

United Nations Working Group on Indigenous Populations
Twenty-Second Session, July 19-23, 2004



**Statement by the Quaker Aboriginal Affairs Committee on Agenda
Item:
"Indigenous Peoples and Conflict Resolution"**

Mr. Chairman, ladies and gentlemen,

The Quaker Aboriginal Affairs Committee is an advocacy group working in support of the self-determination of Indigenous Peoples in Canada. Canadian Quakers are also active in international development and justice.

Since the beginning of this meeting yesterday we've heard details of many conflicts involving Indigenous Peoples, and we've also heard about national and UN mechanisms for addressing these conflicts.

In our work we have become familiar with Indigenous approaches to conflict resolution which are fundamentally different from the current mainstream western-based approaches used by most nation-states and international bodies such as the UN.

In the western-based legal approach to conflict, the emphasis is on the use of procedures, terminology, and sequences that follow well established and often complex rules. This attention to procedures is very technical, and does not focus on how the participants, Indigenous and non-Indigenous, are affected by the proceedings. In contrast, the Indigenous approaches' emphasis is on process, and focuses on what the participants, Indigenous and non-Indigenous, are experiencing, and what they are learning. Attention is paid to the progression of the journey the participants are making in their search for solutions and ways to understand the sometimes terrible events that created the deep conflict between them.

From an Indigenous perspective, conflict resolution tends to be seen as a transformation of relationship, not a prescription to follow.

In his Report on the Expert Seminar on Indigenous Peoples and the Administration of Justice (E/CN.4/Sub.2/AC.4/2004/6), Mr. Tomás Alarcón called on States to take steps to "combat discrimination between national systems of justice and indigenous systems." Mr. Alarcón's report also recommends to this Working Group that a study be considered on indigenous peoples and the administration of justice, and that such a study should "promote egalitarian and culturally appropriate justice".

Mr. Alarcón clearly recognizes that the Indigenous approaches to justice are distinct from the national systems. It is our experience, and there is ample literature that supports this position, that the Indigenous approaches to conflict resolution are also distinct from the national and international systems currently in place.

We therefore recommend that the UNWGIP explore Indigenous approaches to resolving conflicts, and that in consultation with Indigenous peoples, some new conflict resolution mechanisms be developed that are inspired by traditional Indigenous values and beliefs. These new processes should then be available as options in all conflicts involving Indigenous peoples.

Thank you.