

## Words or Action – As the international indigenous discourse meets political realities

Welcome to the seventh conference convened by the Forum for Development Cooperation with Indigenous Peoples, this year in cooperation with the Rainforest Foundation of Norway. We have chosen as heading for this conference a dichotomy which can be expressed in a number of terms. We want to focus on the transition from words to action. We could equally say from discourses to achievements, or we could say a focus on intentions and visions as they meet political realities.

Our point of departure is the significant achievement by what we may call the International Indigenous Movement. From having been among the most oppressed and marginalized, indigenous peoples have been able to assert their needs by political and cultural action and innovation, becoming a significant feature of transnational processes. Important milestones have been the establishment of the Working Group for Indigenous Population in Geneva in 1982, and the Forum for Indigenous Issues in New York 2002.

Between these two events we find 20 years of debates, meetings and resolutions, and the active involvement of thousands of activists. Today, the indigenous movement includes a wide range of peoples with different histories, different ways of life and different positions within their respective nation states, but who see themselves as united in sharing common historical experiences and visions for the future.

The rapid emergence and growth of the organisations from the 1960s onward is an important innovation in the troubled field of relations between nation states and their minorities. Indigenous movements reflect the global processes of modernization and have also influenced the same processes. A central feature of indigenous political and cultural mobilisation has been the demands for legal rights and self-determination that have opened for wider moral and political issues of equality and justice.

The concept 'Indigenous' is still questioned and contested, and an examination of concept should be an ongoing concern for this forum. While there is no binding legal definition of the term indigenous (except for the few countries that have ratified the ILO convention 169), there is a de facto definition, introduced by the Martinez Cobo report in 1986 and which has been added to and adjusted over the years. This working definition has stood the test of time remarkably well, providing a clear focus on a specific type of relationship between state and minority.

The Working Group for Indigenous Populations (WGIP) brings out four principles to be taken into account: priority in time, with respect to the occupation and use of a specific territory; cultural distinctiveness, which may include aspects of language, social organisation, religion and spiritual values; an experience of subjugation, marginalisation, or discrimination, whether or not these conditions persist; and self-identification as a distinct collective; (E/CN.4/Sub.2/ACV.4/1996/2).

The UN use of this concept, which originates from decades of debate, is a significant contribution towards clarifying a vital human rights issue. The achievements of indigenous movements in

different parts of the world have varied. Where organisations and leaders in some countries have been able to reach constitutional amendments and recognition and the establishment of practical means for self-government, other indigenous groups has found less sensitivity – or persistent opposition - to their claims.

Important aspects of this global development are reflected in the programme on Friday when Mattias Åhrén will talk on the adoption of the UN Declaration on the rights of Indigenous Peoples – a major breakthrough? And Else Grete Broderstad will address the Norwegian attempt to implement the ILO Convention 169 and the UN declaration under the heading The Finnmark Act – An example to follow? It is worthwhile to note that both these titles end with a question mark. Is there a breakthrough? Will the Finnmark Act succeed in what it sets out to achieve?

Precisely because the indigenous discourse has come so far in terms of standard-setting, there have also been set-back. Henry Reynolds, one of the architects behind the Mabo case that brought a first recognition of the native title, visited Tromsø recently. He described a situation in Australia where the tremendous support and growth to the indigenous organisation during the 80s and 90s has been replaced by organisations depending too much on the state - and therefore vulnerable as the role of the state is changing. He linked this to global trends of governments retreating from politics, leaving more up to privatisation, and argued that a re-assertment of nationalism, retreat from multiculturalism and the anti-Muslim tone of the so-called ‘war on terrorism’ has had an adverse effect on Indigenous peoples in many parts of the world. The Human Rights agenda may be seen as less binding as America abandons its international commitments.

The limitations to impact of the international community is illustrated by a court case in Botswana concerning indigenous land rights – the first of this kind in Africa. The San, also known as Bushmen, have been relocated to village-like structure while their traditional territories for hunting and gathering have been taken over by cattle farming. Now the inhabitants of the large Central Kalahari Game Reserve have taken a heroic ‘last stand’ and taken the government to court, claiming their right to remain in their traditional territory. I will not go into the details of this case but only note one point: A legal case can be won or lost. But also public understanding and sympathy can be won or lost. Many of those who supported the bringing of this case before the court found the latter concern – to gain public understanding - would be of significance in its own right, irrespective of the outcome of the legal decision.

We may look to the epoch making changes in the Norwegian-Saami relations after the early 1980s for a parallel. The Saami lost the protest against the building of a large hydro-electric dam that reduced the reindeer herding territory. But the understanding and attention raised by the protest actions and demonstrations resulted within ten years in two government white papers and a totally new framework for Norwegian-Saami relations: codified by the change in the constitution that says that the kingdom of Norway is inhabited by two peoples - the Norwegian and the Saami.

This is the kind of changes in state-minority relations that this Forum wants to examine and encourage. Basically, we must recognise that the development of an indigenous rights agenda has seen many achievements, but it is not a uni-linear development. We should not expect development to move unfailingly in one direction.

However, and having said that, it is a particular pleasure to welcome representatives from South America who can report and reflect on some more encouraging developments.

We have been inspired by the political changes in South and Central America. A whole world looks at Bolivia and asks: Does Evo Morales manage to make a difference? How do Indigenous

Peoples and their organisations manage in the transition from activism to the implementation of new regimes, in cases where the new regimes are expected to give more attention to Indigenous Issues?

I am happy to welcome Ianucula Kaiabi from the Association of the Xingu Indigenous Land who will talk on strategies for protecting territories and Adriana Ramos from Instituto Socioambiental (ISA) who will address the influence of the left wing movement in Brazil on the situation for Indigenous Rights.

From Bolivia, Carlos Romero, Director of the Centre for Social and Juridical Studies will talk about legal processes, while Theresa Canavari unfortunately was prevented from coming, and Aina Holm will talk on Indigenous women in Bolivia, on very short notice.

We are happy also to draw on experiences from the Norwegian Embassy in Brazil. The Rainforest Foundation and Students and Academics International Assistance Fund (SAIH).