

Eleventh Session, United Nations Permanent Forum on Indigenous Issues  
New York, 7-18 May 2012

**Statement on the Doctrine of Discovery (and Biocolonialism)**  
**Agenda Item 3**

Presented on behalf of the Global Indigenous Youth Caucus:

Thank you, Mr. Chair; as previously addressed, the Doctrine of Discovery and Domination is a perpetuation of global human rights violations that has yet to be properly recognized and remediated on the international stage. We additionally urge the Forum and relevant actors to equally consider all Indigenous Nations and Peoples when discussing Discovery Doctrine. At this Eleventh Session of the UNPFII, all of the Indigenous Youth in attendance have made a common family bond with each other as members of the Indigenous Nations of Mother Earth. Yet the Doctrine of Discovery and Domination is being used to justify the separation of Indigenous youth from their families by the border enforcement policies of the states. These borders of the states that divide Indigenous lands, territories, communities, and nations were not established with free, prior and informed consent. Such policies result in human rights violations of the families of Indigenous youth.

At this time, the Global Indigenous Youth Caucus wishes to acknowledge our elders, our ancestors, and all of their efforts to set the platform for our delegations today. We further wish to recognize our peers who cannot be here with us, the seven generations that will follow us, and all living beings in creation. The crux of the distinct rights of Indigenous Nations and Peoples is the right to self-determination, which is subjugated under the social construction of superiority at the foundation of the Doctrine of Discovery. Conversely, our future depends on creativity and imagination for safeguarding self-determination combined with the right to free, prior and informed consent, and complete inherent and inalienable rights of Indigenous Nations and Peoples, thus serving the purpose of benefiting future generations and the Rights of Mother Earth.

- The Global Indigenous Youth Caucus recommends that the United Nations fully recognize the criminality and dehumanization of the Discovery Doctrine of Christendom. The extent of sub-dehumanization carried out in the name of the Discovery Doctrine created the need for standard-setting for international human rights protections. Truth combined with reconciliation does not mean a thing without acknowledgement of the crimes committed; here conflict reduction and overall healing depend on the willingness of those who inherit the legacy of the crime, including the Pope, to fully confront denial of the Doctrine of Discovery and Domination and embrace recommendations for healing the intentional goal of spiritual dispossession by the doctrine.
- The World Intellectual Property Organization (WIPO) fashions an extension of Discovery Doctrine that shifts focus from the mindset of the fraudulent 1823 United States Supreme Court case *Johnson v. M'Intosh* to the corporate theft of the inner sanctums of life itself. The policies and language put forth by WIPO develop the continuation of the exploitation of cultural heritage through the market economy with the intent to patent life, even though life is not created by corporations or other regulations. We request that the General Assembly of WIPO extinguish the mandate of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore. We further request that the mandate of WIPO is canceled altogether, because we reject this present-day piracy organization. Biocolonialism is also facilitated through the Nagoya Protocol on Access and Benefit Sharing (ABS) of the Convention on Biological Diversity, in conjunction with the World Trade Organization's Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPs). Consequently, Discovery Doctrine must be fully understood in the

context of its utilization in the development of various stages of international law, definitions of sovereignty, and revoked from the current missions of global institutions.

- Moreover, Indigenous Nations deserve equal standing with full veto rights on the international stage. Acknowledgment of the collective, inherent and inalienable rights of Indigenous Nations and Peoples, based on self-determination, must be articulated within international norms. Recognition of the right to self-determination is upheld by Article 1 of the International Covenant on Economic, Social and Cultural Rights, as well as Article 1 of the International Covenant on Civil and Political Rights. Additionally, states must support the inclusive rights of Indigenous Nations and Peoples to free, prior and informed consent. General Recommendation No. 23: Indigenous Peoples, of the International Convention on the Elimination of all forms of Racial Discrimination (CERD) provides a strong framework for FPIC, which must be applied in its entirety every time Indigenous Nations and Peoples are directly affected and subjected to proposals for development and commercialization by states and corporations.
- We remind the Permanent Forum that one of the obligations for signatories of the Convention on the Rights of the Child is to respect and understand Indigenous Nations and Peoples. The central goal of this commitment is to fight prejudices and racism. Thus states are obliged to teach citizens about the colonial history of the current state system. Taking this framework into consideration, states ought to be obliged to have a curriculum that addresses the Doctrine of Discovery and Domination and the establishing construct of colonialism/ imperialism of the particular state. The Discovery Doctrine must be known as a conqueror-based doctrine similar to other racist notions, namely the National Socialism of World War II and Apartheid against colonized peoples, both previously addressed on the international stage.

- We additionally voice our significant concerns over state interpretations of the fundamental elements of the Declaration on the Rights of Indigenous Peoples.

Collectively, we reiterate the need for respect of the Declaration, along with the necessity to educate our own youth and generations to come about the Discovery Doctrine, its legacy and subsequent historical trauma. In the wake of strategic attempts at ethnocide, Indigenous languages around the world still suffer from marginalization and language genocide. Indigenous languages are the most complex languages in the world; yet many of our languages are disappearing as a result of the legacy of the Doctrine of Discovery and Domination. A strong, organized effort needs to be made to preserve and recover all of our Indigenous languages so that future generations of Indigenous Nations and Peoples can re-establish Indigenous social structures and decision-making bodies and continue to safeguard the well-being, wisdom and survival of Mother Earth.