In Larger Freedom: The Challenge of Partnerships from Indigenous Peoples’ Perspectives

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Introduction

It is so fashionable nowadays to talk of partnerships as the way for the future and maybe this is the right track. We know for a fact, however, that there is a thing called unequal partnership and if we take a look at the kind of partnerships being developed many of these would fall into this category. The recently released UN Report “The World Social Situation: The Inequality Predicament” noted that 80% of the world's domestic product belongs to one billion people living in the industrially developed world, while the remaining 20% is shared by five billion people living in developing countries. It is very difficult to imagine how equal partnerships can be developed in this highly unequal world which was described in detail in this report. The report warns that "ignoring inequality in the pursuit of development is perilous… and focusing exclusively on economic growth and income generation as a development strategy is ineffective, as it leads to the accumulation of wealth by a few and deepens the poverty of many." This warning is a point which indigenous peoples have said in many ways. Focusing exclusively on economic growth without considering how this is distributed or how other sectors are further marginalized is unacceptable. Indigenous peoples have been sacrificed to achieve economic growth.

Existing relationships between governments and indigenous peoples and between the private sector and indigenous peoples are some of the most unequal and inequitable relationships one can see in this world. There is a very unequal bargaining power between these sets of actors. The non-recognition by governments and the private sector of the basic human rights and fundamental freedoms of indigenous peoples is more the rule than the exception.

I started with this because I think this is truly the biggest challenge of partnerships. How do we develop equal partnerships in a highly unequal world? Partnerships are forged for specific purposes and I believe that if we talk of partnerships today these should be those which address the gross inequalities in between countries and within countries. If so, our task is to design partnerships which could effectively change the dire situations of inequality and poverty. We have to design partnerships which are underpinned by the basic respect of fundamental human rights and freedoms. This is most difficult because most governments pay lip service to the basic international law on
human rights which most of them have ratified. We need to look if there are existing
good examples of partnerships addressing such situations which we can learn from. If
there are such examples what are the factors which enabled them to succeed in their goal
of eliminating inequality and poverty? Can we replicate these experiences more widely so
that the impacts will be more wide-ranging?

**Indigenous Peoples and Their Experiences in Partnership Building**

Since I come from an indigenous organization and I also represent the UN
Permanent Forum on Indigenous Issues, I would like to address these questions from the
experiences and perspectives of indigenous peoples. I believe that the establishment of
the United Nations Permanent Forum on Indigenous Issues in 2000, is one of the best
global expressions of partnership between indigenous peoples’, governments,
intergovernmental bodies, NGOs and the academic community. Thus, I will discuss in
more detail the potentials of this body in terms of enhancing partnerships. In my
presentation, I will use indigenous peoples’ poverty and development as a frame of
reference as this illustrates some of the problems and possibilities in partnership
building.

At the Fourth Session of the Permanent Forum in May this year, it was observed
that the situation of indigenous peoples’ poverty is serious and critical in many countries,
and yet strategies, policies and programs to address this are woefully inadequate. The
International Labour Organization presented a study they did which reviewed the PRSPs
of 14 countries. This concluded that “most of the PRSPs recognize that poverty is
widespread and persistent among indigenous and tribal peoples or in those areas
prevalently inhabited by them”. It further showed that the serious lack of reliable,
accurate, up-to-date statistics and disaggregated data is a major factor in the disjuncture
between poverty diagnostics and poverty-reduction strategies addressing indigenous
peoples. One observation is that most of these PRSPs deemed that poverty of indigenous
peoples is caused by their backward cultures, their isolation and under investment in their
communities. The strategy therefore is to build infrastructure and increase investments to
extract natural resources. In the main, such strategies failed to alleviate poverty among
indigenous peoples and in several cases, conflict situations were even exacerbated.
Clearly, one reason for this failure is that poverty of indigenous peoples is understood by
many governments mainly in terms of material deprivation and not in terms of
“powerlessness and vulnerability linked to systemic discrimination”.

Another study was presented by the World Bank which was an analysis of the
poverty situation of indigenous peoples in 5 Latin American countries (Bolivia, Ecuador,
Peru, Guatemala and Mexico). This study is a sequel to an earlier indigenous poverty
study done between 1984-1993. The major finding is that indigenous peoples’ poverty in
these countries has further deteriorated in the past ten years.

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1 These countries were Bangladesh, Bolivia, Cambodia, Guyana, Honduras, Kenya, Lao PDR, Nepal,

2 See . Harry Patrinos and Indigenous Peoples. Poverty and Human Development in Latin America: 1994-
2004. WB, Washington
I mentioned these two studies because these are specific studies done on indigenous peoples and also because such studies are undertaken as a result of the recommendations from the sessions of the Permanent Forum on Indigenous Issues. These provided more empirical data for us to better understand indigenous peoples’ poverty situations. Furthermore, these studies were done to feed into the special theme of the Fourth Session which was on “Millenium Development Goals and Indigenous Peoples.” The Permanent Forum has become the institutional framework for the various actors involved in indigenous peoples’ development to come together and discuss in more detail studies and proposals on how to address indigenous peoples’ issues.

But all these are just the first steps in partnership building. What we envisage are different forms of partnerships from the local to the global which are building upon each others gains. The elements and steps in building effective partnerships between indigenous peoples, governments, intergovernmental bodies and other actors can already be identified based on past and present experiences.

**Comprehensive and Serious Dialogue as a Basic Element of Partnership**

The most fundamental element is engagement in serious and comprehensive dialogues with indigenous peoples. In many cases governments only entered into serious dialogues with us only after decades of conflict with them. For a long time, governments have the idea that nation-state building which will create a national identity, a national culture and a national development strategy is what will bring about progress, peace and development for its people. Therefore, displacement of indigenous peoples from their lands due to dam-building, deforestation and the like, militarization and transmigration programs to minioritize them, were all done in the name of national development and nation building. Governments conveniently forgot that there will be other peoples and nationalities who will not agree that there can only be one national culture and identity. The assertions of indigenous peoples that their cultures, governance and economic systems, and identities and their rights to be distinct should be respected and considered in nation-building was a clarion call for some governments to take a second look at how they have regarded indigenous peoples found within their national borders. This is where we are at now in many countries and this is the context whereby partnerships are being forged.

Indigenous peoples also challenged the intergovernmental organizations, foremost of which is the United Nations and its specialized agencies, programmes and funds in terms of how they are dealing with development issues related to indigenous peoples. Intergovernmental bodies are the bearers and think tanks of the dominant development framework which has been the cause of misery for most indigenous peoples. The World Bank, for instance, has been playing this role since its inception. The historical and continuing struggles of indigenous peoples against World Bank funded projects and against the policy frameworks and reforms they pushed in most countries has finally brought the World Bank to enter into dialogue with indigenous peoples. The review and revision of the World Bank Operative Policy on Indigenous Peoples (O.P. 4.10) took a long seven years before it was finalized in June 2005. This is because indigenous peoples...
persisted in showing what is wrong with the drafts they had and continuing discussions had to be held. The final policy is not perfect but it is much better than the earlier drafts they had. Side events during the sessions of the Permanent Forum on Indigenous Issues provided the venue whereby discussions on a global level on their drafts were discussed.

Having said this, it is also important to acknowledge that the intergovernmental bodies also play important roles in making those invisible more visible and in setting up the stage for discussions of alternative paradigms or views. Indigenous peoples who are totally ignored at the national level found a space to speak up in the United Nations. The UN Working Group on Indigenous Populations which was set up in 1982 saw an increasing participation of indigenous peoples from all parts of the world each year. However, as this holds its meetings in Geneva, it was the human rights community in Geneva which became more sensitized to indigenous peoples’ issues. With the establishment of the UN Permanent Forum on Indigenous Issues which holds its sessions here in New York, two weeks every May, the visibility of indigenous peoples here in New York has increased. There are more than 1,000 participants in these sessions, which include representatives of indigenous organizations, governments, intergovernmental bodies and those from NGOs and the academe.

The Permanent Forum on Indigenous Issues as an expression of a Global Partnership

The Permanent Forum, as I mentioned at the beginning, is the newest global expression of partnership between indigenous peoples, governments, intergovernmental bodies and NGOs. This consists of 16 independent experts, 8 of which are government experts and 8 are indigenous experts. Indigenous peoples fought very hard for this body to be established. We thought about this in the early 90s and relentlessly worked for its establishment until the UN ECOSOC passed Resolution 2000/22. But we did not do it by ourselves. We had to forge partnerships with sympathetic governments who were willing to sponsor the resolutions and proposals supporting the Permanent Forum up to the General Assembly sessions. We had to address the fears of other governments who were hostile to the idea of the existence of such a body. But most importantly, we also had to convince our colleagues in the indigenous peoples’ movement that this is a body which can help us further bring our issues into the global arena and we had to unite among ourselves on how this will be shaped.

The Permanent Forum on Indigenous Issues serves as an advisory body to the Council with a mandate to discuss indigenous issues within the mandate of the Council relating to economic and social development, culture, the environment, education, health and human rights. It is mandated to;

(a) Provide expert advice and recommendations on indigenous issues to the Council, as well as to programmes, funds and agencies of the United Nations, through the Council;

(b) Raise awareness and promote the integration and coordination of activities relating to indigenous issues within the United Nations system;
(c) Prepare and disseminate information on indigenous issues;

When it was established intergovernmental bodies created a mechanism called the Inter-Agency Support Group (IASG) which brought them together to discuss how best to coordinate among themselves in their work with indigenous peoples. Governments also created an informal mechanism called Friends of the Forum where they discuss how to bring resolutions to the ECOSOC and the General Assembly. In the meetings of these bodies the members of the Permanent Forum are invited to take part in the discussions. Then there are indigenous caucuses based on regional formations or issues which are meeting constantly to discuss in more depth the issues and to strategize. All of these clusters actively participate in the plenary sessions of the Permanent Forum. In between sessions there are international expert workshops on important issues. So there have been workshops on “disaggregated data collection on indigenous peoples”, on “free, prior and informed consent”, and in a few weeks on “indigenous peoples and traditional knowledge”.

The Permanent’s Forum success can be measured in various ways. One is how its recommendations are taken seriously by the different actors. This means how these are translated at the national and local levels and how these are used as guides by governments, intergovernmental bodies and indigenous peoples. Various indigenous peoples’ organizations, like Tebtebba, are discussing with various indigenous formations the recommendations from the sessions and how they can use these. Another is how the mindsets and policies of governments and intergovernmental bodies are influenced by these recommendations. It is still a young body so what it can achieve remains to be seen. With what we have seen so far, however, we can say that it has lots of promises and potentials to be harnessed as a partnership mechanism. What is missing in the whole puzzle is the private sector. At the moment the dialogue with the private sector has been held at the level of the Office of the High Commissioner on Human Rights. The dialogues held between the World Bank, the International Finance Corporation and the Inter-American Development Bank touched on the private sector. There is not much success to speak of as yet, so this is an area which has to be explored and developed further.

One of the key results of the Fourth Session of the Permanent Forum were the recommendations on how the Millenium Development Goals can be made relevant for indigenous peoples. Indigenous poverty was discussed extensively and it was acknowledged that the issue of indigenous peoples’ poverty has deep-seated historical and structural roots and if any government is serious in addressing these, a series of serious and comprehensive dialogues is needed. Even in the few countries where there are existing national laws, frameworks or policies on indigenous peoples, there is still a long way to go to have these implemented. What more in countries where they do not even recognize that they have indigenous peoples and no laws exist recognizing their rights?

The Human-rights Based Approach to Development
The human-rights based approach to development is identified as a key framework for equal partnerships and for the MDGs or for development, in general, to become meaningful to indigenous peoples. This approach is still shunned by many governments and even intergovernmental bodies, even if they have agreed upon what they call “A Common Understanding of the Human-Rights Based Approach to Development”.

In this context, I would like to reiterate some of the points arrived at by the Permanent Forum and which was also reinforced by recent meetings like the “International Conference on Engaging Communities” which was held in Brisbane, a month ago. This approach is underpinned by international law, the normative framework of the human rights system, the interdependence of all human rights, and the policies and practices of the United Nations.

This approach affirms that all policies and programs relating to indigenous peoples must be based on the principles of non-discrimination and equality, which recognizes the cultural distinctiveness and diversity of indigenous peoples. Governments should comply with their obligations to international law and they should ensure that the private sector does not violate basic human rights. Governments and the private sector should establish transparent and accountable frameworks for engagement, consultation and negotiations with indigenous peoples. These frameworks should allow for the full and effective participation of indigenous peoples in the design, negotiation, implementation, monitoring and evaluation of processes and outcomes.

In engaging with indigenous peoples, governments, the private sector and even the NGOs should adopt jointly with them mechanisms, processes and strategies whereby they can agree on how development should be designed and implemented in their territories. These should be geared towards sustainable outcomes which are responsive to the human rights and identified needs and priorities of indigenous peoples. Basic to all of these processes is the need to respect their right to self-determinations of which obtaining their free, prior and informed consent is a crucial component. I know these are all common-sense for most of us who are involved with the United Nations. Unfortunately, these are the most difficult things to implement.

I would like to conclude by saying that indigenous peoples have long been too patient for the dominant world to understand and integrate into its consciousness what they have been saying for centuries. It is not fashionable anymore to think that indigenous peoples should just assimilate or integrate into the dominant society if they want to develop. In this century, many indigenous peoples in various parts of the world have decided that they will play a more pro-active role in asserting their rights and implementing what their ancestors have taught them as the way to save this world. We have seen this happening in recent months, in Bolivia and Ecuador, in the Philippines, in the Arctic, and in Siberia, in the Kalahari Desert, and in the tropical jungles of the Amazon, in Asia and in Africa. There is no turning back and if governments and the private sector think that they can continue to militarize and harass such peoples, they have to think again. While we know that such militarization continues in many indigenous peoples’ territories, there are more possibilities now to make the world know about it.
Much more work needs to be done to stop gross violations of the rights and fundamental freedoms of indigenous peoples. This is still a basic challenge for partnerships. How do we all put our efforts to stop such things from happening? It has come to our attention that indigenous peoples’ movements in Latin America are being considered as terrorist movements by the National Security Council here in this country. Such moves should be stopped as we all know what happens when a movement or a country is considered terrorist. The United Nations has substantially contributed in making indigenous peoples visible and making the world more aware about them. The Permanent Forum on Indigenous Issues will continue to be a witness to what is happening to indigenous peoples and will continue to be a catalyst in establishing more equal partnerships between indigenous peoples and the rest of the world.

Finally, I would like to thank the Department of Public Information for inviting me to share my thoughts on this issue. I would also like to appeal to you and all the member NGOs present here today to reinforce further your partnership and solidarity with indigenous peoples. As long as massive violations of their human rights continues, inequality between them and the rest of the world will continue. I believe creating equal partnerships is the route towards a more secure and equal world, towards meaningful and sustainable development, towards larger freedoms. And I believe creating equal partnerships is based in creating a world which is fundamentally grounded on the respect of basic human rights and fundamental freedoms. Thank you very much.

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