Indigenous peoples win voice at UN

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On 27 April 2000, the UN Commission on Human Rights formally called on the UN to establish the Permanent Forum on Indigenous Issues as a subsidiary body of the Economic and Social Council (ECOSOC). The Forum undoubtedly owes its existence to more than a decade of sustained lobbying of the UN and country governments by indigenous peoples.

The new Forum has 16 members, eight chosen by governments and eight indigenous individuals chosen by the President of ECOSOC after consultations with indigenous peoples. As an advisory body to ECOSOC, it will provide expert advice and recommendations on indigenous issues, raise awareness of indigenous issues, and promote the integration and coordination of activities related to them within the UN system. Its first session was held in May 2002.

Evolution of an idea

The idea of a permanent forum was mooted in the late 1980s by indigenous people who were closely engaged with the UN Working Group of Indigenous Populations (WGIP), which met annually. We recognized that the WGIP played an important role in setting standards and getting reports on indigenous peoples’ rights. It also allowed us to come together from all parts of the world and so strengthened global networking among us. But with indigenous peoples’ rights continuing to be violated by governments with impunity, this was no longer enough. We thus began to explore how the grave issues we faced could be addressed by the UN on a more permanent and coordinated basis.

When we started participating in other UN processes where issues relevant to us were discussed, our understanding of the UN system broadened. We saw the potential for getting other UN bodies to develop policies and programmes which address our concerns. In a few instances we had successes. But for this to happen we had to have an effective presence in these processes. This is where we saw a problem. It was not possible for us to cover all the UN processes and events we deemed important. Those who participated were often key leaders of indigenous peoples’ organizations and movements, whose main role was to strengthen these movements and not to follow each and every UN event. Yet, if we wanted to push UN bodies to take our issues seriously, we had to send skilled and experienced activists.

It was in this context that the idea of a permanent forum evolved. Actually making it happen involved unity-building among us; sustained and well-prepared participation in all UN meetings which dealt with issues relevant to us; effective lobbying of governments; and partnership with advocacy NGOs.
Making it happen

Unity-building was not easy because we came from diverse backgrounds and we spoke different languages. We had to ensure that there were translators at all our meetings, at least for Spanish and French. Between 1997 and 1998 alone, there were five international conferences, held in Latin America, Asia and Africa, to discuss and prepare position papers and strategies.

The first conscious attempt at strategizing and unity-building took place as early as May 1993 when several indigenous leaders met in Guatemala for the ‘First Summit of Indigenous Peoples’. This was organized by Rigoberta Menchu Tum in her capacity as the Ambassador of Goodwill for the International Year of Indigenous People (1993). We talked about how to get the idea proposed at the Vienna World Conference on Human Rights, which took place a month later.[1]

The Danish government agreed to present the proposal, and this set the ball rolling. The Vienna Declaration and Program of Action formally recommended the establishment of a Permanent Forum for indigenous peoples. From then on, we had to ensure that indigenous peoples were present at all meetings where the issue was discussed. Between 1994 and 2000, around 30 such meetings were held in the UN.

The more difficult struggle was with governments. Very early on we forged a formidable alliance with the Danish government, which has taken the lead in all official meetings since. But some governments were extremely hostile to the idea, especially the US government, which constantly picked up on the issue of the lack of resources to set up another UN body, even during the time that it wasn’t paying its UN dues. The only way to isolate them was to wage a relentless lobbying campaign with other governments to actively support the proposal, or at least keep quiet and not oppose it.

The process of establishing the Forum led to unprecedented developments in the UN. For instance, the seven geographical divisions we identified, based on the distribution of indigenous peoples in the world, were not those traditionally used by the UN.[2]

A continuing struggle

But the struggle did not end with the establishment of the Permanent Forum. Making it work in the way we envisioned it remains a daunting challenge. If the Forum is to play a role in coordinating and integrating the various UN bodies’ policies and programmes on indigenous peoples, we need a good understanding of those policies and programmes. Are they complementary with each other or are there inconsistencies? What new policies should we be recommending? Given that the UN Draft Declaration on the Rights of Indigenous Peoples has not yet been adopted, what standards should we use as a framework? What role can the Forum play in pushing for adoption of the Draft?
Another challenge for the Forum is how to implement its recommendations, especially where these conflict with the policies of other intergovernmental bodies, for example if a WTO policy contradicts the standards being set to protect indigenous peoples’ rights. Can the Forum do anything to change WTO policies? Where WTO policies are legally binding on members, while the Forum can only make recommendations, the role of indigenous peoples’ movements in giving force to Forum recommendations will be crucial.

The effectiveness of the Permanent Forum depends a lot on how we, indigenous peoples, and our advocates engage with it. We should enable it to blaze new paths towards the solution of age-old problems. It should be an expression of a new kind of partnership between governments and indigenous peoples.

1 Ole Henrik Magga of the Saami Council, who is now the Chairperson of the Permanent Forum was present at this Summit. So was Willie Littlechild, a Cree, who became the Forum’s rapporteur. I was there in my capacity as the Chairperson of the Cordillera Peoples’ Alliance.

2 Arctic/Europe, Africa, Asia, North America, Central/South America and the Caribbean, Pacific, Former USSR and Eastern Europe.

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See www.unhchr.ch/indigenous/forum.htm