

AFRICAN AND CARIBBEAN STATES DEAL SEVERE SETBACK TO WORLDS INDIGENOUS PEOPLES

On November 28th 2006, African States publicly led by Namibia (which was privately backed by Canada, Australia, New Zealand and the United States) and strongly supported by several Caribbean States - advanced a 'no-action' motion in the third Committee of the UN General Assembly, effectively delaying the adoption of the UN Declaration on the Rights of the Indigenous Peoples (a declaration that however HAS already been officially adopted by the Human Rights Council of the United Nations) and dealing a severe set-back to over 20 years of hard work by the worlds Indigenous Peoples and supportive States.

The most shocking aspect in the eyes of the Indigenous Peoples of the Americas was the strong opposition to the UN Declaration on the Rights of Indigenous Peoples from Colombia, the Bahamas, Grenada, Guyana, St. Lucia, Suriname, Saint Vincent and the Grenadines and Jamaica (the most vociferous opponent from among the Caricom countries) - which all voted in favour of the Namibia resolution. Barbados, Trinidad and Tobago, and Antigua and Barbuda abstained in the vote.

The African groups campaign to derail the UN Declaration focused on the substantive issue of the right of 'self-determination' with a desire for an explicit reference to territorial integrity. In addition, Canada, the United States, Australia and New Zealand - with their African and Caribbean 'client States' in tow - expressed concern about Article 4 (formerly 31) of the UN Declaration. These States seem intent upon altering the meaning of both 'self-determination' and 'self-government' to somehow suggest that indigenous Peoples are not equal in the context of the right to Self-determination - although indigenous peoples ARE recognized as equal in the present understanding under international law.

The narrow views of these states suggest that Indigenous Peoples have a different and lesser right of Self determination, which encompass fewer elements than the right that applies under international law equally to 'All peoples'. The African led group, along with their sponsors, referred to 'free prior and informed consent'; as well as 'lands, territories and resources'. Further, these states insisted that they could not accept an international Human Rights instrument that is inconsistent with their national constitutions - despite the fact that indigenous peoples had turned to International Law precisely BECAUSE of the fact that they cannot achieve true justice for themselves under 'National Laws'. Furthermore, for the African and Caribbean States to claim at the last minute that 'they need more time to examine the UN Declaration' - when for over the 20 years that this declaration has been worked on at the UN they consistently refused invitations to participate in any way, shape or form - is the height of hypocrisy on the part of these states.

The Indigenous Peoples of the world urge the African and Caribbean States to NOW become actively involved in the process and dialog WITH the Indigenous Peoples Caucus, and for the African States in particular to drop their inconsiderate demand (backed by Canada, the United States, Australia and New Zealand) to revise (i.e. weaken) the Indigenous UN Declaration without any consultation with the Indigenous Peoples Caucus.

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