

Statement by the First Delegates of 1977-1981 and the younger generation

We are Still Here!

Second Symposium of the First Indigenous Delegates at the UN, Geneva, 19
June 2015

- 1 Following the leadership of Deskaheh and the spiritual leader Ratani, the indigenous delegations of 1977 and 1981 came to the international arena with serious concerns related to ongoing treaty violations, the lack of recognition, militarization, dispossession of lands, disappearances and exile of Indigenous Peoples during dictatorships and respect by nation-states, most of which took place in the context of Cold War. Collectively we came here seeking justice.
- 2 The Indigenous Peoples of Australia agreed to come to the United Nations seeking justice. Their primary focus was to overturn the consequences of colonialism and to obtain land rights and the recognition of preexisting and continuing sovereignty. In the 70s and 80s, the Indigenous Peoples of Australia struggled to fight off the multinational interests in their natural resources and the negotiated establishment of an American military industrial complex on their lands and waters, in the northern part of Australia.
- 3 In Africa, dispossession of lands and historical injustices, as well as continued violations of basic human rights of pastoralist and hunter-gatherer communities, prompted their leaders to come and engage at the UN from early 1984, 1997 and consecutive years.
- 4 In Latin America, thousands of indigenous individuals were massacred, forcibly disappeared and exiled during the military dictatorships. These regimes defended the interests of those in power. Such was the case of Guatemala, El Salvador, Colombia, Chile and Argentina, among others.
- 5 After the historic armed liberation of Wounded Knee in South Dakota in 1973, the American Indian Movement realized there was no justice for Native

Americans in the United States. Elders of North America urged them to go to the international community and the United Nations.

- 6 We are prominent elders who came to the UN to represent their peoples for the first time in 1977 and 1981. We have reunited at the Second Symposium on the First Indigenous Delegates at the UN, organized by the Indigenous Organizing Committee at the Palais des Nations. We come from North, Central and South America, Australia, the Arctic region, Asia and Africa, and we send fraternal greetings to each and all of our indigenous brothers and sisters, as well as to all human beings who inhabit this planet. We must recognize that since 1977 much progress has been made as regards indigenous participation at the UN, the creation of international instruments and documents, and the undertaking of studies. Moreover, bodies such as the Experts Mechanism on the Rights of Indigenous Peoples (EMRIP) and the United Nations Permanent Forum on Indigenous Issues (UNPFII) have been established and a Special Rapporteur on the Rights of Indigenous Peoples has been appointed. However, the recommendations arising from these bodies are rarely taken into account. Therefore, even after having elaborated and approved all these agreements, today we are still very concerned and we wish to express the following:
- 7 Indigenous Peoples have permanent sovereignty over their natural resources. All that was created comes from the natural world. As Indigenous Peoples, we are all connected through our families. Family is made up of all that was created in Mother Earth. Nothing on Mother Earth is a single entity. In nature, bad acts impact negatively in a way that humans fail to understand. If we do not anticipate the consequences of actions against Mother Nature, then we will be just as guilty as the non-indigenous perpetrators. If Mother Nature is destroyed, then we will have failed our obligations to protect our families.
- 8 The Symposium condemns deeply the practices implemented by resource extraction corporations, which desecrate the Earth, destroy ecosystems, and are responsible for the persecution, repression, death, hunger, displacements, criminalization and misery of the anti-mining resistance, the 400 million indigenous individuals and the other inhabitants of this world.
- 9 The Symposium concludes that natural resources, as defined by Indigenous Peoples, include the 'spiritual resources' of their territories and the undisputed ownership of their genetic, renewable and unrenovable resources.
- 10 The Symposium recognizes that children are the future and that we must commit ourselves to leaving an appropriate legacy for their future. We acknowledge that children have the right to benefit from the natural resources in their countries. The latter are necessary in order to ensure the indigenous children right to a harmonic relationship with their environment and to a well-being in their future. Moreover, we, Indigenous Peoples, are responsible for the safeguard of all the rights of future generations.

- 11 Research-based evidence by UN Special Rapporteurs Erica Irene Daes, Miguel Alfonso Martinez and James Anaya, as well as by the EMRIP has affirmed Indigenous Peoples' permanent sovereignty over natural resources. Furthermore, the Human Rights Council (formerly Human Rights Commission) has adopted these reports, which integrates Indigenous Peoples' contributions, including the final document of the 1977 conference. The reports were incorporated in the outcome document of the high level plenary meeting of September 2014, called the "World Conference on Indigenous Peoples". The Symposium reiterates the conclusions and recommendations of this event.
- 12 The Symposium recalls that at the 1977 conference it was stated that the Earth is a sacred place and that it is essential for the physical, spiritual and cultural life of Indigenous Peoples.
- 13 The Symposium states that Indigenous Peoples live in, from, with, by and for their lands and territories.
- 14 The Symposium notes that governments do not comply with fundamental agreements. We call governments to meet these agreements so as to ensure, among other things, proper implementation of the right to consultation in order to gain free, prior and informed consent to any project on indigenous territories. Indigenous Peoples must be allowed to have a continued consultation and must be accorded the authority to object and veto negative impacts on their own lands without improper dominance by governing entities.
- 15 The Symposium notes that the United Nations Declaration on the Granting of Independence to Colonial Countries and Peoples has the task of promptly ending all forms of colonization and that the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) includes reference to the permanent discrimination by States and transnational corporations against Indigenous Peoples as exercised and to right of the latter to exercise self-determination.
- 16 Colonialists must engage with Indigenous Peoples as sovereign peoples, and not as individuals. Eradication of discrimination must also be achieved through policy development. Countries must cease their threats and intimidation tactics.
- 17 The Symposium reaffirms that Indigenous Peoples have the right to be promptly compensated at current value for the theft of their natural resources and the violation of fundamental rights.
- 18 The Symposium is deeply saddened that almost all UN Member States continue to violate the ancestral rights of Indigenous Peoples. This is systematically true even for those States that have ratified international instruments such as the ILO Convention 169 and/or have adopted and endorsed the UNDRIP. We particularly declare ourselves for the end of natural resources dispossession and the non-fulfillment of redress for past damages.

- 19 The Symposium is concerned that Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (ICG) of the World Intellectual Property Organization (WIPO) does not recognize the rights included in the UNDRIP and urges the Member States of this committee to do so. The Symposium emphasizes that all the specialized agencies, bodies and programs of the UN system are compelled to implement the instruments adopted by the UN General Assembly, and as such, the UNDRIP should be taken into account in the area of intellectual property rights.
- 20 The Symposium strongly condemns that in the context of economic globalization States implement extractive policies and hydroelectric schemes in an irresponsible manner, regardless of the harmonious development of Mother Earth and all the living elements.
- 21 The Symposium condemns the continuous violation of human rights and fundamental freedoms of Indigenous Peoples' human rights defenders whereby indigenous leaders are suppressed and murdered for defending ancestral rights and ways of living and for trying to avoid the devastation of our Mother Earth. Indigenous leaders have been assassinated in Peru for fighting against mining. Thousands of Mapuche leaders alike have been imprisoned in Chile. In Argentina, a Mapuche woman was arbitrarily accused of attempted murder after throwing stones at bailiffs. The police had come to evict them from their ancestral lands, in order to establish multinational oil companies. In Costa Rica, a Bri Bri indigenous leader was imprisoned for months for getting back lands of her community's territory that were illegally occupied by non-indigenous. The federal government of Canada continues to refuse all calls to establish a public enquiry into the missing and murdered indigenous girls and women. In the USA, in 2012, the Special Rapporteur on the Rights of Indigenous Peoples, James Anaya, stated in a report to the Human Rights Council that "consideration should be given to clemency for Leonard Peltier". He visited him in 2014. In Panama, the murder of leaders from the Ngobe-Bugle community is still in impunity.
- 22 The Symposium urges the United Nations to recognize it as a consulting and participating entity as regards issues that affect Indigenous Peoples' lives.
- 23 The Symposium is working closely with indigenous youth worldwide to pass on the experiences and the knowledge acquired through years of struggle.
- 24 We honor our ancestors, as well as the brothers and sisters who came to the United Nations in 1977 and 1981 and are no longer among us in their physical form. We walk with the youth to pass the torch on to them in our path to liberation. We also wish to send a message to the seven billion inhabitants of this planet: the indiscriminate exploitation system of Mother Earth by multinational corporations and the accumulation of wealth in the hands of a few are not sustainable. We must create a healthy world for future generations.