concerns and it should not take up time and it should not take place.

**Tony Gonzalez:** Thank you. I will try to be brief. First of all, as Nilo mentioned, the presence of the people from the European Commission here and their interest to consider a parallel activity during the time in New York was presented here as a discussion in the interest of transparency, it wasn't intended to seek endorsement from this body at all. We know and you've heard that some people may not consider that as a priority to necessarily involve themselves. I can assure you that there are five regions here who are ready and prepared to organize for this parallel conference. The key to that is funding. This is one source that has provided an opportunity to listen to us. This American Indian Movement activity, AIM West activity and the Indigenous Peoples of Nilo, South America, Mr. Rojas and of Central America, Mr. Mike Andersen of the Pacific, in Australia, and Ms. Mary Simat from Africa, have mobilized. The only people here lacking is the Siberia and the North of the Sami people, who I understand are in a land struggle right now challenging the governments of their. They are in need of a convention.

I've had gotten countless phone calls from people around who are on the ground struggling, who are saying that the Declaration as is written in this draft letter for funding is weak, to say the least, and not meeting very immediate needs. They want urgent attention. They want enforcement of the Declaration. As Augusto Willemsen-Diaz, in his writing of the Cobo report, says, and again to repeat what Bill also says, a declaration leading to a convention, we need to start that kind of advocacy now for the years ahead. The parallel forum is an opportunity to complement the outcome of Alta. There's still more to be done, such as looking at provisions of the ILO 169, where it's faulting and also the convention that needs inspiration for the people in the ground, in those regions that are in land struggle. Here, we have a degree of struggle from people that are participating to people that are in armed struggle and people that are bumping heads, who need something much more than what the Declaration calls for at the moment. That's why this parallel conference is being proposed. Thank you.

**Mike Myers:** What I see in this document that has been handed to us here, the title *First meeting 1977 eminent indigenous delegates*, is commending us to a number of very concrete things that have not been discussed. I ain't having that crap going on. We're being commended here to constitute a permanent discussion group: I haven't heard that discussion at all. We're committing here that the Symposium has revised this Alta document: I haven't heard one word about this Alta document. So, how will we revising? Reviewing? It's says revised. And that's a poor translation... Nobody has even reviewed this Alta document in the past few days. I ain't heard a word about it. The whole damn paragraph is a mistake. That other one here. OK. The side-conference. Who's sponsoring that? Who's sending a letter of intent? If there's an organization that is sending a letter of intent, that's your discussion. That is not this Symposium's discussion. They haven't wrote to us as a symposium to have a discussion. You, as an organization or organizations want to go raise that money? Fine. Have an organizational discussion about that. Right now, the only thing I can agree with is paragraph 5 thanking Willemsen-Diaz.

**Dalee Dorough Sambo:** Thank you very much. First of all, I want to thank Tony about the clarification about the letter regarding the EU. I thought this was a document being circulated for endorsement and adoption by this group. Thank you. This is useful information to know. Thank you for the clarification. The points that you made about the struggles: absolutely. There's no question that this is ongoing work for Indigenous Peoples everywhere. I am back to what Mike just said and what Ron said earlier that our priority should in fact be an outcome document that reflects the discussions that we had. In fact, that's what I thought the working group themes were about as well that somehow we would have a few words that corresponded with the working group themes and so forth. Can I just propose that we dispense with everything else; with the exception of having an outcome document from this meeting that reflects the discussion of the meeting? I agree with Mike that the only one that I had asterisks was paragraph 5. I think that that was a really good idea to transmit something to Augusto Willemsen-Diaz. That's a proposal that that be the focus of our remaining hours of work and those hours are limited.

**Allene Chockie Cottier:** OK. At this point in time, are we ready to accept proposals and vote it up and down and then go from here? Are there more comments to be made?

**Ron Lameman:** Thank you. I understand little better now. My question is, with the chairman and the rapporteurs, in my experience with the UN, the rapporteurs were the ones that usually take the notes. At the end, these notes are compiled and that's what the outcome document is supposed to come from. I'm just wondering, is that being done or am I missing some-

thing here?

**Natalio Hernández:** Ya el tiempo se nos ha agotado. Creo que hemos llegado a un acuerdo final que yo comparto, a propuesta de Mike Myers y de nuestra compañera que está aquí atrás. Yo creo que debíamos de nombrar a dos personas para que elaboren el borrador del documento final del Simposio. Yo sí quiero llevarme un documento que recoja todo lo que hemos dicho en tres días y que eso realmente nos ayude para lo que vamos a seguir construyendo en nuestras comunidades, con nuestros proyectos. Debe ser un documento bastante rico, que recoja todo lo que hemos dicho en estos tres días. Muchas gracias.

**Pierrette Birraux:** Of course, there will be. We will transcript everything which has been said here. It will take some time. The report has been drafted. People has taken notes. I don't see them now. Everything has been taped. We will be able to put on internet all of what has been said here.

The second thing I wanted to say is that tomorrow morning, you will have time to discuss about what you want to discuss. The only thing I would like to share with you -because we took some commitments with the City of Geneva for tomorrow night- I would like to share this with you tonight, as it was in the agenda because tomorrow morning, I will not be able to come.

**Allene Chockie Cottier:** I am still getting conflicting proposals here. Would somebody please make concrete proposal and then, we'll take each proposal to action.

**Bill Means:** I propose that we take tomorrow morning to discuss a final document from this Symposium. That includes the issues that were discussed over the last three-four days.

**Nilo Cayuqueo:** I second the idea. I support Bill's idea.

**Allene Chockie Cottier:** Are we ready to vote on the notion of tomorrow morning being dedicated to writing up the findings from this meeting and the intent of this meeting? Yes? Everybody? OK!

**Bill Means:** As I understand, the young men from WIPO, who introduced himself, said he was taking notes for each day and maybe he has worked on a draft for the discussion tomorrow

**David Matthey-Doret:** Just to add some comments on technical points. Both Rosalee Gonzalez and Q'apaj Conde made the notes during the meeting. Now, we have approximately a very draft document of 25 pages which we can refer to, if you need, tomorrow morning. It won't be translated because we can't translate a document of 25 pages in one night. It's not possible. We have all the notes. If you need some references, we can look in. Just to say that there is some material, if you need to go back to some points of the last three days.

**Dalee Sambo:** Can I propose that those individuals who are rapporteurs work on a draft document and that with regard to the topics discussed according to the agenda, all we need is a short paragraph for each of the major highlights. We don't need to write the Magna Carta. If

the rapporteurs who were involved monitoring the working group discussions, the themes and so forth.

**Allene Chockie Cottier:** So, it will be the entire group that's here tomorrow morning who will come up with a final discussion on that and review on whatever is to be the final document of this body. Is everybody on agreement?

**Nilo Cayuqueo:** Yes. We also would like to propose to the brothers and sisters from North America if you can do an introduction tonight, if you have a chance to do that, a political introduction because one thing is the report from the outcome of the conference but another thing is a political introduction to let the people know what we did here and what the council of elders is about. I think, I would like to propose if the sisters and brothers from North America can do a draft tonight of a political introduction to be discussed tomorrow. Then, we can have all the following resolution that we decide here.

**Allene Chockie Cottier:** That's another proposal for action and there's comment over here.

**Mike Myers:** Nilo, what is this council of elders? I have not heard a public discussion here about this council of elders? What is this?

**Nilo Cayuqueo:** Since you are asking the question...

**Mike Myers:** Yeah. I want to know what it is...

**Nilo Cayuqueo:** Let me tell you, Mike. Unfortunately, you were not here yesterday. There was a discussion on a group of about eight or nine people to discuss the possibility today a paper to discuss in this meeting. Unfortunately, there was no time during the day to discuss. It was just a draft of ideas of how to go about. People were proposing to form a kind of council of elders to keep the people together as a network of people. Are you against that? That's the basic theme to me.

**Mike Myers:** I am not against this. You said: "Eight or nine people talked about it." There's how many people in this room? If there's a paper or a discussion thing that can be put in front of me and everybody else to look at and think about it, great!

**Nilo Cayuqueo:** Of course. Everybody can do propositions. It's on the table. That's what it is. It's just ideas for discussion. It's just a draft, not a final resolution. Nothing like that. Basically that.

**Allene Chockie Cottier:** OK, so we have one, the full body, tomorrow morning, will be discussing the final report from this conference in the intent and reports, all of the input in the meetings we've had over the last few days. Correct?

**Bill Means:** I just want to support Dalee and Ron to say we need to give a message to the rap-

porteurs. That's why you chose them as rapporteurs, to summarize the discussion. I saw all of them taking notes during the time. They have to get together and do a draft document. Not North America. The rapporteurs. That's why they're there. That's the UN system. After 30 years, we know that. Rapporteurs do the draft, and then the body makes comments on the draft or add or take out. That's my comment.

**Allene Chockie Cottier:** The order of business, tomorrow morning will the rapporteurs have a draft ready for a committee to make a decision on?

**David Matthey-Doret:** Right now, we don't know because they are not in the room. We are very late and they left several minutes ago. I need to check with them.

**Allene Chockie Cottier:** Tomorrow morning, will be dedicated to discussing a final output from whoever is here for the meetings tomorrow morning. In the interim, they will talk to the rapporteurs to see if they can give you enough information and a final input from all of the meetings and workshops to have that discussion and come up with a brief summary and statement from the body to finalize this conference. Everybody agreed. OK.

That's the only item of business we're taking care of today because the other people still don't have enough information to deal with. As I am understanding, tomorrow, in this one day left, we're not having a perspective on human rights meeting. Is that what the body decided in this discussion? OK. So we'll only have one thing dealing with the final output from this meeting. Now. In closing, I'd like to say thank you very much.

**Pierrette Birraux:** Sorry for this. As we have an evening with the City of Geneva, of course, we have to give them an agenda in advance. We cannot wait to the last minute. They pressed me today to give an agenda. So, I discussed with several of you and it had already been also before this was discussed with some of the Organizing Committee members. At 6 o'clock pm, we will be at the Palais Eynard. We will bring you there. It is the Town Hall of Geneva. We will do a photo on the outside, on the same place that the photo that was done in 1997 for the twenty years of the '77 conference. We will have welcome words from the Mayor, who is a woman, Ms Sandrine Salerno. Then, we will have a speech of Oren Lyons, who will speak about Deskaheh and the strong relationship, since Deskaheh, between the City of Geneva and the Haudenosaunee and the Six Nations Confederation and, after, through them with Indigenous Peoples. Then, there will be a spiritual ceremony and I dared to ask to Mr. Michael Eckford, from Australia, to do it so that we have another region represented. He accepted. Then, Bill Means, as it is in the agenda, will read again all the names of the 1977 participants with the same images you saw the first day. Then, we had in the program, a first delegate of Meso or South America explains the importance of the presence of the Indigenous Peoples at the UN. I asked that to Rafael Mashinguashi, after having consulted the South American members of the Committee. Then, we have another first delegate who will speak about the importance of the Indigenous Peoples presence at the UN. I asked Ms Joji Cariño, from the Philippines, also to have another region represented and a woman. She accepted. Finally, the young people should choose one of them who will speak about how they will continue follow up to share the experience of the first delegates. How they will share it with their communities in their regions. I don't have the name yet but I think you (the young people) have it: Jacqui Lambert. That's it. After, we will have discussion with the public. There will be people from Geneva who want to meet you, speak with you, discuss with you. If you need interpreters, ask us, but many of them speak Spanish or English. Finally, there will be a reception by the City of Geneva.

Maybe, I can add that, if you have no parallel event, you will have time until 5.00 o'clock to

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discuss, in fact. The city reception is at 6.00 pm. You will have plenty of time to discuss.

**Allene Chockie Cottier:** Now, the rapporteurs will have time in the morning to put together some documents for that discussion. You do have some options in the morning about the body discussing what they want the outcome document to be and hopefully the two can melt together. You have until 5.00 o'clock, not just the morning. You'll have until 5.00 o'clock tomorrow to discuss the outcome document for this conference.

I would like somebody to volunteer to have our closing prayer because we're sparse now. As chair, say my apologies for whatever confusion was up here and my goodbyes because I am leaving first time in the morning. I enjoyed sharing time with all of you again.

**Mary Simat:** *[She prays in her Maasai language and each sentence she says is approved by the other participants].*



## Drafting the report and the recommendations of the Symposium *Preparación del borrador del informe y de la declaración del Simposio*

**David Mathey-Doret:** Hello, everybody. Excuse me, just to inform you that we are a little late because, as you may have seen, there is something special happening in the UN today. There is a special meeting between the US and Russia about Syria. The entrance is a little bit complicated at the UN because of the high-level officials who are here. We must wait a little bit to allow everybody to come in and to be able to participate fully at the meeting.

**José Carlos Morales:** Todas y todos acá, los hermanos y hermanas presentes. Hoy, vamos a tratar de continuar con nuestro trabajo. Creo que tenemos algunas cosas pendientes. Tenemos que ver un informe y todo. Antes de iniciar, yo quiero proponerle a los hermanos y hermanas de habla inglesa, en vista de que Chockie debió partir hoy, si quieren nombrar a alguien para que esté acá en la mesa. Será bienvenido para que continuemos nuestro trabajo. Le pregunto, entonces, a los de habla inglesa si están de acuerdo con esta propuesta de nombrar a un compañero o una compañera para que nos acompañe en la mesa. Solo se siente uno un poco nervioso [*Risas*].

**Dalee Sambo:** Just in order to maintain gender equity and have another English speaker, I would nominate our Maasai sister, Mary, as a co-chair.

**Nilo Cayuqueo:** Estaba por decir que nombráramos una hermana de Norteamérica. Estoy de acuerdo con lo que dijo ella. Eso es lo que iba a decir.

**José Carlos Morales:** Entonces, por favor, pasa a la mesa, se concuerda. Continuando nuestro trabajo de hoy, quiero pedirle a todos y todas que seamos lo suficientemente maduros y todo como para hacer aportes constructivos. Me gusta mucho que seamos propositivos en nuestras deliberaciones. Lo que tengo entendido es que vamos a revisar, primero, un documento que están finalizando los relatores. Es el documento final de la reunión. Es un documento que es muy importante porque con esto podemos informarle a los Pueblos Indígenas del mundo lo que aconteció, en estos días, acá, propuesto tanto como por el Foro Permanente como por la gran responsabilidad que asumió el Docip, a quienes les debemos este gran esfuerzo. Ellos han trabajado muy duro en los últimos meses. Realmente, realizar un evento de esta naturaleza no es fácil. Yo lo entiendo. Pero bueno, estamos acá. Yo no estuve ayer, los últimos minutos. Creo que hubo una confusión, pero tomaron una decisión definitiva: eliminar el evento paralelo. Lo respetamos y continuamos ahora con lo nuestro, acá. Les pido, sí, de forma muy de corazón, que seamos propositivos, especialmente, viendo el informe, el borrador del informe que vamos a presentar.

Tenemos otra propuesta también de los compañeros de habla inglesa y de habla española. Tuvimos una reunión en el hotel. Tienen ahí unos puntos que quieren agregar. Quizás algunos han sido recogidos en el informe. Tenemos que verlo. Lo proponemos para que esta reunión, este esfuerzo tan grande que se hizo para reunirnos a los participantes de 1977, no sea una cosa aislada: nos reunimos esta semana y aquí se queda todo. Creo que tenemos una gran oportunidad de trabajar con los jóvenes y asesorar a los jóvenes en el futuro, a las futuras generaciones, hasta donde podamos. Para eso, yo creo que los compañeros están terminando o ya hicieron una propuesta que la veremos después de revisar el documento.

Una hermana me pidió la palabra. Quería expresar, la hermana que está aquí atrás, Liliana, le concedo la palabra un par de minutos para que ella se dirija al plenario, ya que están

terminando el borrador.

**Liliana Muzangui Mbela:** Merci, Monsieur le Président. Mon nom est Liliane Muzangui Mbela. Je suis désolée, je ne pourrai pas parler dans une autre langue. Je parlerai en français. Je suis une ancienne membre de l'Instance permanente chargée des questions autochtones. J'ai fait deux mandats: de 2004 à 2010. Je me suis sentie très honorée d'avoir été invitée par le Docip à cet important Symposium de commémoration. Je remercie sincèrement les organisateurs.

Permettez que je salue les anciens qui sont présents ici. Je sais que ceux qui ne sont plus présents parmi nous sur ces terres sont parmi nous quand même puisque, en Afrique, les morts ne sont pas morts. Permettez-moi donc de saluer cette action de 36 ans qui est un legs important à la jeunesse. Ce mouvement de 77, réjouissez-vous, il a eu des répercussions jusqu'au continent africain. Si bien qu'aujourd'hui, où je vous parle à ce moment, où nous sommes dans cette salle, quelques États africains organisent des actions en faveur de la question autochtone. En parlant de l'Afrique centrale, la République du Congo, par exemple, a une loi dans sa Constitution en faveur des droits des Peuples Autochtones. La République Centrafricaine a adopté la Convention de l'OIT. C'est une grande avancée. Je vous rassure que, depuis 77, l'écho est énorme et important.

Je m'adresserai également à la jeunesse. Cette action en faveur de la question autochtone est comme une course de relais. En ce moment précis, les anciens sont en train de vous transmettre le bâton de relais. Faites-en usage. Agissez pour le mieux. C'est le message que j'avais à vous dire. Encore une fois, merci beaucoup.

*Thank you Mr Chair. My name is Liliane Muzangui Mbela and I am a former member of the Permanent Forum on Indigenous Issues. I had two mandates from 2004 to 2010. I was very honoured for being invited by Docip to attend this Symposium. I would like to express my gratitude to the organisers.*

*Allow me to greet all the elders present here. I know that those who are no longer in this world are with us anyway. In Africa, those that have passed are not dead. Allow to me to welcome this event, which is a very important output for the youth. You should be happy because this movement, in 1977, had important consequences as far as in the African continent. Today, at this very moment, at the same time we speak in this room, some African States are organising support actions for indigenous issues.. For example, in Central Africa, the Republic of Congo has an article in its constitution that favours Indigenous Peoples rights. The Central African Republic adopted as well the ILO Convention. I think it's a very important progress and I can ensure you that since 1977, the consequences are both huge and important.*

*I would also like to address the youth. This action in favour of Indigenous Peoples is like a relay race. At this exact moment, the elders are giving you the relay, use it. Act up for the best. That's the message I had for you. Once again, thank you very much.*

**Natalio Hernández:** Yo, lo que quiero sugerir, Señor Presidente, es que empecemos esta sesión de este último día de trabajo con una invocación porque, ayer, siento que nuestros espíritus se diseminaron y tenemos que volver a concentrarlos, concentrarnos todos, tanto los ancianos que estamos aquí, como los ancianos que ya partieron para otro mundo, a un mundo más espiritual todavía. Concretamente, sugiero que el hermano Willie Littlechild sea quien haga la invocación para ya empezar de lleno con nuestro trabajo. Muchas gracias.

**José Carlos Morales:** Muchas gracias, Natalio, por recordarlo. Justamente, está en el programa y tenemos que cumplir con este requisito. Yo le pido al hermano Willie Littlechild

que nos haga la invocación. Gracias, Willie.

**Willie Littlechild:** You can stay seated. First of all, good morning to all of you. In some areas, people say: "You should remain seated close to Mother Earth." That's the only reason, basically, why I ask you to stay seated. Thank you for the honor, especially, to remind us that, in the years past, sometimes through all the meetings, here, at the United Nations, when we did not quite agree on issues or had difficult challenges that sometimes turned into arguments, it was because we had not acknowledged in a good way the Great Spirit in the morning and in the evening. Thank you for this honor. I ask each of you, in your own way, in your own thoughts, to acknowledge the Creator, to join me in giving thanksgiving for being blessed with another day, as I am going to use my own language to offer a thanksgiving. [Prayer in Cree]. Thank you.

**José Carlos Morales:** Gracias al hermano Willie. Iniciamos, de esta manera, nuestra tarea del día de hoy. Le pido a los compañeros relatores si ya tienen gran parte del material.

**Q"apaj Conde:** Yes, we were able to draft a kind of recommendation last night, even this morning, as you can see. It's quite difficult. There are a lot of positions and we are trying to make a document that everyone feels is part of it. We have a draft right now. I would like, before showing it to the plenary, to discuss it with the other rapporteur, Ms Rosalee Gonzalez, who was also appointed as a rapporteur. Once I show her this final drafting, I think it will be showed to the plenary. Thank you, Mr President.

**José Carlos Morales:** Gracias. Podríamos aprovechar este momento. Él todavía tiene que verlo con su colega. Tenemos aquí, en el programa, un asunto importante: los preparativos finales para la recepción que tendremos hoy con las autoridades de Ginebra y la alcaldía. Creo que aquí tenemos que decidir. Hay una recepción en el Palacio Eynard, ofrecida por el Consejo Ejecutivo de la Ciudad de Ginebra. Hablan de la organización de una foto del grupo como la que tuvo lugar en 1997. David, ¿eso es una foto en el Palacio Eynard? Tendríamos que estar atentos de tomarnos esa foto allá. Luego, tendremos las palabras de bienvenida por la señora Sandrine Salerno, la alcaldesa de Ginebra. Habrá también una ceremonia espiritual realizada por ancianos y ancianas. Eso tenemos que decidirlo para que no nos tomen de sorpresa. Preparado, tal vez, podemos decidir quiénes son los que van a participar de los hermano mayores acá, hermanas y hermanos, en la ceremonia que habrá. Es una cosa rápida, como la que hacemos acá. También tenemos la lectura de todos los nombres. Se repite lo que hicimos acá al comienzo. De todos los nombres de los delegados presentes en 1977, que lo hará el hermano Bill Means. Una proyección muda de archivos de 1977, recordando el ingreso de los Pueblos Indígenas en las Naciones Unidas. Entiendo que esto ya Docip lo tiene adelantado. Nada más faltaría aquí nombrar a las hermanas y hermanos mayores que puedan hacer la ceremonia. Dice, luego, "un mayor de Mesoamérica y Sudamérica explica la importancia de la presencia de los Pueblos Indígenas en la ONU y de la acogida de Suiza y Ginebra." Igualmente, "un anciano de otra región explica la importancia de la presencia de los Pueblos Indígenas en la ONU y de la acogida de Suiza y Ginebra." Y tenemos: "un joven o una joven explica cómo compartirá la experiencia de las hermanas mayores y de los mayores en su región." Eso, tenemos que prepararlo ahora. Podemos aprovechar porque pienso que el informe nos va a llevar un poco más de tiempo. Esperemos a que lo revisen y aprovechemos estos minutos para decidir quiénes son los que tomarán la palabra en la recepción con el Gobierno de Ginebra y de Suiza. ¿Les parece? Aprovechemos unos minutos, nada más.

**Armando Rojas Smith:** Yo creo que es excelente que nos pongamos de acuerdo en ese aspecto. Además, quisiera proponer algo aquí. Por ejemplo, el video del '77, si se puede

autorizar la reproducción para que podamos tener para archivo nuestro, en cada país, cada comunidad indígena, una copia de ese momento histórico.

**David Matthey-Doret:** The video is a video which is on the CD-ROMs that Docip produced. I am almost sure that a lot of you already got it. It's on the first CD which covers all the documents from the Working Group from '82 to 2000. There are some copies here, which are available. During the break, you can go to Benigno, our chief documentalist. He has some copies. If you want to have the full video, which is going to be shown, mixed with some pictures of Deskaheh and of the arrival of the delegates in 1977, of course, we will make it available to anyone of you.

**José Carlos Morales:** Muchas gracias, David. Yo creo que sí es muy importante para todos nosotros tener estos documentos tan históricos que contamos. Tiene ahora la palabra el hermano de Australia.

**Michael Eckford Aka Anderson:** Mr Chair. Just in relation to the organization of tonight and the procedures. I thought Pierrette went away with something structured yesterday and that she's putting up as a proposal for these evenings proceedings. If we can just have that confirmed, whether that's the case? I see something up on the top here, are we proposing to change that?

**José Carlos Morales:** Quiero preguntarle al Docip, pero entiendo que Pierrette tiene el programa para esta noche. Cuando ella esté presente... Aquí está el programa.

**David Matthey-Doret:** Just to remind you that, as Pierrette said yesterday evening, we had to send a full program to the authorities of the City of Geneva because they can't wait until the last day to know exactly what will happen. It's what has been said yesterday and what Pierrette presented to you, yesterday evening. I know that this morning, there was the wish amongst some delegates to have more than one people doing the ceremony. If we could avoid making changes, it would really help us to avoid problems with the City of Geneva.

**José Carlos Morales:** OK. Gracias, David. Bueno, esto es una propuesta que hicieron ellos. ¿Estamos de acuerdo? Creo que eso es una cuestión formal de diplomacia, que hay que cumplir con estos requisitos. Como dice David, tal vez, en la parte ceremonial, podría agregar uno más. Creo que no habrá inconveniente en ese sentido.

**Joji Cariño:** There is just a correction on the name of my people. The names of my people are "Ibaloi" and "Igorot". The "t" is at the end. Thank you very much.

**Rafaël Mashinguashi:** Una pequeña corrección. "Mashinguashi" es así como se pronuncia, pero yo tengo escrito "Mashinguashi". Se pronuncia "mashinkash".

**Mary Simat:** I proposed to Pierrette, also, that I was going to do a prayer with the Australian brother, Michael. She agreed because she was also wondering how Africa would appear, so I volunteered and she agreed. You remove the "r", I am "Simat." Thank you.

**José Carlos Morales:** Estamos de acuerdo con esto. Es para las seis de la tarde.

**Michael Eckford Aka Anderson:** Mr Chair, just a question on Mary. If we could just identify where she comes from because it gives the impression she's part of the Euahlayi, my people. Thank you

**José Carlos Morales:** Gracias por la aclaración y las correcciones. Entonces, estamos listos con esto. Ahora, podemos continuar con la revisión del informe. ¿Será posible? Todavía no.

**Q'apaj Conde:** Thank you. Le solicitaría unos minutos. Simplemente es consensuar con Rosalee un párrafo, nada más. Gracias.

**Nilo Cayuqueo:** Señor Presidente: quería preguntarle si, mientras esperamos el informe, ¿podríamos hablar un poquito de quiénes estarían dispuestos a tener un diálogo entre nosotros en el futuro? ¿Cómo podríamos hacerlo? Podríamos hacer, por ejemplo, un grupo Yahoo con todas las direcciones y, eventualmente, puede ser Skype, donde puede hablar mucha gente a la misma vez para tener reuniones y charlas, cuando la gente lo considere importante. Creo que es importante que no se pierda el contacto. Por ahí, podríamos usar algunos minutos para hablar de esto, si les parece bien.

**José Carlos Morales:** Gracias, Nilo. ¿Les parece bien que podamos tocar algunos temas importantes relacionados con el Simposio, con el futuro de los mayores y todos los que estamos acá? Si aprovechamos los minutos mientras llega la colega de Q'apaj. ¿Quieres explicarlo Nilo o alguno de ustedes la propuesta y aprovechamos estos minutos?

**Nilo Cayuqueo:** Sí. Bueno, un poco, lo que habíamos hablado el otro día, al principio, que, después, no lo discutimos más. La idea era un poco, ¿cómo este grupo podría conformarse? Quizás, no formalmente, como una organización, pero algo así como una red de mayores o notables, como dijeron algunos, eminentes, para poder influenciar en las decisiones de Naciones Unidas, en los organismos internacionales, asesorar a los jóvenes en los encuentros. Ver de qué manera, este grupo de ancianos o mayores puede participar e influenciar, el año que viene, la Conferencia Mundial sobre los Pueblos Indígenas de las Naciones Unidas, en Nueva York. Creo que es importante porque ahí se van a tomar, pienso, algunas decisiones importantes y sería importante que este respetado grupo de hermanos y hermanas de todas partes del mundo puedan tener alguna influencia ahí. Por eso, me gustaría proponer, si hay voluntarios que se ofrecerían a tomar la iniciativa de coordinar actividades o, por lo menos, contactos, charlas periódicas, informes de lo que está pasando con respecto a este encuentro u otras actividades también. Si alguien técnicamente puede hacer, formar un grupo, puede ser de Yahoo, Skype, u otro sistema, para que podamos estar en contacto permanentemente. Sería muy bueno

**José Carlos Morales:** Gracias, Nilo, por la iniciativa. Sí. Esto es una preocupación de todos. Los hermanos de habla inglesa, no sé si les parece bien la idea, pero creo que los idiomas no deben ser barreras para mantenernos en contacto. Podemos buscar, tanto en los de habla española, francés o inglés, a alguien que nos ayude en la traducción. Los que algo hablan, por ejemplo, el idioma inglés. Que haya una interacción entre todos nosotros. Creo que es muy

importante, los que iniciamos esto, en 1977, 1981. ¿Cómo poder también proyectarnos en lo que podamos a los jóvenes, a las generaciones venideras que están asumiendo la responsabilidad? Me gustaría oír el comentario de alguno de los de habla inglés, si están de acuerdo, si les parece.

**Michael Eckford Aka Anderson:** Mr Chairman and Mme Chairman. Yesterday, there was some thought proposed about an elders council, an international elders body. I just floated it around last night in my head and again this morning. What would be the role of this body of international elders? I think we have to learn from the years of our participation in the UN and knowing the problems that we experience back home and the fact that it has taken 30 years to get to a document such as UNDRIP. That there might be a role if we propose an international elders council that becomes attached to the Permanent Forum. The elders council can scrutinize a lot of things that goes on because we get a lot of educated young people now who are in fact side tracked from our cultural norms. In many cases, some of them are losing their languages. I see a role for the elders to maintain advice on these people, to give guidance, because we certainly don't want them to get swallowed up in this monstrosity here, which is dominated by our oppressors. A senior elder's council made up of elders from different parts of the world would play a role in oversighting those things and would also be able to scrutinize in some degree the reports from the Rapporteur on UNDRIP and how those things are implemented. An elders' council also would be able to seat as well and take in place for our people about their nation-states who are fighting to implement and work in good fight with UNDRIP and the terms of UNDRIP. The elders' council could oversight all those things and bring that to the attention of serious committees of the UN in terms of the Human Rights Commission, for example. We could become an agent where we give guidance in that regard and make sure that our cultural norms are maintained. Through that, we have young people who will become part of that and ensure that we are maintaining our cultural norms back home and monitoring our developments and think about what's going on in our countries so that we don't lose sight of who we are in the future. I think there is a role for that. That's just some ideas that are floating around in my head right now. Thanks, Chair.

**Mary Simat:** I agree with you totally Michael. I was also having an idea that, especially for the youth who have been trained here. If they can also be facilitated when they get back home to go and trace back some of the people or elders that were not able to attend this Symposium. If they can be able to reach them, now that they have some equipment to walk with so that they also don't just go and disappear when they go back home. By the end of or during the Conference of next year, in New York, some more videos can be shown. If this is going to be taken at the village level or home level, it will also bring the idea. The youth, the same youth can go and organize the others down in the ground so that they become a bigger group and they can be able to understand these issues. Otherwise, you don't have the culture of coming to meetings and letting everything known around about the world of the United Nations.

**Joji Cariño:** I think that special responsibility to continue working with the youth would be the responsibility that I would attach to an elders' council. I think that it became quite a resolution of recording the history continuing to be in touch with the leaders and elders that have come to this meeting and transmitting this to the younger people so that that entire story and continuity is captured. I think that's a very very good work that needs to be continued. I would be less comfortable with attaching a number of other functions to the elders' council, which any of us are free to do. I would not want the specific responsibility to be working with the young people, to be drowned in the range of other things. At this point in time, I would support an elders' council with a very specific purpose of this history and the continuity, the recordings' supporting, etc.

**Armando Rojas Smith:** Nosotros, aquí, estamos viendo la gran necesidad que existe, entre el consejo de ancianos, de un grupo de ancianos con la juventud. Nosotros pronto no vamos ya a existir, aquí, en la Tierra, pero nosotros tenemos el deber y tenemos la obligación de que, mientras vivamos, continuemos acompañando a los jóvenes para que estos se nutran y no vayan a perderse en la sociedad más amplia de cada uno de los países. Esto de nuestra cultura, la debemos de ir aprendiendo, no solo asistiendo a conferencias y reuniones sino haciendo nuestras ceremonias, las prácticas, los juegos y también, lógicamente, nuestra espiritualidad, practicarla para que se fortalezca el alma de los jóvenes. Es por eso que estamos aquí, tratando de que este Simposio sea la oportunidad de crear este consejo de ancianos para que tenga la responsabilidad, cada uno de nosotros, en nuestros respectivos países, de cumplir este mandato que hoy debemos aprobar para que puedan los jóvenes sentirse seguros. La juventud sola, es difícil, pero si sienten que existe un consejo que está ahí, donde ellos pueden recurrir a buscar consejos, a buscar algunas aclaraciones e interpretaciones, entonces, es necesario que se cree este consejo de ancianos. Debido a eso, nosotros hemos preparado un documento que, en algún momento, vamos a querer que se presente en este Simposio.

**José Carlos Morales:** Gracias, Armando. Sí, creo que por ahí va la idea. No se trata de sustituir a nadie. Simplemente, que nosotros estemos vigentes en lo que podamos ayudar. Muchas veces, a mí me preguntan cosas en la tecnología. No, son los jóvenes los que saben cómo aplicar la tecnología. Yo voy con el mínimo, apenas, pero hay otros detalles, como todo lo que hemos aprendido a través de estos últimos 36 años, más lo que hemos aprendido en nuestros propios pueblos. Yo creo que hay algo ahí que podemos ayudar, podemos guiar. No es que tomemos decisiones. Creo que tenemos un papel que podemos hacer.

**Natalio Hernández:** Yo comparto la idea de que debiéramos ya no perdernos en el tiempo y en el espacio. Yo, personalmente, desde 1977, hasta ahora he regresado a Ginebra, digamos, para este propósito. Estuve en Ginebra, me parece, en '92-'93, en los preparativos previos a la Cumbre de Brasil. Realmente, los dos momentos que recuerdo son 1977 y ahora, 2013. Por eso, cuando escribí el texto que yo entregué antes de venir a este Simposio, le llamé *Remembranzas de un sueño*. Para mí, fue como un sueño de 36 años. Despierto de ese sueño y han transcurrido 36 años. Yo sí comparto la idea de que debiéramos de establecer una red de comunicación. Tienen que ser alguien que maneje la red. Un enlace con todos nosotros. La segunda cosa: yo no sé si es el momento de constituirnos en un consejo. Yo, personalmente, no tengo tiempo para pertenecer a otra organización que me esté llamando cada mes, cada tres meses. Sí estaría en la posibilidad de, en algún momento, dar una videoconferencia desde México. La UNAM, donde trabajo desde hace 10 años, puede dar ese apoyo, si es que llegamos a un acuerdo. Que alguna reunión de jóvenes, en Ginebra, en Nueva York, en Australia dice: "Vamos a tener una conferencia virtual para todos los jóvenes involucrados en el tema de Pueblos Indígenas." Yo podría dar esa conferencia, por ejemplo. Más tiempo, yo ya no tengo la fuerza ni la energía que tenía hace 35 años.

**José Carlos Morales:** Gracias, Natalio. Yo creo que vamos todos por ahí. La idea es que no nos perdamos, que sepamos que Natalio está en México, que Michael está en Sidney o en Brisbane, no sé dónde, pero que la compañera está en Nairobi o en su pueblo y que podamos tener esa confianza de conversar, de preguntar. Muchas veces, se suscitan problemas con nuestros propios pueblos y la prensa dice una cosa, y uno dice: "Bueno, yo quiero informarme, voy a preguntarle a la hermana o al hermano qué está pasando." Esa es la idea. No se trata de que este consejo, esta red de mayores, vaya a sustituir organizaciones. Hay organizaciones que están sumamente desarrolladas. A veces, por ejemplo, yo desconozco qué función hacen, pero sabemos que están haciendo buena labor. Creo que sería una forma de retroalimentarnos, de

dar la experiencia que tenemos nosotros y de aprender, también. De eso se trata. ¿Algún comentario más al respecto?

**Mike Myers:** I spend last night trying to figure out what might be my comfort with this idea. At this moment, I am speaking as a member of the Organizing Committee. I come from a very disciplined and organized culture in which everything has its place, its mandate, its authority, its realm of responsibility, etc.

We, as the Organizing Committee, are responsible for the implementation of a symposium. These words are very important. A symposium is not a formal political arena in which proposals and recommendations are made. It is an arena for the exchange of ideas, in this case, the history since 1977 to now and our responsibility was to impart that history, especially to the young people who have been brought here to learn, to grow, etc. As a member of the Organizing Committee of this Symposium, I do not see it within our mandate to be creating councils or other entities. It's not our mandate. Our mandate was to have an educational experience in exchange with the young people. For us to assume some sort of political authority for the creation of other entities, I have to raise the question: who are we to do that? That's not our job.

Yesterday, I was asked if I'm against it. I'm not against, nor for it. I don't know what it is. As an Organizing Committee member, I don't see that in my mandate. I can't see having my name attached to the creation of entities or whatever that are going to go on into the future, because I am going to get asked some day in my life: "Who the heck are you to do that? Where did you get the authority to do that?" I will have to say: "Good question. I don't know. Just arrogantly assumed upon myself that I could go around and make things." I don't think that's a really good idea. This is not the forum. This is not the forum. We are not an officially constituted body, beyond being the Organizing Committee to implement a symposium. That's it. That's the limit of our mandate.

I applaud the idea of some kind of body of experienced folks getting together and assisting the youth, but these are very deep considerations about how do we create mechanisms of training and education and experiential learning for our youth to grow to be able to replace us. This is a very deep, very big proposition. These few days we spent here together is not enough time to design that, to strategically plan it. How is it going to be funded? Etc. In if the leadership of that kind of thing, where are they going to come from? How are they going to be mandated to be there, etc. That's my position. I don't believe this is the forum for that kind of discussion. We were to deliver a symposium. We did. We have this young people, had some wonderful conversations with them. We're ready to go home and our mandate as an organizing committee ends tonight, at the end of that reception, at City Hall. Our mandate as an Organizing Committee is over tonight. That's my position. That's where I am. Thank you.

**José Carlos Morales:** Muchas gracias, Mike. Bueno, es un punto de vista respetable y que tenemos que tomar en cuenta. En realidad, lo que yo decía, con la propuesta que hicieron los compañeros acá no vamos a sustituir a nadie sino, ¿cómo mantenernos en contacto para intercambiar nosotros? Puede ser una red que, en el futuro, van llegando otros. No sabemos, pero saber que a alguien le podemos consultar. Puede ser que tengamos la respuesta o que no la tengamos.

**Armando Rojas Smith:** Yo quiero aprovechar esta ocasión para aclarar de que la propuesta que estamos tratando de hacer sobre la constitución del consejo de notables o de ancianos no es una parte estructural de este Simposio, sino que es la oportunidad que tenemos los Pueblos Indígenas de reunirnos aquí en que podamos, paralelamente, hacer esta constitución. El que está de acuerdo, que lo firme. El que no está de acuerdo, que no lo firme. Eso no le quita ni le



hace nada, sino que nosotros queremos y pensamos que el consejo de ancianos, de notables, es muy importante porque nosotros no venimos de una comunidad organizada y todo, como expresó Mike. Tal vez, necesitamos evolucionarnos más a eso, pero permítanos también organizarnos. Queremos este consejo para que podamos nosotros sentir que tenemos un instrumento con que poder construir a la juventud.

**Laura Calmwind:** Good morning. I'm Laura Calmwind from Canada. I just wanted to comment on the work that the young people are doing to gather historical information from the elders that are here or the people that were in 1977, all the information that is being shared. I understand (correct me if I am wrong) that this information will be compiled and put together as a package that they will share with the other young people around the world.

I work as youth coordinator in my territory. I do a lot of training with young people. We've had symposiums, youth gatherings and other youth events where we share information, share knowledge. Elders play a critical role in our gatherings. They support us, give us advice, share their knowledge. It's in that place that I see a really important role for the youth to share that information to other youth in their territory, that the youth takes the lead to share that information you have learned from the elders because youth learns best from the other youth. That's not the same thing negative about elders, because elders are important to us. The work that I've been doing, when I train young people and the elders help me train them this young people, then, it's the young people that take the information forward and share it and explain it.

There is North American youth delegate here. We would be happy, at some point, when we have the resources to invite that young person to come and share that information with our youth groups on Turtle Island. I am not going to speak to an elders' council because I just wanted to share that information on how, even the elders that are here from the different nations and the different areas of the world, in their own area that they play a very important role in sharing the experience they've had at the United Nations. For myself, having Mike Myers, Oren Lyons and those one who are from Turtle Island or even from other parts of the world, if they came and spoke to our young people and educate them on their experience here, what they've learn and advise them on how they can move forward, that will be very helpful. Thank you.

**Tomás Condori:** Buenos días, hermanos. Les digo "hermanos" porque nos tratamos una política ideológica por defender nuestros pueblos. Lo que este Simposio lo entiendo que es para recordar los años 1977. No es para nombrar un representante u otros. Estamos saliendo del tema. Debemos recordar qué ha pasado con la Declaración y cómo ha pasado el Grupo de Trabajo. ¿Qué han hecho con eso? ¿Qué pasó ahora con el Foro? ¿Qué pasa con el Mecanismo? Estos puntos tenemos que analizar. No podemos decirles que vamos a nombrar representantes o consejos. No estoy en contra de que se formen los jóvenes. Los jóvenes tienen que formarse en su propio pueblo, no aquí, en Naciones Unidas. Lo que yo conozco, lo que entiendo. Yo estuve aquí 30 años, desde 1982, permanentemente. Lo conozco. Yo vivo aquí. Entiendo, he visto el Grupo de Trabajo, lo que ha pasado, el grupo de redacción también y qué ha pasado con los Estados. Hay mucha experiencia en esto. Tenemos que ver la manera. Busquemos más la idea del '77. Esa es la propuesta: la libre determinación, la autodeterminación de los pueblos. Eso tenemos que entender. Muchos aquí estamos hablando de otras cosas. No estamos entendiendo bien la forma. Es lo que estoy viendo. No estoy en contra de que se formen. Gracias.

**José Carlos Morales:** Gracias. Yo creo que hay que aclarar. Aprovechamos unos minutos, mientras terminaba el informe. Si ya el informe está listo, vamos a empezar a revisar el informe. Aprovechamos esos minutos. Creo que usted, Tomás, llegó tarde. Por eso no se dio

cuenta. Aprovechamos para discutir algunas cosas que estaban en las carpetas. Ya vamos a empezar con la idea, porque no habían finalizado los relatores el proyecto de informe, pero ya lo tienen listo. Únicamente, le doy la palabra a Rafael y arrancamos con el proyecto de informe.

**Rafael Mashinguashi:** Gracias por permitirme expresar mi gran preocupación. Sí, es cierto que la reunión del '77 ha permitido una serie de actividades de carácter político, de carácter diplomático de las organizaciones indígenas para llegar a donde estamos ahora; pero, en los informes de las mismas Naciones Unidas - me refiero especialmente a lo existente en Bolivia, Perú y Ecuador - hay unas recomendaciones del estudio en donde dice que sí es cierto que los ejecutivos centrales de tales Estados las conocen, pero los mandos medios, tal vez, sean los ministros o los organismo encargados de socializar, de informar para llegar a esa buena práctica de las recomendaciones, son los que directa o indirectamente, consciente o inconscientemente, no desean que esos resultados de los informes sean conocidos y se lleven a la práctica. Eso es uno de los obstaculizadores de los buenos deseos que van a salir de aquí.

Mi preocupación es que, si aquí los hemos formado a unos jóvenes que se han dado el tiempo y el sacrificio necesario fuera de sus familias, ¿cómo llegarán a diferentes jóvenes de otros países, de otros Estados, para que los ancianos que estamos allá podamos contribuir, no a las organizaciones de jóvenes, sino a la información, a la socialización, a la mecánica de cómo ellos tienen que empezar a trabajar, a surgir con estas propuestas nuestras? Entonces, yo no busco algún organismo estructural intermedio, sino que lo que yo quiero saber es, ¿cómo nuestros jóvenes que están aquí van a llegar a otros jóvenes de otros países? ¿Cómo va a ser nuestra relación directa de ancianos de la generación '77 para aquellos jóvenes venideros? Si, hoy en día, hemos llegado hasta aquí en los 36 años, no nos queda otro tiempo más que 100, 120, 300. No importan los cálculos que hagamos porque este trabajo no puede quedar así como está.

El propósito de esta reunión va un poco más allá: llegar a una completa y libre determinación, en donde los pueblos tengan una libertad sin coerción, sin que las constituciones, sin que los reglamentos y las reglas y normativas sean obstáculo para desarrollar. No me cansaré de repetir que los Estados y sus gobiernos están interpretando el espíritu de las leyes consagradas en las Cartas Magnas de acuerdo a sus conveniencias e intereses. Por encima de la dignidad del ser humano, están los pocos centavos, en nombre de erradicar la pobreza en todas y cada una de las comunidades existentes. Mi preocupación es: ¿cómo llegar con la juventud de todos los demás Estados que no estén aquí? Requiere de un mecanismo de encuentro, de un mecanismo para continuar este tipo de trabajo. Gracias por permitirme estos minutos.

**José Carlos Morales:** Gracias. Bueno, ya terminaron los comentarios. Yo creo que son muy constructivos todos de la necesidad de un intercambio entre nosotros mismos. Creo que podemos buscar, si la plenaria no está totalmente de acuerdo con esto, podemos empezar los que quieran colaborar, en el futuro. Lo podemos hacer, de alguna forma. Natalio ofrecía una posibilidad, en su universidad. Creo que, de alguna forma, otros tienen los mecanismo para arrancar eso y no desconectarnos y que sea un nuevo sueño de 5, 10 o 15 años. ¿De acuerdo?

Ahora iniciamos la discusión del proyecto de informe. Pónganle mucha atención.

**Rosalee Gonzalez:** Monsieur Chairman. Me voy a expresar en español. Quisiera, antes de presentar el informe como la secretaria, quisiera hablar nuevamente y hacer recomendaciones como mujer indígena de mi organización, como representante aquí.

Escuchando el punto sobre la transmisión de conocimiento a la siguiente generación, yo creo que una reflexión, como becaria indígena que acaba de concluir su beca aquí, las reflexiones que hemos hecho Q'apaj y yo como los becarios es que aún la ONU y sus empleados, de buena voluntad, con los que hemos colaborado, sabe solo cómo trabajar **para** Pueblos Indígenas, pero aún no sabe cómo trabajar **con** Pueblos Indígenas. No nos han visto como iguales. No nos han

tomado en cuenta como indígenas intelectuales con ideas, que sabemos derecho, que sabemos política (*policy*) y, entonces, creo que ese también es un reto para nosotros, la siguiente generación, que hemos estado desde adentro.

Entonces, lo que yo quisiera sugerir, como recomendación, es que exijamos que, dentro de la ONU, exista una acción afirmativa para que se empleen representantes de Pueblos Indígenas. Hasta ahora, no hay más que uno y está en ILO: un compañero de las Filipinas. Es el único autoidentificado como indígena que trabaja dentro de la ONU. Esa es una recomendación que me gustaría ver que apoyen.

La otra sería, en esto de la plática de cómo organizarse con mayores, Q'apaj propuso la idea y lo apoyo de que también se organice un conclave dentro del Foro Permanente para los *elders*, que también tengan esa voz. Este año pasado, se aprobó un nuevo conclave de discapacitados, que tienen su propia experiencia y exigencias. Entonces, sería bueno explorar eso. Ustedes son los que deciden. Es otra forma de organizar. Lo de redes, yo creo que también eso depende de ustedes. No hay que pedirle permiso a la ONU de cómo nos organicemos. Si se hace una red, qué bueno. Dentro de la ONU, quizás, un conclave sería la sugerencia.

**José Carlos Morales:** Muchas gracias por sus palabras. Iniciamos, entonces, el reporte. Por favor, mucha atención desde la parte final de nuestro encuentro en esta oportunidad.

**Rosalee Gonzalez:** Este borrador... I am going to speak in English because the draft was written in English. This draft was produced considering the key recommendations that were made and, right now, with some of the discussions that have come forward, we have tried to include an additional recommendation, which has been recently included. I am going to start by reading the actual draft:

“The four day Historical Symposium on Indigenous Peoples in the United Nations took place at the Palais de Nations and linked 18<sup>37</sup> indigenous elders and 7 indigenous youth from varying regions around the world, as well as numerous other indigenous delegates and NGOs during the XXIV Session of the Council on Human Rights. The Historical Symposium proceedings and the film created by indigenous youth will be widely distributed, particularly, at the World Conference on Indigenous Peoples, which will take place in New York, in September 2014, as well as within indigenous communities.

The Symposium evaluated progress made and focused on reaching the objectives of the Declaration. The dialogue between elders and youth and between civil society and Indigenous Peoples addressed the issues of spirituality, women, the UN, environment and the role of non-governmental organizations. As a result of the four day Symposium and the focus on the above mentioned topics, the indigenous representatives present made note of the following matters.

## **Women**

The representatives gathered hereby acknowledge that dramatic contributions of indigenous women in the overall struggle of Indigenous Peoples at the international level. However, even more significant is the contributions of indigenous women, both individually and collectively at the local community level. The stories of such significant contributions must be told, remembered and used as an inspiration to the future generations of Indigenous Peoples, Nations and communities. It was noted that there has been a consistent lack of basic respect for and direct participation of indigenous women and, therefore, Indigenous Peoples, collectively, must ensure gender equity in the representation of Indigenous Peoples and organizing of all matters concerning Indigenous Peoples at the local, national, regional and international level.

<sup>37</sup> 30 First Delegates participated to the Symposium among the total of 70 attendees.

The participants of the Historical Symposium on Indigenous Peoples in the United Nations recommend that the UN system, in coordination with Indigenous Peoples decision-making processes, must ensure gender and youth equity in the representation of Indigenous Peoples and organizing of all matters concerning Indigenous Peoples at the local, national, regional and international level.

I am going to read on the entire document and then the chairs will open the floor for discussion.

## **NGOs**

The representatives gathered hereby acknowledge the extraordinary contribution of the non-governmental organizations to the historical First Conference of Indigenous Peoples of the Americas, in 1977. Furthermore, we acknowledge the support of such NGOs for the work of Indigenous Peoples in the early days of the dialogue concerning the UN Declaration on the Rights of Indigenous Peoples.

In the light of the present and diverse challenges facing Indigenous Peoples, there is a need to renew, reconstruct and reconstitute the role and place of non-indigenous NGOs and support organizations. In this regard, there is a need to respect and recognize the rights and primary role of Indigenous Peoples in any and all of the work of non-indigenous NGOs to ensure genuine partnership in the course of all their work. Such non-indigenous NGOs must maintain their integrity, good faith and ethics consistent with the protocols, principles and individual and collective rights of Indigenous Peoples.

## **Environment**

We acknowledge and would like to underscore the fact that Indigenous Peoples and all humanity have reached a critical point in the state of the natural world and the survival of our species. There is an urgent need to recognize the sacred role of water for Indigenous Peoples, as well as of all other elements on Mother Earth that sustain us. We must all recognize the common historical and shared contemporary experiences of pressure by States and other external powerful forces upon Indigenous Peoples in relation to our lands, territories and resources, which have too often resulted in environmental degradation that adversely impacts us all. Our ways of life have sustained and maintained our diverse cultures and that indigenous world's views and ways of life are crucial to the efforts of all human kind to safeguard the planet. In relation to the discussions on the so-called "rights of Mother Earth", we acknowledge the need for a deeper conversation about natural law, state law, indigenous human rights and indigenous ways of life.

## **Spirituality**

We collectively and individually recognize the sacredness of Mother Earth and all living things and elements that have sustained our peoples. It is crucial for all others to know that for Indigenous Peoples, spirituality is distinct from Western conceptions of religion and that our spirituality is our way life. Our distinct and profound relationship with the natural world and our lands, territories and resources are of most value to us. The solemnity of these relations must be maintained. Furthermore, it must be recognized that the value of indigenous ceremonies and ways of life are directly linked to all other expressions and manifestations of the indigenous world.

The participants demand that UN system and UN State Members recognize and respect the applicability and relevance of the indigenous distinctive spiritual relationship with their traditionally owned or, otherwise, occupied and used lands, territories, waters and coastal seas

and other resources and to uphold the responsibilities to future generations in this regard.

## UN Work

We acknowledge and hope to continue to build upon the numerous successes of Indigenous Peoples and, in particular, in the field of the UN human rights standards setting, including the UN Declaration on the Rights of Indigenous Peoples and the ongoing jurisprudence emanating from the human rights treaty bodies. We hope that these instruments provide substantive direction to indigenous youth worldwide in their work for redefining and improving the relationships between Indigenous Peoples and others, including Nation-States.

The Declaration's provisions are to be used as a pivotal guideline in such efforts. We underscore the need for Indigenous Peoples to take and integrate a holistic view of the UN and, thereby, begin to engage the numerous other UN agencies, including those related to environment, development, security and cultural development. In all areas of the UN work, we further underscore the urgent need for indigenous knowledge, values, practices, customs and institutions to be recognized and respected in relation to all matters affecting human kind.

The participants urge UN Member States and UN system to ensure the voice of the indigenous elders who participated in the 1977 Conference [This is yesterday's recommendation.] through a side-event, during the World Conference of Indigenous Peoples 2014. We also urge the consideration and formal inclusion of the outcome document of this side-event." [Applause]

**Mary Simat:** I think that was a well done job. Maybe if we can have a moment to make additions or reactions.

**Natalio Hernández:** Expreso mi reconocimiento a los relatores por este esfuerzo de síntesis para el documento final y en todo caso sugiero dos casos que habría que agregar a este documento que es el reconocimiento a Don Augusto Willemsen, que anteaer se comentó de expresarle un reconocimiento del grupo de ancianos por la destacada labor en el proceso de participación en Naciones Unidas, en favor de los derechos de los Pueblos Indígenas.

Un segundo punto que habría que destacar, en mi opinión, es el reconocimiento a Docip. Explicitar el reconocimiento a Docip por este maravilloso encuentro que hemos tenido, a través del Simposio. También subrayar el hecho histórico del '77, que sorprendimos, que maravillamos, que desconcertamos a la sociedad de Ginebra con nuestras danzas, nuestros cantos, nuestras ceremonias espirituales, nuestra marcha para llegar a la Oficina. Fue un acontecimiento, de verdad, que vibró, no solo en Ginebra, sino en toda Europa. Yo así lo percibí. Me gustaría que, en la relatoría quedara asentado este acontecimiento. Muchas gracias.

**Nilo Cayuqueo:** También quería felicitar al grupo que redactó este documento que me parece muy bueno. Muchas gracias. Siguiendo con la línea de Natalio, creo que lo que necesita este documento es una introducción firmada por todos los mayores que estamos acá. Creo que hay un borrador que se había hecho ayer. Armando hizo algo al respecto, donde los ancianos, o como queramos llamarnos, participamos y agradecemos al Docip, a la ciudad de Ginebra, a Willemsen-Díaz. Hablamos de las resoluciones también. Es una página, una página y media, de una introducción firmada por nosotros. No sé si Armando tenía un borrador en ese sentido para que sea introducido. Está muy bueno. No está escrito desde el punto de vista periodístico, una descripción objetiva. Nosotros creemos que ese fue el espíritu, que los participantes del '77 podamos decir lo que nosotros sentimos, a través de una carta de introducción, de agradecimiento a los organizadores y a todos los que han colaborado, incluido, Augusto Willemsen-Díaz.

**Tomás Condori:** No estaría de acuerdo en meter al Señor Willemsen-Díaz en este documento. Este documento es oficial. Tenemos que hacer otra historia del señor Willemsen-Díaz. No es una única persona. Hay otros. Por ejemplo, Alfonso Martínez, la señora Daes y otras personas que se han ocupado de organizar el Grupo de Trabajo. Yo no estoy de acuerdo en meter en el documento oficial esta lista que está mencionando Nilo o el amigo Natalio. No estoy de acuerdo. Que se haga otro documento. Gracias.

**Dalee Sambo:** I thought that some of the recommendations that Willie made in regard to our discussion about UN work might be extremely useful, because it was not only UN work, but also what he was highlighting in terms of what Indigenous Peoples, Nations and communities could do in a proactive way about operationalizing the UN Declaration within their own communities. Maybe we could add some of his suggestions to that sub-heading UN work.

In regard to the comment just made, maybe than rather within this particular text, there might be some consensus outside of the text about transmission of a formal letter to Augusto Willemsen-Díaz recognizing his particular work, rather than, as Tomas was saying, include it here, because if we start with this list, we may include people, we may exclude people. If there is a consensus, at least, that some type of communication could be sent to him directly, I think that that would be very useful, that we don't have to include a specific reference within the report of this particular meeting. Otherwise, the only other comment I have is there are some small grammatical errors that can be cleaned up later.

**José Carlos Morales:** Gracias, Dalee. Sí, quizás, el nombre de Don Augusto, porque fue el que realmente nos abrió y nos ayudó, trabajó en el '77, con las organizaciones no gubernamentales. Comparto un poco la idea de Dalee, tal vez, de hacerle una carta individual y no incluirlo acá porque la lista es muy grande de los colaboradores. Ya posteriormente, aquí estamos focalizando 1977.

**Michael Eckford Aka Anderson:** Mister Chair, to the authors of this document, I just want to make a small comment in relation to spirituality. One of the things missing from there is a connection to the stars and the universe. We have a lot of stories that connect us to these things. Right now, they are sending all sorts of space little crafts floating around in the space and wanting to land on the Moon and Mars, etc., and to set up other stations. I think we need to be mindful of this because it's interfering with a lot of our stories and it's impacting on us. I know back home, when they set foot on the Moon, some of my old ones were very concerned about this because this is a sacred place for us. I think we need to just make sure that they are aware that we have something, these connections to space and those places in the sky. There's a lot of work now on cosmology that is happening with scientists all around the world. I think we need to make ourselves known that we have story places out there that are going to interfere with these new commissions that they're proposing. I think we need to make ourselves known now and not when they're doing that later. If we could just include the fact that we have concerns about polluting, not just the air, but also polluting up there. There's a lot of rubbish floating in space. We need our story place to be clear and kept clean. Thank you.

**Bill Means:** First, I may congratulate the very outstanding job of the rapporteurs. It makes us proud as some of the original participants to see how far our youth has come and how very much confidence we have in them to carry on this work. It is exemplified here, in this document, which I imagine was put together in a very short time. In that, I would like to say very much congratulation. I agree with most of the recommendations.

I thought of the one paragraph that begins with “we demand”. I think it was related to the UN work, was it? “The participants demand the UN system...” One of the things that we began doing in our American Indian Movement documents was to substitute the word “challenge” to “demand” because the UN is a place of negotiation; it’s a place where we try to create peace and reconciliation. In that sense, I think the word “challenge” may be more appropriate than “demand”. “Demand” kind of gives the constitution that we’re outside, still knocking on the door, when, in fact, we became part of this UN, whether we like it or not, maybe it’s a minuscule part of the UN, but we’re here. Therefore I think we should challenge rather than demand because we’re part of this now. That’s my comments. Thank you.

**Joji Cariño:** I also want to congratulate the work that has been done for capturing the discussions. On the section on NGOs, I’d like to make a small editing job. In this sentence that starts “In this regard, there is a need to respect and recognize the rights and primary roles of Indigenous Peoples in any and all the work of non-indigenous NGOs.” Of course, this has to be the relevant work but not totally all the work of this. I suggest that it reads “the rights and primary role of Indigenous Peoples on indigenous issues and to guide the relevant work of non-indigenous NGOs to ensure genuine partnership”.

**Bill “Jimbo” Simmons:** I would like to make a comment in regard to the recommendation that we encourage another reunion somewhere down the road. I guess it could be a reunion. For me, I was here in '81, and being here for over 30 years, within the United Nations systems and seeing some of the delegates of '77, of course, not knowing who all of those delegates were, seeing some of them here now kind of encourages me. I think it’s a good feeling to have that. I think it would be important for us to think about encouraging some kind of reunion in the future.

**Tomás Condori:** Me gustaría poner también la contribución de las ONGs de los Pueblos Indígenas. Hay una cosa de 12 o 15 ONG indígenas. También son producto del '77. Han nacido dentro de los trabajos. También me pregunto cuándo vamos a tener la traducción de este documento en español para analizarlo correctamente. Sino, en inglés nada más va a ser y para los pueblos que hablan español, no tienen.

**Nilo Cayuqueo:** Bueno. Haciendo un poco de análisis, muy corto, desde el '77 hasta ahora: ha habido avances en los derechos de los Pueblos Indígenas, dentro del sistema de las Naciones Unidas y a nivel de algunos países, donde se ha avanzado mucho en derecho. Sin embargo, en la práctica, todas estas leyes, en general, no están siendo respetadas. Están siendo violadas. Los derechos de los Pueblos Indígenas siguen siendo negados. Yo vengo de territorios que están siendo devastados por las compañías multinacionales, el neoliberalismo, el capitalismo está haciendo estragos en nuestras comunidades. Me parece que es nuestra obligación eso acá, decir que eso no se está cumpliendo. No solo podemos hacer recomendaciones, sino también decir lo que está pasando en los territorios. Pienso nuevamente e insisto que deberíamos tener una introducción o un preámbulo sobre la situación de los Pueblos Indígenas, pero, después, sí, hacer las recomendaciones que se están haciendo ahí. Creo que es fundamental decirlo en una introducción firmada por los ancianos que participamos aquí, lo que nosotros sentimos, lo que hemos avanzado y un poco denunciar lo que está pasando en todos los países del mundo, casi todos, especialmente, en Latinoamérica. No estoy muy seguro de lo que pasa en África, pero también he escuchado que sí, que las compañías multinacionales siguen haciendo estragos en las comunidades y los derechos de los Pueblos Indígenas no están siendo respetados. Creo que eso hay que mencionarlo. Es fundamental la introducción, como preámbulo como una carta. No sé si Armando había hecho un borrador sobre eso o alguien lo puede hacer, pero creo que es

fundamental que nosotros estemos de acuerdo. Están solamente una descripción y sugerencias para que se cumplan.

**Mike Myers:** I want to tell the rapporteurs I'm impressed. That was a very good piece of work in very short time. Wow. Thanks for your dedication. In 1977, we came in with the position of Indigenous Nations and Peoples. I would recommend that throughout the document, where, right now, it only says "Indigenous Peoples" to expand it to "Indigenous Nations and Peoples".

**Michael Eckford Aka Anderson:** Chairman, I do echo my once statement congratulating people on this document. [*Laughs*] If I may just make one point that is that we are here as '77 and '81. In the body of the document, it only refers to 1977. If we can make an adjustment on that because we are contributing here as two groups of two waves of people who came in those early years. If we could include the '81 people in the body of the draft, this document will serve us as well.

By the way, I was just reminded by one of the youth, as well, that we are the elders and we have other people mentioned in that document, but the youth are missing out and not mentioned in that document. If it is there in there, I take that back.

**Tomás Condori:** Gracias. El informe es muy elástico. No estoy conforme con el informe. Hay que entender, comprender. El '77 era la cuestión del racismo. La Conferencia del '81 era sobre la tierra. Entonces, eso hay que entender, esto no está reflejado aquí en el documento. Por eso digo, el documento es muy elástico para analizarlo bien. Estamos hablando de los Estados que respeten, pero no están respetando el Convenio 169 los gobiernos que han ratificado. Más bien, al contrario, están dividiendo a los Pueblos Indígenas para su favor, para su lucha política occidental. Eso hay que distinguirlo. Gracias.

**Dalee Sambo:** I think we have to be mindful that our pre-statement here can't possibly say everything. I wanted to just follow up on the comment about the reunion and the spirit of the early work. That may be in the preamble highlighting the intent of the early political organizing of Indigenous Peoples. If you think about racism, it touches upon every single human right of Indigenous Peoples. If you think about lands, territories and resources of Indigenous Peoples, obviously, it's interrelated with spirituality and all the other things that were addressed in both 1977 and 1981. What I was thinking, in the preamble is highlighting the spirit of uniting Indigenous Peoples, but also, as a comment was made, that there still remain shortcomings or the continuing urging need for further work to be done, which was expressed earlier. We still have some gaps. Maybe some kind of language that really celebrates that spirit in unity of purpose on the part of Indigenous Peoples, but then also acknowledges and recognizes that there is an urgent need to address a wide range of other areas.

**Mary Simat:** I don't know whether it is captured, but I still feel that still following the youth part of them being able to be supported, maybe by Docip or the Permanent Forum, to go and get the follow up with the Indigenous Peoples of 1977 and to back them. They need to carry on these tasks as soon as we leave here towards 2014. Maybe, I guess Docip can look for funds for them and the Permanent Forum. They can be supported through proposal to do follow up.

**Bill Means:** I wanted to maybe, it's up to the writers, if we can mention, in a global scale of Indigenous People, there is the need to recognize the human rights defenders, many of whom gave the supreme sacrifice of their life or they remain in prison for their actions to defend our



people and the Earth.

**Natalio Hernández:** Yo solo quisiera sugerir y solicitar el esfuerzo adicional a nuestros relatores para que pudieran presentarnos, en el curso del día, la versión en español, de manera que pudiéramos nosotros hacer las sugerencias que fueran realmente necesarias y que pudiéramos regresar a nuestros países llevando ya el documento final. Muchas gracias.

**José Carlos Morales:** Gracias Natalio. ¿Se podrá hacer este esfuerzo, David, para traducir al español el documento final?

**David Matthey-Doret:** We'll try. [*Laughs*] It's long. You must know that one page is, at least, two hours to make a good translation. This means that two pages or more is a lot of time. We'll try to do it as fast as possible. For sure, we will have the Spanish version for tomorrow. It is possible and it will be done.

**Marcella Gilbert:** Hello everyone. My name is Marcella Gilbert. I was one of the delegates in 1977. I came as a youth delegate. There were four other youth that came with me. Unfortunately, they were not able to come this time. I wanted to mention about the youth who are here today. I don't know if we want to include it in the recommendations, but I do have some concerns that we spent, before the reading of this document, a lot of time talking about the youth. Unfortunately, they're sitting right here with us and we didn't ask them to speak. We made assumptions that we knew what they wanted without asking them. They're all sitting right here.

One of the things that I know is that they've had a hard time here. They had a lot of responsibility put upon them. They had to struggle and it didn't look like they had the support they needed here, during this time. I am concerned that they will not have the support when this is over and everybody goes home. We're expecting them to do a lot of research with 1977 delegates. How are they going to do that if we only have one person representing North America. That's a lot of country to cover. There are people all over North America who came in 1977, as I am sure there are in other countries. I am concerned about the support that our young people are going to need when they get home. There wasn't a whole lot of support getting them here. There was certainly not enough support in preparing them for what they had to do here. I know they had a lot of struggle and a lot of concerns. There was a lot of stuff going on for them emotionally and they didn't have the support that they needed.

That's my concern. We need to either recommend how is that going to happen or build something that takes care of them once we leave. When we leave, we're going to go home and do our own things again. We are going to assume that these young people are doing their work. Who's supporting them and where's the money that came from for them to do the things that they need to do? That's my concern.

**José Carlos Morales:** Gracias. Tiene usted toda la razón. Nos hemos enfrascado en discusiones y no los hemos escuchado, inclusive a ellos, acá en la sala. Era parte de lo que creo que podríamos completar

**Dalee Sambo:** I just want to echo that and to be very frank, personally, as soon as we heard that Lars Anders Bear, of the Saami, and the Saami youth were unable to come, we were asked, at the last minute, to be the alternate for the Arctic region, because, otherwise, there would be no Arctic peoples represented.

When we were finished with the Declaration work here, I thought: “I never have to go back to Geneva.” I really thought that, but, of course, that hasn’t been the case. For myself, personally, my decision to be affirmatively responsive to Pierrette’s urgent emails was an opportunity to allow Jacqui Lambert, an Inuit youth, to participate in this particular symposium. Otherwise, I would have been happy to stay at home and to continue defending and enjoy our exercising, the rights that we’ve been talking about here.

That was the first question in my conversation with the Inuit Circumpolar Council: will Docip or others provide additional support over the three year period that these youth are responsible for gathering the stories, not only of the first delegates, but then also in the Arctic region? I think that, as far as the document is concerned, we should probably enhance the comments that were made by, not only including what other support that Docip or the Permanent Forum or maybe, even potentially, the Voluntary Fund for Indigenous Peoples, but also our respective nations, communities and peoples at home can do to continue that support.

The main concern of the Inuit Circumpolar Council was: will they have some actual financial support to go out and gather these stories? Most youth are in university or in their communities. My interest is to follow up to find out how the ICC continue to support Jacqui, for example, in gathering the stories, but also these other possible donors or some other institutional support. When I asked the question, it didn’t get us a substantive answer, as far as the overall project is concerned. I think, in follow up to Bill’s comment about the challenge, the challenge is not only for Docip or the Permanent Forum, but also for our own communities. What kind of commitment can we make to the youth to expand this story?

**José Carlos Morales:** Gracias, Dalee. ¿Algún otro comentario? Yo me quiero unir un poco a la inquietud de Dalee porque sé que en el Fondo Voluntario se ha becado ya a un grupo grande de jóvenes alrededor del mundo, jóvenes indígenas. Es un esfuerzo que hicimos ahí para establecer un fondo que, finalmente, lo asumió el presupuesto general de la Oficina del Alto Comisionado. Creo que vale la pena, con estos jóvenes – porque son jóvenes todos los que se han capacitado ahí, es un capital humano – que podemos ver qué está pasando con ellos. Me han llegado comentarios de que algunos de ellos se han desplazado totalmente de la causa de los derechos de los Pueblos Indígenas. Creo que eso tenemos que tener algún cuidado con los jóvenes que disfrutaban de estas becas, del esfuerzo que se hace. No sé cómo sacar aquí una recomendación de que se pueda contactar, tomar relaciones con todos estos jóvenes. Algunos están haciendo grandes trabajos, pero otros se han perdido en el espacio. Esto es una inquietud también. ¿Algún otro comentario al respecto del informe?

**Pierrette Birraux:** Gracias. Just to give some explanation. We are absolutely conscious at Docip that there should be a follow up funding for the young people to continue the work. It was just impossible to have a budget including that because we would have a huge budget and nobody would have funded it.

Personally, my technique is always to cut the project in pieces so when we have one part done, this Symposium, done with a good result, there is a possibility to ask for follow up or for a new or second part. Generally, the donors are more open for this kind of things when you continue something that you already began. We should maybe recommend the continuation and have partnership with your organizations because I agree also with Dalee, here, from Geneva, we cannot organize everything. There must be an implication of the indigenous organizations concerned and we can work together. Of course, I hope that David agrees, because I am no more the Director but I am still a Board member. I think he does, but this must be in partnership with your organization. It must be discussed with you and you have to take also the initiative. For us, it is far better if the organization of the first delegates and the young people take the initiative, make a project and then discuss it. It’s far better because it will be your project as it has always been our intention. And also, honestly, I must say it’s easier to be

funded. If it comes from Docip, it does not have the same credibility as if it comes from you. With a partnership, I think this is good for the donors. They know that we, as Docip, are able to do these kinds of project but only with a good partnership with each indigenous organization involved.

**Dalee Sambo:** For those youth that are here and that were selected and funded, as soon as the information is out for applications to the Voluntary Fund, I would urge each of them to submit applications to attend the 2014 session of the Permanent Forum so that they can bring their cameras and continue to do work at the Permanent Forum but link it to this meeting and the fact that they were here present, at this meeting and that this is a sort of another phase, an element of the work. Visit the Voluntary Fund's website and pay attention to when the applications are open to the 2014 session of the Permanent Forum.

The only comment I wanted to make is that we should be mindful of the time and what it's going to take for the rapporteurs to now edit and adjust on the basis of the comments that have been made so that we don't spend the remainder of the morning and our lunch hour adding to the list so that they can finish their work to finalize a document, especially, in the light of the need for its translation.

**Constantino Lima Takir Mamani:** Gracias. Muchísimas gracias. Igualmente, de mi parte quiero agradecer a Pierrette, al Docip, etc., a las organizaciones que han hecho lo posible en esta, nuestra reunión. Creo que algún documento de los ancianos (que se dice). creo que, de alguna manera, sería importante (ayer, creo que nos hemos un poco empantanado), han hecho un gesto, una iniciativa, aquí, el hermano Rojas, Nilo. Creo que vale la pena que nosotros tomemos en cuenta eso. Estamos viendo la juventud que está quedando un poco hueca, tal vez. Tal vez, los de 1977 puedan también coordinar o archivar con ellos. Yo creo que sería importante de alguna manera. Creo que no conviene nada más que hacer una observación, sino que habría que considerar esa situación.

Tengo una preguntita, al respecto, Señor Presidente. Así información, ¿no habrá un acápite de declaración? ¿Algo por el estilo? Ayer, hemos estado hablando y, nosotros, de nuestra parte, en Bolivia, hemos exigido, hemos mandado a obispos, a los arzobispos, no sé qué tantos, en el sentido de que se proceda el levantamiento de la bula papal de Alejandro VI. Ayer, ha corrido un documento como que hay pedidos de disculpas. Yo había dicho, antes, de que un pedido de disculpas no puede ser a boca seca. Tiene que ser con compromiso. No es decir nada más: "Discúlpennos. Perdón." Como en Haití, en alguna parte, el Papa habría declarado, etc. Ahora, estamos con el Papa Francisco. Creo que el pedido de levantamiento de bula papal sería una especie de iniciativa inicial para empezar a dialogar sobre cómo se va a arreglar y sobre los daños y perjuicios que, no solamente se han ocasionado, sino que se van ocasionando a lo largo de los más de cinco siglos. Competitivo es. Sería como una sal, un azúcar, un condimento el hecho de que se levante la bula papal, oficialmente. Si hay algún acápite que se pueda poner, pido, cordialmente, que se ponga esa palabrita de levantamiento de la bula papal. Muchas gracias.

**José Carlos Morales:** Muchas gracias, Constantino. Hay tantas cosas que se pueden agregar. Me preocupa. Tengo dos inquietudes. No sé si el documento que había preparado Armando Rojas o Nilo se discutió o no se discutió ayer. Eso me gustaría saberlo. Por otro lado, le digo honestamente, a mí me gustaría escuchar a los jóvenes, cuáles son sus impresiones de este Simposio. ¿Qué les ha parecido? Sus impresiones. Tal vez, vale la pena que escuchemos un par de intervenciones de los jóvenes porque también tenemos que tener una idea de que ellos están aquí presentes. Yo los veo solamente correr para allá, para acá y grabar arriba, abajo y creo que hicieron participes también en este evento. Yo propongo que, si los jóvenes pueden

expresarnos sus inquietudes. Este documento que había quedado por acá, que no lo escuché. No sé si ayer lo discutieron.

**Carlos Mamani:** Muchas gracias, Presidente. Yo solamente quería también expresar mis agradecimientos a todos los hermanos que, en el año '77, lograron abrir las puertas de Naciones Unidas y dejaron un legado para las generaciones venideras. Lo mismo para el trabajo de los jóvenes que están hoy, con nosotros. Yo tenía un particular interés en este Simposio de recuperar la memoria histórica de los ancianos, de todo el proceso que los Pueblos Indígenas han vivido, a lo largo de su historia: la búsqueda de la justicia. Escuchando al jefe Oren Lyons, por ejemplo, tener más datos acerca de cómo el jefe Deskaheh vino hace bastante tiempo aquí y las relaciones que cultivó con la ciudad de Ginebra. Son datos para mí muy importantes.

Lo que yo quisiera pedir, tanto a los mayores como a los jóvenes, es que logremos escribir nuestra historia. ¿De dónde aprendemos? El caso mío particular, cuando llegué, en el año 1988, fue gracias a los hermanos que apoyaban la participación nuestra, estaba bastante sorprendido. No podía uno saber muy bien qué es lo que estaba pasando. Uno venía aquí a llorar y a quejarse, pero, ¿cómo es que logró conformarse el Grupo de Trabajo? ¿Qué es lo que se estaba buscando con el texto de la Declaración que se discutía? El debate sobre el Foro Permanente, etc. Para la gente que viene por primera vez aquí es bastante complejo, por no decir confuso. Necesitamos, por lo menos, de manera didáctica, contar con historia escrita. Para mí, el principal objetivo con Docip era documentar la participación de los ancianos, pero también el desafío de escribir nuestra historia porque, hasta este momento, lo que más se conoce y lo que nosotros aprendemos, desgraciadamente, es la versión de los vencedores, de aquellos que nos colonizan. Lo que yo solicitaría es que, tanto Docip, todos los que estamos acá, nos planteemos el desafío de escribir nuestras historias.

Capaz que hay más material en lengua inglesa. Por lo que yo conozco, en la lengua de nuestros amigos Pizarro, Cortés y todos ellos, es muy poco lo que existe. Uno tiene que escarbar por todos lados para enterarse que aquí hubo una conferencia en el año '77, que hubieron reuniones en Barbados. Uno tiene que agarrar a José Carlos, a Nilo, en el caso nuestro, y preguntar, varias veces, qué es lo que había pasado para enterarse, de alguna forma, qué es lo que está ocurriendo y hacia dónde vamos. Para mí, es muy importante esto. Si los jóvenes pudieran asumir ese compromiso como los mayores también. A mí me gusta mucho escuchar a Nilo decir que está escribiendo la historia, pero también, a veces, el tiempo se pasa y todavía no vemos ese tipo de productos. Eso, para mí, por ejemplo, sería muy importante manifestarlo acá y que se incorpore en el documento que están escribiendo nuestros amigos relatores y que será presentado en el Foro, pero también llevarlo al Foro Permanente.

**Dalee Sambo:** Sorry for taking the floor. I do want to say before everybody leaves that it is somewhat unfortunate that we haven't had a Maori representative here, at this session, because, in particular, the youth should also know about the history of the Maori Chief Ratana, who came to the League of Nations on behalf of the Maori people, in the context of the Treaty Waitangui and the abrogation of those Treaty provisions to try and open the doors of the League of Nations, as well, in addition to Deskaheh. I think, in the next three years, for the youth that do the various different interviews to highlight that as well. If you have an opportunity to have any discussions with the Maori people of that particular history, I think that that would be important.

**Laura Calmwind:** Thank you. I just want to congratulate the youth for all the work they've been doing here, at this Symposium. Taking the time to listening to your elders on their experiences and learning from their knowledge and wisdom, it takes time. It just doesn't

happen in one week. It takes time for you, even for myself, to digest that information. What have I actually learned while I am here? To actually expect them to start making recommendations right away is a little bit high expectations on them because they are learning. It's not to say that they don't know a lot of what happens in the international area or in their communities. It's just to give them some time. I've been working with youth for the last 35 years, I've learned that when they're listening and learning they provide feedback. I was hoping to hear the young people provide an oral feedback. What it is that they learned while being here and all the recordings that they've done and the information they've put together, which is a lot of work. It's happening fast. Young people are fast. They can do quite a bit in a short period of time. What I wanted to see coming out of that report (and I am not one to say: "This is what you should put in your report."), it's really nice that there are people more experienced providing some direction to them, but I don't think we should be telling them what they should put in their report. The report should be coming from them, from what they see and what they observe and what they've learned. At the end of their conclusion of the report, when they present to us based on what I've learned and what is given to me to do at this Symposium and the different phases that they have to do their work within the next three years, they should be telling us what they need to be able to move forward. What resources do they need? What support do they need? Instead of us jumping and say: "This is the kind of support you need. This is what you should be writing." We have to be able to give them the opportunity to do that because they will be moving forward. We will give them that direction, but let them take the lead. Don't take that from them. At the end of the conclusion of the work they've done, if they are to go back to their territories and they engage the young people within their territories to help them do the work that they need to do together to become the living memory of what happened in 1977 and why it happened and how they need to move that forward. For themselves and the future generations. I am hoping too that the youth be given an opportunity to tell us orally or however expressed themselves: "I've been here a week and this is how I feel. This is what I've learned." Very briefly. Thank you.

**Michael Eckford Aka Anderson:** Thank you, Mr Chair. First, just in relation to what Dalee has mentioned about New Zealand, we will make every effort to get Sharni, our youth representative here, across to New Zealand to find the people there. We have a good relationship with New Zealand Maoris. We will endeavour to get her across to New Zealand and talk to the people and get the stories and to find the descendants and families of this man. I am sure we will be able to do that.

On the other point, if our "*shaolee*[]" senior can now take a back seat and sit down and shut up for a while for that the young ones step up and say their piece. We keep talking about that. I think our "*shaolee*[]" senior, should just shut up now and let them take their place. Thank you.

**Sharni Maree Hooper:** I don't have any recommendations as such. I am more having an observation within that group. When we came on the weekend, we were given a set task. That was to create a documentary piece to present next year, at the World Indigenous Peoples' Conference. Our whole weekend, we spent processing this idea of this documentary, but also, we were told that we had to film the whole Symposium. In doing the documentary, we had to do a lot of interviews with individual people. Throughout this process, we've had two people that have been sitting in this room over the last three days. I feel that something that we should have worked on is to get everybody have a period of time where we have these discussions that we can all listen to. There's a lot of moments that me and Jacqui have been in here and everybody else has been out of the room. They haven't heard what we've heard. They've missed that. I feel that they have missed out on the experience that we were being able to be in this room. We had a lot of responsibility with this documentary, with filming this Symposium; we don't have that time to seat back and listen to the discussions that are going

on in here and the things that we should be learning. I am kind of disappointed in a sense that this people didn't get the same experience and the same knowledge that other people got out this.

**José Carlos Morales** Muchas: gracias por las observaciones. Fue talvez una falta de planificacion. Eso es un aprendizaje. ¿Otro joven quiere expresarse?

**Maria Desponds:** Gracias, Señor Presidente. Agradezco a las organizaciones que se han ocupado por llevar este hermoso trabajo y difícil trabajo adelante por el reconocimiento de los pueblos autóctonos o Pueblos Indígenas. Verdaderamente, yo les felicito, en nombre de mi pueblo, el pueblo mapuche de Chile.

Si quisiera yo hacer una recomendación y me gustaría también saber cuál es el tipo o el criterio se utiliza al seleccionar los jóvenes que vienen a los cursos acá. Yo insistía o hice mención, ayer, de desplazarse con estos mismos cursos, a través de América Latina o de otros centros geográficos para facilitar más. Se ha hecho esfuerzo. Hay que reconocerlo, pero, verdaderamente, nuestro pueblo no está todavía al alcance para que los Mapuches puedan hablar y comprender totalmente el inglés. Yo me he encontrado con casos de jóvenes dirigentes que han venido acá y han pasado tres meses, pero me dicen: "Desgraciadamente, no entiendo nada porque todo es en inglés." Entonces, de ahí es lo que yo insistía ayer. Si todos estos gastos que se hacen no se pueden desplazar a zonas geográficas donde verdaderamente puedan llevar adelante y sacar más provecho utilizando el español.

Otra de las cosas. Personalmente, me interesé también por los fondos voluntarios porque, yo decía ayer, que yo trabajo ante las organizaciones internacionales y representamos a alrededor de 37 o 38 comunidades. Estoy muy preocupada, justamente, por esto. Remarqué ayer también las dificultades que se encuentran los pueblos autóctonos en Chile para poder aplicar el Convenio 169. Se han llevado peleas bastante considerables, si se puede decir así. Verdaderamente, eso no basta. Usted decía, ayer, en parte, una respuesta que daban, que contra estos obstáculos que se presentan en cada país se tiene que dirigir, primeramente, a la Comisión Latinoamericana o Interamericana de Derechos Humanos para, después, pasar a la Corte. Si bien es cierto, nosotros, en Chile, los tratados están reconocidos. Los gobiernos, todos los gobiernos pasados, han firmado todos los tratados y los documentos y las Convenciones que aquí se han presentado. Desgraciadamente, después, hacen oídos sordos y no escuchan. Inclusive, impiden hasta la participación. De ahí que yo decía: para nosotros, los Mapuches, viendo que el país es tremendamente accidentado, geográficamente, las comunidades no tienen los medios financieros para poder desplazarse de una zona a otra. Entonces, todas esas cosas, yo me he acercado al Fondo Voluntario, cómo se puede hacer para llegar a estos hermanos, bajar con la información más allá del grupo que les rodea. El Fondo Voluntario siempre me ha dicho que, verdaderamente, no hay posibilidad porque no hay fondos. También hay muchas cosas que a mí me preocupan. Si bien es cierto que yo no vivo directamente en las comunidades, lo planteé ayer, yo soy una refugiada política, después de haber trabajado con la caída de Pinochet, he tomado la bandera para poder seguir trabajando por la defensa de mi pueblo. Esto me gustaría tenerlo muy claro como Mapuche. Yo creo que le serviría a muchos otros dirigentes de los pueblos autóctonos. Agradezco mucho al Docip por el sacrificio que ha hecho hasta acá, pero creo que a nosotros no nos basta. Gracias.

**José Carlos Morales:** Gracias a la compañera. Quedando con el tema de los jóvenes, quiero saber se hay alguien más que quiere tomar la palabra. Sus impresiones son muy importantes para nosotros

**Judy Kipkenda Jemutai:** Thank you, Mr President. Thanks everyone for being here. First of

all, I want to share my experience when I took the plane from my country to Geneva. I come from a very small indigenous community with a population of around 80 000 people in the entire country. The delegate here from my country, apparently, we don't share the community, but we are very close. I come from a community called [Ogiek']. When I came to this training, I had already done some film-making course, back in the Kampala Institute in Kenya. When I came here, I didn't really know what I was coming to do, but I was very hopeful that I was going to learn much. What I can say I've learned since I came to this place is not only things to do with the documentary, but being with seven other people from different parts of the world has really given me a lot of exposure. I believe I've learned much from each and every one of them because we all come from different cultures. I believe each and every one of them has learned something from each and every one of us. As Sharni said, we were mostly out and she and Jacqui were mostly inside. I think one time I passed by and there was something that really captured me. Yesterday or the day before, when they were ordering something to do with women. My interest has always been on the women issues. I think much was discussed, as much as I didn't get to see what they were talking about, we already have the footage and I believe after you guys leave, we'll still go and check the footage that we have and I don't think we'll lose much.

When we leave this place, I want to give a word of advice to my fellow youth: when you go back there, you go and put into practice what you've learned. Try and help your fellow youth. The knowledge you've gained from this place is easily transferable from one person to another. Once you're able to teach them, you can have them to help you work out and increase the number of people who can be working for the community. I want to thank elders. I come from a community where elders are very important people. I want to tell all of you that we really respect you. Thanks for giving us this opportunity. Thank you.

**Alancay Morales:** Gracias, Señor Presidente. Creo que ha sido muy enriquecedor y ha sido combinado un par de cosas, como decía la compañera de Australia, Sharni, nos perdimos algunas de las discusiones que se dieron acá, pero también, a través de las entrevistas específicas que hemos tenido con mayores, hemos tenido la posibilidad de aprender muchísimas cosas: anécdotas del movimiento indígena a nivel internacional. Eso, tanto a nivel personal como lo que estamos documentando, que quedará en los archivos del Docip y utilizaremos algunas cosas para el documental que estamos haciendo. Creo que es muy valioso porque, en pocas oportunidades, se da este espacio, precisamente, de compartir esta experiencia no en un foro que sea como político, sino, más bien, creo que somos como muy afortunados de estar acá, de poder aprender sobre lo que se ha logrado en estos 36 años, o más años incluso. Precisamente, como para saber en qué camino nos dirigimos a futuro. En ese sentido, creo que la oportunidad ha sido muy valiosa, no por limitaciones de que somos un equipo pequeño y tenemos muchas tareas que hacer en el trabajo, tanto de filmación, de que, después de filmar, hay que seleccionar algunas cosas para el trabajo de edición que se va a hacer, posteriormente, las entrevistas y todo. Entonces, estas siete personas que somos, en el equipo, nos volvemos pocos, pero creo que nos llevamos muchas lecciones muy valiosas, tanto para nuestros países y nuestras comunidades, pero también, a nivel personal, creo que es muy enriquecedor tener esas perspectivas de lo que ha pasado antes del '77, después del '77, en esos 36 años. En eso, lo que se mencionaba anteriormente, poder tener espacios donde se pueda interactuar más. Repetir este espacio que se está dando ahorita, este Simposio, sería muy valioso porque hay muchas cosas de esta historia que tengo la impresión de que no están documentadas y que también sé que muchísimos jóvenes estarían muy motivados de poder aprender y compartir esa experiencia con los mayores que, en otros espacios que se dan de reuniones de Naciones Unidas y demás son lugares muy políticos donde hay muchísimo trabajo. La atmósfera, tal vez, está un poco tensa y no se da, precisamente, esta oportunidad de intercambiar esas experiencias que son tan valiosas. Eso era lo que quería compartir, muchas gracias.

**Morgan Catlett:** My name is Morgan Catlett and I was a youth delegate from North America. I just wanted to say thank you to Docip and to everybody who brought us here to do what we've been doing for the last several days. It's been an amazing experience. Though it was, at times, very challenging, I think that it was also a very good experience. I am very excited to go home and share what I've learned with the youth in my region. I hope that they will also continue to speak with the elders within their own communities. It will be nice to be able to be back and share with them the skills that I learned while I was here and tell them about this experience so that next time this happens, they'll be able to come too and share their experiences as well. Thank you.

**Jacqui Lambert** Hi, I am Jacqui. A lot of people have been talking about why it's awesome that we have this technology as opposed to what they had in 1977 because we're recording and putting this on the archives, but I also want to mention that it's not just that that is awesome. It's the Internet and the social networks because, throughout this whole week I have been writing blogs and starting discussions on social networks and posting pictures. I've already reached out to at least 25 youth natives at home. It's really awesome, so I really want to say thank you. I really appreciate this opportunity because I've really raised a lot of awareness in one week. I am very excited for what's coming afterwards.

**José Carlos Morales:** Muchas gracias. Es un buen ejemplo de los que se puede hacer. Seguramente, van a repetir en otras partes del mundo y nos alegra mucho. ¿Nadie más? No. Entonces, vamos a tratar de incorporar las observaciones que se hicieron. ¿Alguién quiere tomar la palabra?

**Wayanay Mamani:** Muy buenos días a todos los ancianos que nos han podido compartir su historia de lo que han logrado con 1977 y todo el recorrido que ha sido hasta ahora. Todos sus logros, sus luchas. Yo creo que fue muy importante este Simposio porque nos han compartido todo lo que se ha logrado desde ahí hasta ahora. Yo creo que lo que ahora es necesario es que nos sigan asesorando, como ya gente con experiencia, para que nosotros podamos seguir en este camino, en busca de la justicia y de la libre auto determinación. Yo quisiera pedirles que sigamos manteniendo esta red, que es mundial y que podamos seguir, nosotros como jóvenes, emprendiendo sus luchas, siempre manteniendo nuestra identidad, lo que nos caracteriza, nuestro amor a la Madre Tierra y nuestro amor a nuestros valores que no son meramente económicos. Son valores que tenemos en el corazón. Gracias al Comité Organizador y a todos los jóvenes y a los primeros delegados que, por ellos, ahora, podemos decir libremente que pertenecemos a un Pueblo Indígena, sin tener que ser perseguidos, sin tener tantas dificultades que ellos tenían antes de los 70. Gracias.

**Haydee Banasen:** First of all, I want to thank you for giving us an opportunity to come here, at the international level. I am Haydee, from the Philippines and I came from a mining community. Since I was a little child, I've seen the destruction of our community and the pollution of the water in our community. When I came to Baguio City to study there in college, I was involved in a student movement. I've seen lots of happening and I was involved in the wider movement in the region. When I came here, I was expecting to hear from you about the assessment on the achievements and failures at the international level. I just realized that Indigenous Peoples around the world are having the same issues, like land-grabbing, destruction of environment. For the continuity of our work, when we were talking with our group, we were having a plan of doing this document that we are filming to our community like tracking the historical struggle of our community at the community level and



international level. That's all. Thank you.

**José Carlos Morales:** Muchas gracias. Los jóvenes nos están lanzando un reto muy grande a nosotros por no escribir la historia. Tenemos que escribirla. Yo no soy muy dado a la escritura, pero habrá que hacer un esfuerzo. Quería, finalmente, antes de terminar, había pendiente un documento aquí de Armando. ¿Lo querías exponer o no? Sería bueno porque nos quedan cinco minutos.

**Mario Agreda:** Gracias, hermano Carlos. Es solo un segundo y es la primera vez que voy a hacer uso de la palabra en esta reunión. Escuché atentamente a los jóvenes, pero, ahora, quiero darle un reto al Docip. Nos conocemos hace muchos años. He frecuentado y he filmado más de 200 horas en las comunidades indígenas. Mi archivo está al servicio gratuito de todos los jóvenes de toda Abya Yala. Además, para ser concreto, Docip tienen ustedes no solo el reto de enseñar, también creo que deben entregarle los equipos meramente necesarios para que ellos puedan realizar su memoria histórica. Personalmente, yo voy a hacer entrega a una de las participantes jóvenes de todo el material, es decir, los programas, la cámara, los objetivos, todo lo necesario para que empiecen a hacer su labor. No es justo que se haga una labor aquí de enseñanza, pero que no tengan los medios. Yo, personalmente, haré entrega de un medio. Le pido a Docip para concretar que la memoria histórica se pierde si no hay un compromiso real. Debería hacer todo lo meramente posible para que ellos tengan las herramientas para que conozcamos la realidad de los pueblos indios de Abya Yala. Yo, no solamente entrego el material de filmación, sino también 200 horas filmadas en toda América. De mis 7-8 documentales, ninguno tiene *copyright*, nadie es dueño de nada y es absolutamente libre. Como tal, le pido a Docip que tome en cuenta la posibilidad de que ellos hagan mérito para poder seguir su conocimiento de la entrega del material para poder seguir trabajando. Nada más y muchas gracias [*Aplauso*].

**Armando Rojas Smith:** Voy a leerles el documento. Yo entiendo que hay muchas diferencias aquí, al respecto. Sin embargo, considero que es importante debido a que hay como una laguna entre los jóvenes y los mayores. Nosotros necesitamos que se asuman responsabilidades para que esto sea más institucional. Dice el documento: Constitución del consejo de notables indígenas de 1977 en las Naciones Unidas :

Reunidos los notables indígenas de 1977, en el Simposio de 'Pueblos Indígenas y Naciones Unidas: de la experiencia de los mayores a la autonomía de las nuevas generaciones', con el objeto de transmitir a la juventud la memoria histórica de los inicios de las demandas de los Pueblos Indígenas del mundo.

Aplicar el principio de la libre determinación

Hoy, 12 de septiembre de 2013, en el Salón XVI de las Naciones Unidas y considerando que en el Simposio participaron las delegadas y los delegados indígenas del mundo, de los continentes de América, África, Asia, Australia y Europa, expresan su agradecimiento al Centro de Documentación de los Pueblos Indígenas (Docip) por haber organizado este histórico evento. Asimismo, los participantes del Simposio agradecen a las autoridades suizas por la hospitalidad y el apoyo que ha brindado a través de Docip para que este Simposio sea una realidad.

Considerando que, a pesar de los avances en la legislación y convenciones internacionales aprobadas por la comunidad internacional de las Naciones Unidas, estos instrumentos no se cumplen ni se implementan adecuadamente a los Pueblos Indígenas, la globalización de la economía ha permitido que empresas multinacionales en contubernio con políticos corruptos dentro de los países nacionales continúen con la invasión y el despojo a los Pueblos Indígenas de sus territorios, obligando a las familias a emigrar a

las grandes ciudades a vivir en los llamados “barrios pobres”;

Considerando que es necesaria una organización con carácter consultivo y participar en las tomas de decisiones concernientes a indígenas, tanto en los países nacionales, como en la comunidad internacional, que acompañe y asesore a los jóvenes a hacer propuestas en las Naciones Unidas y otros foros internacionales para aprender la continuación de las luchas para las próximas generaciones;

Considerando que el documento de Alta, elaborado por las y los delegados indígenas reunidos en Noruega en relación a la Conferencia Mundial sobre los Pueblos Indígenas, a llevarse a cabo en las Naciones Unidas, en Nueva York (septiembre 2014), es un documento de recomendaciones. Sin embargo, existen algunos temas concretos que están en la Convención 169 de la OIT recogidos también en la Declaración de Derechos Humanos de los Pueblos Indígenas que necesitan más aclaración. Asimismo, los Pueblos Indígenas no participaron directamente en esta conferencia de Estados nacionales;

Es por eso que necesitamos una conferencia paralela de los delegados que participarán en la misma.

Por tal motivo, se decide contactar a las organizaciones regionales de los pueblos designados en Alta para coordinar las actividades, en Nueva York, y trabajar en la búsqueda de apoyo financiero para llevar a cabo esta importante conferencia paralela.

Considerando que el Dr. Augusto Willemsen-Díaz ha contribuido al desarrollo de valores de los Pueblos Indígenas del mundo, se enviará una carta de reconocimiento y agradecimiento al compañero Dr. Augusto Willemsen-Díaz por sus enormes e invaluable aportes dentro del sistema de las Naciones Unidas en abogar y plasmar en los documentos los derechos milenarios de los Pueblos Indígenas.

Por tanto, se crea el Consejo de Notables Indígenas de 1977 en las Naciones Unidas y este se organizará, internamente, su funcionamiento.”

Eso es lo que tenemos de documento.

**José Carlos Morales:** Muchas gracias, Armando. No sé si alguien tiene algún comentario. Esto puede ser que quede al margen del informe final porque no va a ser aprobado por todos.

**Nilo Cayuqueo:** Una cosita. Dado que en Chile hay mucha represión en contra de los hermanos indígenas, nuestros hermanos mapuches, principalmente (hay una hermana mapuche que está exiliada aquí), están siendo expulsados nuevamente del territorio mapuche, donde su familia ha sido realmente reprimida. Estamos pidiéndole al gobierno suizo para que desista de la expulsión y que le dé asilo político, aquí, en Suiza. Si quieren firmar una carta, por favor, acá está. Lo pueden hacer para apoyar a esta hermana, que, si regresa a su país, va a ser reprimida nuevamente. Por favor. Lo voy a mostrar y lo voy a hacer circular.

Con respeto a la carta que dice Armando. Creo que muchos de los ancianos mayores que estamos acá vamos a estar participando en el Encuentro Mundial de Pueblos Indígenas, el próximo año, en Nueva York. Por lo tanto, yo creo que esta carta puede ser firmada por las personas que quieran integrar este grupo de trabajo que va a estar destinado a trabajar como ancianos, en Nueva York, el próximo año, en el encuentro. Así que, los que quieran ser parte de este grupo, lo pueden hacer y los que no, está bien. No es una resolución de la Asamblea, solamente es resolución de un grupo de los ancianos que quieren participar en esta conferencia y que quieren hacer aportes con los jóvenes y con todas las organizaciones. Así que me parece que es un documento que firmen con los nombres de las personas y las organizaciones que quieran. Se envía. Eso es libre de hacerlo quien quiera. Los que no quieran hacerlo, está bien. No es un documento oficial de la conferencia. Es del grupo que decide constituir y trabajar conjuntamente con los hermanos para la Conferencia del 2014, en Nueva York.

**José Carlos Morales:** Muchas gracias, Nilo. No solamente para la Conferencia pero para el futuro.

**María Desponds:** Yo creo que, en este momento, estamos inspiradas también en algunos sueños, algunas ideas utópicas que nos pueden venir a la cabeza, pero me gustaría lanzarle el desafío al Docip y a todos los hermanos representantes de los Pueblos Autóctonos, qué piensan ellos en la posibilidad de crear aquí, en Naciones Unidas, el Museo de los Autóctonos. Creo que sería una buena idea del sacrificio de 36 años de trabajo y más la riqueza artesanal que existe en nuestros pueblos. Solo eso quería invitarles y despertarles el interés por esta idea. Gracias.

**José Carlos Morales:** Ahora vamos al almuerzo y regresamos a las dos de la tarde.

**Rosalee Gonzalez:** De parte de la Secretaría, quisiera una aclaración sobre el preámbulo. Al decir que se va a incluir al margen, ¿qué significa eso?

**Armando Rojas Smith:** Este documento no es del consenso de todos los que están aquí. Entonces, de todas maneras, lo vamos a constituir, vamos a firmarlo con los que quieran y los que no quieran. No hay problema, lo vamos a firmar. Tenemos que garantizar a la juventud de que exista una organización que vele por ellos en caso de que ellos necesiten y sepan dónde ir. Además, empujar para encaminar a la juventud en estas gestiones antes las Naciones Unidas. De eso se trata.

**José Carlos Morales:** He comprendido que el preámbulo creo que hay que hacerlo con base a todo el texto que se escribió. Puede ser que algún concepto del texto que leyó Armando sirva, pero más es basado en lo que ustedes lograron recopilar para el informe que hagan un preámbulo.

**David Matthey-Doret:** Just a technical point. Just to underline that this afternoon, in order to finish the declaration, you will have one hour and half, from 2.00 to 3.30 because I know some of you would like to go the hotel before going to the City Hall to take some traditional clothes. So we really have to leave the UN at 3.30 in order to have enough time to arrive at the City Hall. We cannot be late because the Mayor of Geneva is in an electoral process and she can be only at 6.00.

**Conrad Kapapamihat:** Thank you. I just wanted to suggest, in the recommendations list, with the massive open online course, as a component to amplify the sharing of this information when it's available. Perhaps, moving forward, there should be a cornerstone of the information sharing, specifically, from this organization. I just think it'll be important in informing everyone back home. I guess, in my mind, the perception is that you can have people log in at the same time to learn about all these updates and everything. I think that'll be very revolutionary in the sharing of information. Thank you Chairman.

**José Carlos Morales:** Gracias. Se le está proponiendo eso al Docip, para la información en línea, ¿algo así? No le entendí yo.

**Conrad Kapapamihat:** Yeah, for Docip and also for the Indigenous Peoples, the other

organizations that are involved with our human rights and everything. Thank you.

**José Carlos Morales:** Muchas gracias. Con esto, damos por terminado y regresamos a las dos de la tarde para una hora y media más de comentarios o lo que queramos aportar o algo así. No se ha cerrado todavía el informe, así que volvemos a las dos de la tarde. Vamos al almuerzo a la cafetería. Gracias. Se levanta la sesión.

[*Break / Pausa*]

**José Carlos Morales:** Buenas tardes a todos y todas. Creo que vamos a entrar en la etapa final del trabajo en esta sala. El Comité estamos un poco preocupados por la finalización del reporte que nos presentaron esta mañana. Pensamos que el Comité debe revisar bien estas conclusiones para hacerlas públicas después, si estamos de acuerdo que no faltó nada. Hay dos cosas: esto es como las conclusiones del informe final, va a haber un informe general con la lista de participantes, etc., todas esas cosas. Eso será más global, pero la esencia del informe es esto. Estamos tratando de ver si, al final, mañana, podemos tener una copia-borrador, por si hay alguna cosa gramatical o alguna cosa quedó mal. No sé si están de acuerdo con esta forma porque los relatores todavía no han finalizado. Podríamos hacer de esta forma para que, cuando demos a conocer el documento públicamente, que esté debidamente realizado. ¿Alguna pregunta? ¿Alguna aclaración?

**Mike Myers:** We're not meeting tomorrow. There's no meeting tomorrow. Today is it. We're finished right now, in the next 25 minutes. They want us to leave at three to get ready for the reception at six. So, we have 25 minutes left here. If no document is going to appear in the next 25 minutes...That's kind of problematic. Personally, as a member of the Organising Committee, I am not too comfortable with being one person approving a document that should be a consensus document from the participants. I would also suggest that at 2:45, in ten minutes, as part of the closing, that all of the members that are here of the Organising Committee, come up there and conduct the closing.

**Mary Simat:** We have up to 3:30. We still have a little time.

**Mike Myers:** Will the draft document be here before 3:30? I think everybody should have the opportunity to look at it. Rosalee, can you have a document ready in the next 20 minutes?

**Rosalee Gonzalez:** Right now, I've just concluded putting all the recommendations, except the preamble that Q'apaj is putting together. The difficulty is going from Spanish to English and summarizing it. I think 20 minutes. We'll aim for 20 minutes. We've been asked to produce photocopies also, so that you actually have a hard copy to read. Let's say 23 minutes, at 3:00. No one can come speak to us. Thank you.

**José Carlos Morales:** Bueno, creo que las cosas se aclaran de mejor manera. Demos el tiempo a ellos y mientras tanto, no sé, algún comentario fuera de lo que hemos venido realizando, ¿no sé?

**Natalio Hernández:** Yo propongo, Señor Presidente, que les demos a ellos un espacio de 20

minutos sin ruido, sin nada, para que se puedan concentrar y nos convoquemos justamente a las tres de la tarde. Mientras nosotros hagamos ruido, ellos no se van a concentrar. Gracias.

[*Break – Pausa*]

**José Carlos Morales:** ¿Estamos listos? A ver, tomen sus asientos. Quiero transmitirles un mensaje y que lo celebremos. Este día de hoy, es un día muy importante para los Pueblos Indígenas del mundo. Justamente, el día 13 de septiembre del año 2007, hace exactamente 6 años, fue adoptada la Declaración de las Naciones Unidas en la Asamblea General, en Nueva York. Creo que esto debe ser motivo de regocijo para todos nosotros y, especialmente, los que empezamos, hace 36 años, las discusiones, acá. Un triunfo, verdaderamente, increíble. Un sueño, como dijo aquí Natalio Hernández, hecho realidad. Hoy, es uno de los instrumentos más importantes del mundo indígena. Así que celebremos, por lo menos con un aplauso, el aniversario de la Declaración [*Aplauso*].

**Rafael Mashinguashi:** Bien llegado, el 13 de septiembre, para celebrar los logros adquiridos hasta la presente fecha y por los futuros. Esto no es así no más. Es el fruto, el producto de los sueños de nuestros ancestros, que un día dijeron: “He soñado aquí un día: el pueblo indígena se liberará de toda una opresión.” Precisamente, se está cumpliendo eso hoy día y otros días más.

**José Carlos Morales:** Dado este día tan importante, el día de hoy, vamos a proceder a darle la revisión final al borrador de las conclusiones de las consideraciones hechas por todos los aquí presentes. Tiene la palabra, de nuevo, Rosalee.

**Rosalee Gonzalez:** Vamos a ver cómo quedó. Ahorita, Docip está haciendo copias. Quedó en tres páginas, casi cuatro. I am going to speak in English. This is the preamble that Q’apaj has put together, in collaboration with Armando Rojas, a Spanish document that was translated for us by Q’apaj. He tried to include some of the critical recommendations about the current situation some of our communities are confronting.

[*The text is on the screen so that everybody can see it / El texto es proyectado como poser point para que cada uno pueda verlo*].

So, it reads:

“Indigenous Peoples and Nations [I think I will make the correction now.], Indigenous Nations and Peoples participants to the 1977 International NGOs Conference on Discrimination Against Indigenous Populations in the Americas and the 1981 Conference on Indigenous Peoples and the Land, and youth participants from the seven global geopolitical regions participated in the “Symposium on the Indigenous Peoples at the UN: From the Experience of the First Delegates to the Empowerment of the Younger Generations”, which has taken place here, in Geneva (September 10<sup>th</sup>-13<sup>th</sup>). My apologies for these corrections as we are going along.

The participants recognize the advances within the UN to recognize and promote Indigenous Peoples rights. However, we also stated that there are many difficulties in its implementation, particularly, in situations where Indigenous Peoples face extractive industries activities.”

**José Carlos Morales:** Yo tengo una pequeña observación. No sé si todos ustedes están de acuerdo. No solamente con las industrias extractivas. Es con las actividades de extracción de recursos en nuestros territorios, donde entran las industrias extractivas, petróleo, bosques, agua, etc. Queda muy limitado solo para las industrias extractivas. No sé si están de acuerdo.

**Mario Agreda:** “Megaproyectos, carreteras, represas.”

**José Carlos Morales:** “Frente a la extracción de recursos renovables y no renovables [como lo dice él] y también la construcción de carreteras en territorios indígenas.”

**Carlos Mamami:** “Represas”

**Peter Schwarzbauer:** Yes. It says “implementation”, there is nothing to be implemented first. Probably the UNDRIP. I don’t know what it means. The paragraph says something about “its implementation”, but it doesn’t say what to implement before. I think maybe the UNDRIP or something.

**Rosalee Gonzalez:** I think it was broader than UNDRIP. The observation made on the floor was broader than UNDRIP. It was, specifically, “noting the advances made, yet the lack of implementation of international instruments.” So, I will make sure that it reflects UNDRIP and other instruments.

**Tomás Condori:** Quiero indicar, por favor. Hay que incluir a los gobiernos, también. No solamente a las empresas.

**Rosalee Gonzalez:** I will read this paragraph again:

“The participants recognize the advances within the UN system.”

**José Carlos Morales** Yo no incluiría el término “gobiernos” porque se sobreentiende que, cuando se introducen las grandes compañías, carreteras, vienen ya de los Estados. No hace falta. Lo importante es resaltar este tipo de actividades. Yo no estoy de acuerdo con la propuesta.

**Rosalee Gonzalez** *reads the article again:*

“The participants recognize the advances within the UN system to recognize and promote Indigenous Peoples’ rights. However, Indigenous Peoples also stated that there are many difficulties in the implementation of the Declaration and international instruments. Particularly, in situations where Indigenous Peoples face the extraction of renewable and non-renewable resources and megaproject such as hydroelectric dams. I will get rid of “extractive industries”.

Are there any other examples that you want noted?

**Bill Means:** I just suggest to add: “.....and the destruction of the language and culture.”

**Michael Eckford Aka Anderson:** Can we just add “through assimilation methods”?

**Rosalee Gonzalez:** Next paragraph:

“Indigenous Peoples have faced and continue to face discrimination against their collective and

individual rights. In order to overcome this situation, the participants firmly affirm that the inherent and inalienable right of self-determination is pre-eminent and is a pre-requisite for the realization of all rights.”

**Ron Lameman:** Excuse me. I don't think you need to say “firmly affirm”. You should just say “re-affirm.”

**Sharni Hooper:** Sorry. “Nations” should have a capital “N” as well.

**Rosalee Gonzalez:** We'll go through and edit for grammar and syntax. I think the pressure here with this preamble was that we were working with Armando's Spanish version and the translation in plurality gets challenging at times. OK. Moving forward:

“The four day historical Symposium on Indigenous Peoples at the United Nations took place at the Palais des Nations and linked 30 indigenous elders and seven indigenous youth from varying regions around the world, as well as numerous other indigenous delegates and NGOs, during the XXIV Session of the Council on Human Rights. The Historical Symposium proceedings and the film created by indigenous youth will be widely distributed, particularly, at the World Conference on Indigenous Peoples, which will take place in New York, in September 2014, as well as within indigenous communities.”

**Mike Myers:** My question is, “during the XXIV Session of the Council of Human Rights”, I didn't see any relationship between what we were doing and the Council on Human Rights. People went over there. It was over there, but we were not part of that. I would remove that part.

**Peter Schwarzbauer:** Is everybody really happy with the terminology of the World Conference on Indigenous Peoples given this discussion about the nature of the title of this Conference? Some call it “mistakenly called as World Conference...” I am just wondering if everybody is really satisfied that it is called World Conference on Indigenous Peoples”.

**José Carlos Morales:** Creo que ahí tendríamos que usar el título que tiene actualmente. No podemos cambiarle ese título. Que seamos críticos en la forma o etc, es otra cosa, pero el título habría que corregirlo conforme a la resolución de la Asamblea General.

**Carlos Mamani:** Ese es el título, Presidente. Yo creo que no hay discusión sobre eso.

**Mike Myers:** What is demonstrating the high plenary thing is that they said that it's a “High Plenary Meeting on Indigenous People to be referred to as World Conference on Indigenous Peoples.” It's a high plenary that is referring to their meeting as a world conference. Technically, it's a high plenary session. It's not a World Conference on Indigenous People.

**José Carlos Morales:** Lo mejor es tomar la resolución de la Asamblea General. No sé si alguien la tiene acá y poner exactamente el título.

**Carlos Mamani:** Entonces, pongámosle el nombre largo que dice: “Reunión plenaria de alto nivel de la Asamblea General, llamada “Conferencia Mundial [...]”. Lo que dice allá.

**José Carlos Morales:** Muy bien, Carlos. Gracias.

**Rosalee Gonzalez:** “The UN High Level Plenary Meeting to be known as the “World Conference on Indigenous Peoples”, which will take place in September 2014”.

**Joji Cariño:** “Plenary meeting”, we need to add “of the General Assembly”.

**Rosalee Gonzalez:** OK. Next paragraph:

“The Symposium evaluated progress made and focused on reaching the objectives of the Declaration. The dialogue between elders and youth and between civil society, Indigenous Nations and Peoples addressed the issues of spirituality, women, the UN, environment and the role of non-governmental organisations.

As a result of the four day Symposium and focused on the above mentioned topics, the indigenous representatives present made note of the following matters.”

We did not touch this paragraph on women, but did add a recommendation.

## **Women**

“The representatives gathered hereby acknowledge the dramatic contributions of indigenous women in the overall struggle of Indigenous Peoples at the international level. However, even more significant is the contributions of indigenous women, both individually and collectively, at the local community level. The stories of such significant contributions must be told, remembered and used as an inspiration to the future generations of Indigenous Peoples, Nations and communities. It was noted that there has been a consistent lack of basic respect for the direct participation of indigenous women, and, therefore, Indigenous Nations and Peoples collectively must ensure gender equity in the representation of Indigenous Nations and Peoples and organizing of all matters concerning Indigenous Nations and Peoples, at the local, national, regional and international level.”

**José Carlos Morales:** Tengo un comentario. Tengo una preocupación con lo de las “contribuciones que han dado las mujeres.” En los últimos años, hemos tenido a distinguidas hermanas indígenas en puestos muy relevantes. Especialmente, en organizaciones nacionales como también en las organizaciones internacionales. Estamos minimizando un poco la contribución de la mujer al reducirlo solo a los niveles local y comunal. Me gustaría escuchar un poco la opinión de las mujeres.

**Rosalee Gonzalez:** Quizás, quisiera sugerir aquí que, en vez de que sea más significante, simplemente, “igual de importante la contribución de mujeres a nivel local.

**José Carlos Morales:** ¿Qué piensan las hermanas aquí presentes?

**Marjorie Dressyman Lavallee:** Can you just omit that? Just omit that section?



**Rosalee Gonzalez:** And just emphasize the contributions at an international level?

**Marjorie Lavalley:** Yes.

**José Carlos Morales:** Tal vez, lo que quiero decir, es que debemos fortalecer más la participación de las mujeres en la toma de decisiones. Tal vez, no está al nivel que nos gustaría que estuviera, pero que debiéramos fortalecer ese proceso, algo así.

**Joji Cariño** If the highlighted sentence was going to be deleted, I'd say "at all levels", rather than just "international level".

**Rosalee Gonzalez** So, it reads like this, I repeat the paragraph:

"The representatives gathered hereby acknowledge the individual contributions of indigenous women in the overall struggle of Indigenous Peoples at all levels. The stories of such significant contributions must be told, remembered and used as an inspiration to the future generations of Indigenous Peoples, Nations and communities. It was noted that there has been a consistent lack of basic respect for and direct participation of indigenous women. Therefore, Indigenous Nations and peoples, collectively, must ensure gender equity in the representation of Indigenous Nations and Peoples in organising all matters concerning Indigenous Nations and Peoples at the local, national, regional and international level."

Are we OK with this? That last paragraph seems a little weak and redundant. Are there any concerns? OK.

**Rosalee Gonzalez:** Just to consider your recommendation, José Carlos. He is suggesting that we highlight the fact that indigenous women have had a prominent role in key international positions and that should not be ignored or taken lightly. However, perhaps we can note this in emphasizing the need for indigenous women to be involved in decision-making processes as well. Perhaps, this last sentence can be reworked. It's not just direct participation but it is in decision-making processes.

**José Carlos Morales:** Sí, es más o menos el sentido que yo quería enfatizar. Si se puede cambiar ahí, en la gramática inglesa, mucho mejor.

**Rosalee Gonzalez:** The next paragraph:

"The participants of the Historical Symposium on Indigenous Nations and Peoples in the UN recommend that the UN system, in coordination with Indigenous Nations and Peoples decision-making processes must ensure gender and youth equity in the representation of Indigenous Nations and Peoples in organising of all matters concerning Indigenous Nations and Peoples at the local, national and international level."

I am deleting this paragraph because... Is it redundant?

**Mike Myers:** We can't delete the youth. There is another paragraph, somewhere out, that talks about the continuing participation of youth. That's in there with it. We have to make

sure that there is something that makes sure about ensuring youth participation and voice. I don't know if it's a cultural problem I'm having with these paragraphs because in traditional systems women are there. Actually women, like in my government, women are in the middle. Us men can make all the decisions we want, but we've got to take it to women and if they are OK, we roll on. I think we're dealing with colonial systems of decision-making imposed on indigenous territories, we will end up mimicking the Western attitude and the Western behaviour towards women in decision-making. I guess that's kind of the discomfort I'm having with how to say this. I have a problem...as if I am trying to cut off the women...It's a tough one [*Laughs*].

**Rosalee Gonzalez:** Just to contextualize how this was drafted. Because there was a plenary on women, we're reporting back on women. We spent time discussing women. It should be there.

The next paragraph was originally put in there. We took it out and now we brought it back. It reads (this is yesterday's request to support the upcoming Global Indigenous Women's Conference):

"Building on the momentum of the preparatory process leading to the World Conference of Indigenous Peoples [we'll put the High Level Plenary, again.], we welcome and support the upcoming Conference on Indigenous Women, scheduled to take place in Lima, Peru, on the 28<sup>th</sup> - 30<sup>th</sup> October 2013, hosted by the International Forum of Indigenous Women (FIME), the Continental Network of Indigenous Women of the Americas, the Asian Indigenous Women's Network, Pacific Indigenous Women Network, the African Indigenous Women's Association, the Sami Women's Association, among others."

It's just to support the gathering. The next paragraph:

## **NGOs**

"The representatives gathered hereby acknowledge the extraordinary contributions of the non-governmental organisations to the historical 1<sup>st</sup> Conference on Discrimination Against Indigenous Peoples of the Americas, in 1977, and the 1981 International NGO Conference on Indigenous Peoples and the Land. Furthermore, we acknowledge the support of such NGOs for the work of Indigenous Nations and Peoples in the early days of the dialogue concerning the UN Declaration on the Rights of Indigenous Peoples.

In light of the present and diverse challenges facing Indigenous Nations and Peoples, there is a need to renew, reconstruct and reconstitute the role and place of non-indigenous NGOs as support organisations. In this regard, there is a need to respect and recognise the rights and the primary role of Indigenous Nations and Peoples on indigenous issues to guide the relevant work of non-indigenous NGOs and to ensure genuine partnership. In the course of all their work, such non-indigenous NGOs must maintain their integrity, good faith and ethics consistent with the protocols, principles and individual and collective rights of Indigenous Nations and Peoples. Furthermore, we also recognize the historical emergent contributions and important role that Indigenous Peoples NGOs have made to promote and protect the right of Indigenous Nations and Peoples."

Are we good?

**Ron Lameman:** Thank you. It's good to recognise the role of the NGOs and also, I like the language talking about "they must maintain their integrity, good faith and ethics" and all that. That's all good. What about our people that come here and take advantage of the NGOs and disrespect the NGOs? What about that part of it? Nobody never talks about that part of it.

It does happen. It makes it bad for those of us that genuinely need the support of the NGOs. Since we're talking about this issue, we might as well talk about the whole thing.

**Mike Myers:** Go back to the beginning paragraph because you've got to change the name of the '77 Conference. It's "Discrimination against the Indigenous Populations of the Americas." Remember, we weren't peoples then, we were just "populations" hanging down in the bush.

**José Carlos Morales:** Gracias. Sí. Tiene razón el hermano que apuntó el insulto que hacen algunos compañeros a las ONG. Yo creo que eso tenemos que también ponerle límites. No sé cómo redactar el párrafo porque lo he escuchado varias veces en el transcurso del proceso de la Declaración. Eso tenemos que evitarlo. No sé cómo redactar el párrafo. Realmente, las ONG trabajan de buena fe. Justamente, las que más han apoyado son las que más han sido criticadas. No entiendo yo esa posición de algunos hermanos que, muchas veces, no viven ni en sus propios países. Aquí tenemos que tener mucho cuidado con esto porque el apoyo que se merecen las ONG es decisivo.

**Mike Myers:** My sister back here just made a very good recommendation. Rosalee, I am going to trust you to find words to put this. This talks about reciprocity, our reciprocal relationship of trust, integrity, etc... between Indigenous Peoples and NGOs. If we can weave reciprocity or reciprocal in there somehow.

**Tomás Condori:** Sí. Según lo que conozco, las ONG europeas vienen aquí, no todas, pero vienen a dividir a los Pueblos Indígenas, no nos dejan reunirnos. Usted se acuerda del '84 y antes y después, las ONG europeas han existido, pero son pocas las ONG que se han solidarizado con los Pueblos Indígenas. Entonces, tienen que mencionar un respeto o de buena fe, las ONG que apoyan a los Pueblos Indígenas de buena fe.

**José Carlos Morales:** Yo creo que ya lo aclaró Mike, exactamente, que tiene que haber un respeto mutuo, un equilibrio. Cuando no conviene, no conviene. Estar en la capacidad de hacer la diferencia y punto. Yo sé de organizaciones que, realmente, han dedicado todo su trabajo por apoyar la lucha de los Pueblos Indígenas. Creo que ahí tenemos que estar francos con ellos, de felicitarlos, de agradecerles y todo. He visto también críticas completamente salidas de tono a organizaciones que están luchando contra la discriminación, contra los problemas que tenemos. Eso no me parece que debe existir. Creo que hay que tener claro el rol que desempeñan las ONG. Si son pocas o muchas, sabemos bien cómo se desempeñan ellas y eso tenemos que agradecerlo.

**Rosalee Gonzalez:**

### **Environment**

"We acknowledge and would like to underscore the fact that Indigenous Nations and Peoples and all humanity have reached a critical point in the state of the natural world and the survival of our species. There is an urgent need to recognize the sacred role of water for Indigenous Nations and Peoples, as well as all other elements on Mother Earth that sustain us. We must recognize the historical and contemporary experiences of pressure by States and other external powerful forces upon Indigenous Peoples, in relation to our lands, territories and resources. These forces have too often resulted in environmental degradation that adversely impacts us all. Our ways of life have sustained and maintained our diverse cultures and indigenous world's views and ways of life are crucial to the efforts of all of human kind to

safeguard the planet. In relation to the discussion on the so-called “rights of Mother Earth”, we acknowledge the need for a deeper conversation about natural law, State law, indigenous human rights and indigenous ways of life.”

**Carlos Mamani:** Gracias, Presidente. Yo sugeriría quitar las comillas a “derechos de la Madre Tierra”. Estamos dudando ¿ entonces, ponemos las comillas. Lo otro: ayer, por una participación de los hermanos del norte, nos han recordado que hubo un principio aquí que se llama “la soberanía permanente de los Pueblos y las Naciones a los recursos naturales” de los años 60, que fue retomado por la señora Erica Daes y que, en el informe del año 2014, también ha sido recuperado por el Mecanismo de Expertos, en el informe que hace sobre la participación de los Pueblos Indígenas en las industrias extractivas. Solicito que este principio sea incorporado en este párrafo para su implementación como la única garantía del derecho a la libre determinación y la defensa de los territorios que tenemos los Pueblos Indígenas.

**José Carlos Morales :** Gracias, ¿pude captar bien? Seguimos, tenemos 15 minutos más para que tengamos el tiempo para terminar con la otra parte del informe

**Rosalee Gonzalez:**

### **Spirituality**

We collectively and individually recognize the sacredness of Mother Earth, the sky and all living things and elements that have sustained our Indigenous Nations and Peoples. It is crucial for all others to know that, for Indigenous Nations and Peoples, spirituality is distinct from Western conceptions of religion and that our spirituality is our way of life. Our distinct and profound relationship with the natural world in our lands, territories, sky and resources are of outmost value to us. The solemnity of these relations must be maintained. Furthermore, it must be recognized that the value of indigenous ceremonies and ways of life are directly linked to all other expressions and manifestations of the indigenous world.

The participants challenge the UN system and the UN Member States to recognize and respect the applicability and relevance of the indigenous distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, sky, waters and coastal seas and other resources and to uphold the responsibilities to future generations in this regard.

We further call on the UN and its Member States to be mindful of the impact of space intervention and its impact on Indigenous Peoples spiritual relation with the sky.”

**Ron Lameman:** Thank you. Just a thought. I am not insisting that anything is added, but maybe there could be a way to ensure, at the end of the paragraph, where it says: “indigenous world”, “expressions and manifestations of the indigenous world”. Something to the effect that they are not for sale or for exploitation because we know that that’s a direction that’s being taken in various instruments, including the trade agreements, the free trade agreements. We need to protect what is ours. Even now, like in NAFTA, for example, as it is faced over a number of decades, it opens a possibility of some of our ceremonies being copyrighted, patented, so that non-indigenous people can exploit, make money out of these ceremonies that are ours.

**Rosalee Gonzalez:** Are you comfortable with this final inclusion?

**Michael Eckford Aka Anderson:** I just merely wanted to add, in that regard, that we need to just simply say they are non-negotiable.

**Nilo Cayuqueo:** The same paragraph, in the end, it says: “Indigenous Peoples’ spiritual relation with the sky”. It sounds very Christian. We, as the Mapuche, we don’t have a relationship with the sky. We have the word: “Wenu”, which is the cosmos, the space. I think I would propose to take out the word “sky”.

**José Carlos Morales:** ¿Te parece bien “universo” en lugar de cielo?

**Michael Eckford Aka Anderson:** Yeah, “universe” is better.

**Mario Agreda:** Gracias, hermano. Solamente, como aporte, estoy viendo, no sé si es un concepto dialéctico de semántica, con el respeto que todos ustedes me merecen, trae una cuestión que debe de limitar un poco ese concepto hacia los europeos y occidentales. Cuando ustedes utilizan la dialéctica “cielo, tierra”, todo esto, están utilizando la dialéctica del Papa. Entonces, yo, con todo respeto, les diré que no se debe hablar de que nos respeten sino de lo que sirve al otro. Es decir que el hecho que los pueblos indios amen y cuiden la tierra, el agua, el viento, todo, no solo le beneficia al pueblo indio. También beneficia a la humanidad. Es el aporte de los pueblos indios a la humanidad. Gracias.

**Ron Lameman:** Thank you. I don’t disagree with my brother’s intervention to add “non-negotiable”, but I think you also need to highlight the fact that they’re not for sale or exploitation because, if you say “non-negotiable”, they’ll say: “It’s non-negotiable, we’re taking them. We’re going to sell them.” I think we need to protect ourselves and our ceremonies and the sacred articles that we use for our ceremonies. Thank you.

**José Carlos Morales:** ¿Se pude captar el concepto, la idea?

**Rosalee Gonzalez:** Yes, everything was included: “which are non-negotiable and are not up for sale or exploitation.”

Quitamos lo del cielo y se aplica la palabra “universe”.

## **UN work**

We acknowledge and hope to continue to build upon the numerous successes of Indigenous Peoples, in particular, in the field of UN human rights standards setting, including the UN Declaration on the Rights of Indigenous Peoples and the ongoing jurisprudence emanating from the human rights treaty bodies. We hope that these international instruments provide substantive direction to indigenous youth worldwide in their work towards redefining and improving the relationships between Indigenous Nations and Peoples and others, including Nation-States. The Declaration provisions are to be used as pivotal guidelines in such efforts.

We highlight the following steps Indigenous Nations and Peoples should take to implement the Declaration in their local communities:

1. Indigenous Peoples, Nations and tribes should adopt the Declaration.
2. Include the Declaration in the constitutions of Indigenous Peoples, Nations and Tribes.
3. Work to have the domestic, regional, state or provincial government support and endorse the Declaration.
4. Consider an implementation act at the State, national or federal level.
5. Utilize all relevant parliamentary committees.
6. All schools and colleges should be teaching the Declaration and include in their curriculums.
7. We must persistently educate on the Declaration.”

I think that one was: “We must persistently educate Indigenous Peoples locally.” Something like that. These are the seven points that were given to us by Willie Littlechild that Dalee Sambo asked that we include.

**José Carlos Morales:** Tengo una preocupación. Es que no hacemos un reconocimiento del progreso que hay en el nivel regional, especialmente, en la Corte Interamericana de Derechos Humanos y la Comisión. Creo que en la Comisión Africana sobre los Derechos de los Pueblos hay pasos constructivos y debemos también apoyar a que esto continúe. Los fallos de tribunales internacionales, como el de la Corte Interamericana: se ha visto los Estados condenados por violaciones a los derechos de los Pueblos Indígenas. Esto tenemos que resaltarlo en un párrafo aparte, no dentro del trabajo de la ONU, sino en el ámbito regional.

**Mario Agreda:** Sí, hermano. Con respecto a los derechos humanos y todo lo que está escrito con la Declaración de los Derechos de los Pueblos Indígenas, hay algo que justamente estaba escribiendo yo al gobierno de la administración Obama porque creo que no se hace mención a algo muy importante. Estando yo en una reunión en Vermont, en Estados Unidos, casi todas las mujeres y hombres ancianos hablaban de las libertades de sus hijos. Es decir, no puede haber, respecto de los derechos humanos, ni hay derechos humanos sino en libertad. Como tal, nosotros deberíamos exigir la libertad de todos los prisioneros políticos indios que siguen en Abya Yala y en los territorios de los pueblos indios del mundo. Si no, no se puede empezar a hablar de libertad ni derechos humanos. Muchas gracias.

**Bill “Jimbo” Simmons:** Yes. I’d like to consider. I know we didn’t discuss this, but we did have some discussion during our Symposium here. That was on the DRIP to a convention. I don’t want to get into any strong debate, but I think it’s important to us to put in there that we are aware of the process of the Declaration and the possibility of us elevating the Declaration to a convention. I think maybe we should put something in there that would put it on call that we recognize or recommend, urge, the United Nations to develop a mechanism to promote the Declaration on the Rights of Indigenous Peoples to a convention, already mentioned in the Cobo Martinez report. Just something that’s going to allow them to know that we are following this process intensively. Of course, the length and the timeline can take years.

**José Carlos Morales:** Gracias, Simmons. Se puede captar el concepto, ¿Rosalee?

**Rafael Mashinguishi** Yo no sé si estoy fuera del tema del conversatorio, pero sí es cierto que se va a trabajar para exigir a los gobiernos de todos los Estados o a los Estados la liberación de todos los presos políticos. También hay un diagnóstico, un estudio de las Naciones Unidas, en

donde dice que en todos los Estados, sin exclusión de nadie, de ningún Estado, los reclamos sociales, las protestas, están tipificadas como sabotaje y terrorismo dirigido a algunos líderes, quienes son acusados. Están algunos presos y algunos están en proceso de ser capturados. Yo no sé en qué momento y en qué parte se pueda incluir eso o si ya está explícito en alguna parte.

**José Carlos Morales:** Gracias, Rafael. Yo creo que la expresión que él uso, “la libertad”, es una palabra que puede encerrar todo eso. Creo que ya lo tomaron en cuenta.

**No identified participant:** In relation to the instructions to indigenous communities about different bodies to recognize the Declaration, I think it would be helpful if there were some parts of the earlier discussions, if that was extended to include cooperation and businesses that work within the principles of the Declaration in their operations on indigenous territories.

**José Carlos Morales:** Muy bien. Muchas gracias por recordarnos ese punto. Teniendo estas observaciones, podríamos pasar al próximo párrafo.

**Rosalee Gonzalez:** Continuing on the theme of :

**UN work:** We underscore the need for Indigenous Peoples to take an integrated or holistic view of the UN and, thereby, begin to engage the numerous other UN agencies, including those related to environment, development, security, women and cultural development. In all areas of the UN work, we further underscore the urgent need for indigenous knowledge, values, practices customs and institutions to be recognized and respected in relation to all matters affecting human kind.”

**Michael Eckford Aka Anderson:** Mr Chair. Just one point: where we say “women”, we should also talk about the rights of the child and protect child.

**Joji Cariño:** As we’ve already began to engage them, maybe we can delete the words “begin to” and just say “thereby, engage”.

**Rosalee Gonzalez:** “Furthermore, the participants urge UN Member States and the UN system to ensure the voice of the indigenous elders who participated in the 1977 Conference by supporting the coordination of a side event during the World Conference on Indigenous Peoples 2014. We also urge the consideration and formal inclusion of the outcome document from the side event during the World Conference on Indigenous Peoples. Consequently, we encourage Indigenous Peoples in partnership with international support to ensure another reunion in the near future. We draw the attention of the UN system to recognize the alarming number of indigenous human rights defenders, many of whom gave the supreme sacrifice or remain imprisoned for their actions to defend Indigenous Peoples rights and/or Mother Earth. We denounce the criminalization of Indigenous Peoples defenders and we demand the liberty of all Indigenous Peoples defenders and political prisoners.”

**Bill Simmons:** Yes. I just wanted to make a brief statement. We did mention Leonard Peltier yesterday. I just wanted to deliver a message:

From Leonard Peltier:

*“Thank you and bless you for all my friends and family out there celebrating my birthday. I wish I was out there with you, but since I can’t be, enjoy the day. Have extra kind words for each other. Put a smile on someone’s face. Wipe the tears from someone who is crying. Be a brother or sister to someone in the struggle. Do something kind for our elderly and something gentle for our babies. Be the voice for those who are afraid to speak. Be the protector for the weak. In doing that, you are a warrior for our people. It is my prayer that the Creator touches you with good health and happiness, that you live to enjoy many many more years to come. Thank you for remembering me on this day, the day the Creator breathed life into me. I am truly blessed with your friendship.*

*[?] and the spirit of Crazy Horse.”*

*Leonard Peltier”*

*[Applause]* I just wanted to mention that.

**Joji Cariño:** First, I’d like to acknowledge that note from Leonard Peltier. On the paragraph, I don’t think it should be “recognize the alarming number”, but “recognize the numerous indigenous human rights defenders”.

**José Carlos Morales:** Vamos al último párrafo.

**Rosalee Gonzalez:** “Lastly, we call upon our indigenous youth, the next generation of indigenous rights defenders to rescue our oral histories, not only of those who first came to the UN, but also the struggles in our local communities. We call on you to take on the commitment to write and document our history.”

**Carlos Mamani:** Yo entiendo que no es solamente para escribir. Sería muy utilitario. Es para retomar, proseguir el camino que los ancianos y las ancianas establecieron acá en la década de los años 1970.

**Bill “Jimbo” Simmons:** “We recognise and we call on our indigenous youth but we also recognize the future generations.” I don’t know how that would fit but it is just a suggestion.

**Mike Myers:** I want to get us out here before 5 o’clock, but *[laughs]* I want to go back to that paragraph that starts with “furthermore”. It is tied to this bogus World Conference on Indigenous Peoples. It is my understanding that, during the three hours that are allotted to Indigenous Peoples on the second day, the only Indigenous Peoples that will be allowed to speak at that Conference are the ones that the States say can come in and speak. The agenda of this paragraph is to try to force our voice into that Conference, well, fine. You try to get my voice in there to ensure the voice of the indigenous elders who participated in the ’77 Conference. In terms of my voice, I don’t give a damn if they have that meeting. It ain’t going to do nothing for us anyway. I couldn’t care less. If you’re trying to get a ticket to New York, fine, go ahead. I still have a problem with that concept up there.

**Mario Agreda:** En todo lo que he escuchado y se ha leído, hay algo que creo que se ha obviado. Como todos ustedes saben, la jurisprudencia occidental está basada en el derecho romano. Eso lo saben, me imagino, los licenciados en derecho. También es bien sabido que hay países, como en el caso de España, que todavía se estudia en la Universidad Complutense de



Madrid, por ejemplo, se estudia lo que es la bula papal *interchaetra*, es decir, la presencia de la bula papal significa que, en el Tratado de Tordesillas, en el año 1493, el Papa Alejandro VI dona las tierras de América a los reinos europeos. Esa bula papal no ha sido derogada. No está derogada. Como tal, no sé si es posible, en algún apartado, exigir la derogación de la bula papal *interchaetra* donde el Papa Alejandro VI dona por derecho divino las tierras de Abya Yala a los reyes de entonces. No sé si eso se podría poner en algún lugar, si están todos de acuerdo, por supuesto. Es decir, exigir la derogación de la bula papal que se estudia en las universidades y que sigue siendo vigente. Muchas gracias, Presidente.

**José Carlos Morales:** Gracias. No sé se están de acuerdo para someter un pequeño párrafo, así rápidamente en el informe y que contemple eso, y bueno para finalizar, el compañero rápidamente porque ya estamos sobre del tiempo

**Participante no identificado:** Sí, puse atención cuando se iba leyendo toda esta declaración. Es muy interesante. Yo también he participado por muchos años acá, en el Grupo de Trabajo sobre Pueblos Indígenas, en aquel tiempo “poblaciones indígenas”. Una de las cosas que me llamó la atención es que no se menciona los tratados. Muchos Pueblos Indígenas, especialmente, de Norteamérica firmaron tratados y están vigentes, según el informe que presentó Miguel Alfonso Martínez. Recientemente también, Ban Ki Moon y James Anaya hicieron mención sobre la vigencia de los tratados históricos que se celebraron entre los Pueblos Indígenas y las colonias, los gobiernos coloniales. Eso que está también muy relacionado con la bula papal que menciona el hermano acá. Yo creo que sería importante incluir eso porque en muchos Pueblos Indígenas para quienes todavía esos tratados están vigentes y hay que apoyarlos.

**José Carlos Morales:** Me dicen los organizadores que ya estamos sobre el tiempo. No tenemos más tiempo para continuar discutiendo. Yo pienso que esto de los tratados es muy importante. Tal vez aquí se les pasó por alto a los hermanos del norte y podemos meterlo, seguido de la bula papal. No sé en qué párrafo lo podemos meter, pero se le buscará entonces cómo acomodarlo.

**Natalio Hernández:** Yo no estoy de acuerdo con lo de la bula papal porque es un tema que yo no entiendo y yo no voy a admitir un punto que yo no esté de acuerdo o no entiendo nada. No sé si los demás estén de acuerdo, yo no estoy de acuerdo.

**Ron Lameman:** Thank you. Maybe under the sixth paragraph, where it says: “The Symposium evaluated progress, etc.” Maybe we can go down towards where it says “address the issues of spirituality, women, etc.” we can put Treaties there also under that list. It’s not an exhaustive list, but I believe we can put Treaties in there.

**Constantino Lima Takir Mamani:** Gracias. Simplemente, agradecer a este apoyo que se está haciendo para la bula papal. Hay que realmente decir que levanten la bula papal o derogarla. No sé cómo se puede llamar. ¿Por qué? Porque ese es el punto inicial del sojuzgamiento inicial a nuestro continente. Nada más.

**José Carlos Morales:** Cerramos aquí. Mañana tenemos, nuevamente, nos encontraremos para cualquier cosa. Estaremos en otro aspecto, pero creo que, por el momento, el informe queda de esta manera. Damos por terminada las discusiones y bueno agradecerle a todos los

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hermanos los aportes, al Docip por haber hecho posible este encuentro y mañana continuaremos. Entonces, nos vamos porque ya a las 6.00 debemos estar en Castillo Eynard.

**David Matthey-Doret:** Some technical details about what is going to happen right now. The shuttle buses are waiting for you in front of the Pregny Gate. I kindly ask you to go fast. They are going to your hotel and you will have until 5.00 to take what you need and to do what you need to do and you will go from the hotel, at 5.00 exactly, to be on time, at the City Hall.

Also, some details about the document. We are going to make the final version to account everything that you said. We'll translate it into Spanish this night and tomorrow morning, you'll have a copy in your email in English and Spanish. If there is still some huge problem, I think we can still have a discussion tomorrow but not on details, only on things that are really important. We can find a place, but we will not be able to come back to the UN, because the UN is closed on weekends. We should find a room in the city, which is quite difficult. It must be really a big problem and not details.

Tomorrow is a day off, it is free. The youth, I think, still need to make some interviews, so they will come to you to fix appointments. You are free, but if you want, there is a city tour, which will start from your hotel at 11.00am tomorrow. It's free, it's not mandatory. You do what you want and, tomorrow evening, there will be a meal all together at the John Knox Centre to say goodbye to everyone.

I kindly ask you to go very fast to the Pregny Gate now because we are really running out of time. Thank you.

**José Carlos Morales:** Muchas gracias. Todavía, no hemos terminado la labor de este día, tenemos que ir a la Alcaldía, así que, por el momento, se cierra esta sesión.

## **Reception by Ms Sandrine Salerno, Mayor of Geneva, at The Palais Eynard**

### ***Palabras de acogida de la Alcaldesa de Ginebra Sandrine Salerno, al Palazo Eynard***

*Chers Représentants des peuples autochtones,*

*Mesdames, Messieurs,  
Chers amis,*

*Au nom des autorités de la Ville de Genève, j'ai le grand plaisir de vous accueillir aujourd'hui au sein du Palais Eynard pour cette réception de clôture du Symposium consacrée à l'histoire des peuples autochtones au sein des Nations-Unies.*

*Vous le savez; Genève et les peuples autochtones ont en commun une longue histoire. Lieu de négociation et de défense des droits humains, ma Ville est considérée depuis plus de trois décennies comme la capitale de la gouvernance mondiale des peuples autochtones. Tout à l'heure, le Chef Oren Lyons reviendra sur notre histoire commune et sur les liens, nombreux, qui nous unissent. Pour ma part, en ma qualité de Maire de la Ville de Genève, je voudrais réaffirmer ici: l'attachement de ma cité à la lutte pour la reconnaissance de vos droits et notre soutien, plein et*

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*entier, a vos revendications.*

*En 2007, après plus de deux décennies de négociations entre les représentants des gouvernements et des peuples autochtones, l'adoption de la Déclaration des Nations Unies sur les droits des peuples autochtones a représenté un véritable triomphe pour la justice et dignité humaine. Ce texte garantit en effet explicitement aux peuples autochtones un droit à la jouissance de tous les droits humains et libertés fondamentales.*

*S'il s'agit d'un pas décisif, force est cependant de constater que la discrimination et les inégalités de traitement à l'égard des peuples autochtones persistent dans le monde.*

*Aujourd'hui, il s'agit donc de continuer le combat afin de renforcer les droits des peuples autochtones et leur aptitude à contrôler eux-mêmes leur développement social, économique et culturel, tout en consolidant leurs droits territoriaux et leur capacité de gestion durable des ressources biologiques.*

*Dans ce combat, la Ville de Genève est votre alliée. C'est la raison pour laquelle elle s'engage à vos côtés par le biais de sa Délégation Genève solidaire, qui soutient de nombreux projets en lien avec les droits des peuples autochtones (et qui a aussi cofinancé le Symposium qui s'achève aujourd'hui) mais aussi au niveau politique (le CA offre cette réception). J'espère qu'ensemble nous parviendrons à gagner le combat pour les droits des peuples autochtones.*

*Je vous remercie de votre attention.*

*Sandrine Salerno*