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## AFRICAN GOVERNMENTS “BLOCK” INDIGENOUS RIGHTS DECLARATION, CHARGE ADVOCATES

July 3, 2007, Washington DC: The governments of Botswana, Kenya, Nigeria and Namibia are leading a campaign by African governments to weaken a key UN Declaration that would protect the rights of indigenous peoples, according to advocates.

The Declaration is the product of over 25 years of advocacy by indigenous peoples. It was adopted by the new UN Human Rights Council in June 2006 and sent to the General Assembly for what many expected to be swift approval.

Instead, in May of this year, the African bloc of governments proposed a counter-draft which would change the draft in 36 places, and seriously weaken key clauses on self-determination, land rights, natural resources and intellectual property among others.

In an open letter to the President of the UN General Assembly, Ellen Lutz, the Executive Director of the advocacy group Cultural Survival, described the African draft as “the antithesis of what a human right instrument is supposed to be – a backstop against arbitrary, harmful state action.”

The letter has been signed by 13 organizations, including the Advocacy Project (AP). It was presented last week by Ms. Lutz, to the President of the UN General Assembly.

African opposition to the Declaration means that there are now two opposing camps on indigenous rights at the General Assembly. Mexico is leading a group of some 60 states that support the existing draft, but the Africans have been joined by several other states that have sizeable indigenous communities, including the US, Canada, Australia, New Zealand, Russia, and Colombia.

Canada’s position has proved particularly controversial because the Canadians contributed actively to the long drafting process. Canada voted against the declaration in the Council last year, mainly on the grounds that it allowed indigenous peoples too much say in deciding how natural resources will be used. But the new Canadian government has significantly broadened its opposition to the draft, and called for resumed negotiations in a statement last Friday.

“Their list of concerns keeps growing and growing,” said Kenneth Deer, a leader from the Mohawk Nation and long-time coordinator of the indigenous lobby at the UN. “It’s hard to negotiate with a government that reneges on its commitments.”

Mr. Deer was expelled from a plenary session of the General Assembly last Friday, along with other human rights advocates, at the request of the Russian delegation.

Advocates are disheartened that many of the governments lining up against the Declaration, like Canada, have traditionally supported human rights. They also suggest that Botswana's opposition may stem from anger and embarrassment at having been pilloried by human rights groups and Hollywood celebrities for a decision to expel some 2,000 San Bushmen from their traditional lands in the Kalahari Central Game Reserve.

The Bushmen are thought by some to be the oldest living human culture on earth, and their land was turned over for exploitation by the diamond company DeBeers. This, in the view of many, is the kind of abuse that the Declaration seeks to prevent.

Until recently, many African governments supported indigenous rights. The fact that they have been co-opted by Botswana and others is seen as a sign of growing solidarity among African governments on human rights and the re-emergence of regional blocs in the new UN human rights system, which is currently in the midst of a confused and difficult reorganization.

One result of this restructuring has been the suspension of a key UN working group on indigenous rights. Set up in 1982, the group offered indigenous advocates a chance to participate at the UN without applying for formal "consultative" status – a process that has in the past been highly politicized. Indigenous advocates used the working group to launch the Declaration, and the group's disappearance is yet another serious blow to their aspirations.

Abby Weil (American University) is volunteering this summer as an AP Peace Fellow with Adivima, a grassroots organization in Rabinal, Guatemala. Adivima represents indigenous families which lost relatives in massacres during the early 1980s and were expelled from their traditional lands as the result of a World Bank-supported dam.

- For Cultural Survival, visit <https://www.culturalsurvival.org/>
- For the text of the draft UN Declaration on indigenous rights visit <http://www2.ohchr.org/english/issues/indigenous/docs/guidelines.pdf>
- For Abby Weil's blogs visit <http://advocacynet.org/author/abby/>

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