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## ***UN FORUM: AN INDIGENOUS POINT OF VIEW***

*By Kara Briggs*

From the outside, the United Nations stands imposing and still against the bustling midtown Manhattan traffic. Inside on carpeted hallways, metal sculptures silently depict the mid-20th century state of humanity; delegates in tailored suits speak in hushed voices while strolling between meetings of nations.

Since May 14, basement level 1B has bustled with indigenous leaders who traveled from around the earth to join in the Sixth Session of the Permanent Forum on Indigenous Peoples. Attendance at the annual two-week forum broke records with 2,500 registrants, including delegates, nongovernmental organization officials and indigenous rights activists.

The primary goal of this forum is to advocate for the passage of the Declaration on the Rights of Indigenous People by the U.N. General Assembly. The declaration asserts the rights of indigenous peoples to self-determination, treaties, health, education and many other things that not all the nations in the world agree upon.

Last fall, the General Assembly deferred action on the declaration in significant part because of opposition from colonial nations such as the United States, Canada, New Zealand and Australia. Nations in Africa and Asia also oppose the draft declaration because it would empower indigenous people under international law.

But the declaration, which is usually negotiated by lawyers at the United Nations in Geneva, was not the major topic of discussion at the permanent forum. The forum was more of a worldwide community meeting where everyone has a few minutes to talk about their concerns. The stories, whether of Native peoples from South America, Siberia or southern Africa, were strikingly and dishearteningly the same, about lands taken and natural resources under siege by government and global corporations. Occasionally excitement sparked when well-known Western Shoshone Carrie Dann, who's being challenged by the United States over ownership of traditional Shoshone lands, introduced herself.

Speaking over the background noise of chattering of a room full of several hundred delegates, she called on the permanent forum to facilitate a U.N. inquiry into the pollution of North American indigenous lands by

operators of mines, hydroelectric dams and large agriculture.

I can't help but wonder how the world would be different if 400 years ago we, the colonized of the world, had had this central gathering place to confer about atrocities and organize a worldwide resistance. Today this is the international political body where wars are called on and called off, where ideas like the supposed weapons of mass destruction are vetted. I agree when Tom Goldtooth of the Indigenous Environmental Network said, "I think the whole place needs to be smudged out."

Yet imagining such a meeting of old, the translating would be something as we all would have arrived with our rich and varied languages intact.

Even in the forum, registrants spoke more languages than the world-famous U.N. translators knew. When testimony or even a few words were spoken in an indigenous language, the translators stopped speaking and let the power of the words ring through.

Thirty years ago, the declaration was birthed amid an effort by the Six Nations to seek redress over a land claim. A young attorney, Tim Coulter of the Citizen Band Potawatomi Nation, was working for the Six Nations at the time.

"My sense was that we should not take another case involving the Six Nations to court if we knew that the law that the government was going to apply would be discriminatory," Coulter said. "I recognized that we should try to challenge this system of law by using the human rights procedures and the international law that exist in the United Nations."

In the mid-1970s, the United Nations was engaged in an academic study of indigenous peoples by researchers. The existing international laws on human rights, which had been hammered out in the United Nations after World War II, spoke to some concerns about discrimination that were similar to concerns of indigenous peoples. But none were directed at indigenous nations, only individuals. None used the word "indigenous," a word which many in the community of nations would like to forget.

"We began to think not only do we need to appeal to international community," Coulter said, "but we also

needed to improve international rights laws so there would be something in them about indigenous peoples."

As Coulter studied the United Nations process, it grew clear that the way to begin would be to draft a declaration. Such declarations had been adopted by the United Nations before on the rights of women and minorities.

The Universal Declaration on Human Rights has been inspired by nations around the world which have internally developed better human rights laws and has given the world standards to hold those nations that violate human rights up to scrutiny.

Thirty years after he drafted the first declaration on brown paper, Coulter, director of the Indian Law Resource Center, still looks to the indigenous declaration to raise the bar worldwide for fair treatment of indigenous peoples. Even short of its passage, the discussions about the draft declaration have influenced change in nations like Brazil and the Philippines.

"When we started, Indians in Brazil were not considered citizens and had no rights at all," Coulter explained. "They were treated a little better than wild animals. The Philippines has adopted a law on indigenous land and self-determination. This process of

education and persuasion has had a very beneficial effect around the world."

At the United Nations, one of the first things you notice in the cafe is that unlike every other restaurant, coffee shop or bar in New York City, people can smoke. On this, at least, European delegates attending other sessions and many American Indians could agree.

Native Americans were prominently represented because of the relative ease of transportation, even if average hotel rooms nearby were running in excess of \$400 a night. People doubled, tripled and quadrupled up.

Notably absent among the participants were the elected leaders of Native nations. This isn't a criticism because our leaders are busy with affairs of their nations and diplomacy with Congress among other parts of the U.S. government. Activists, no matter how committed, cannot ultimately replace the elected leadership in the United Nations, which is a community of nations, not individuals.

Nor do individuals, no matter how sincere or experienced, replace those vested with the authority to negotiate on behalf of our nations.

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