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INTERVENTION TO THE U.N. WORKING GROUP  
ON INDIGENOUS POPULATIONS

AGENDA ITEM 4

'Ano 'ai me ke aloha e na hulu manu like 'ole. O wau no o Poka Laenui. He Hawaii au. [Greetings in the spirit of Aloha to you birds of many feathers. I am Poka Laenui of Hawaii..]

Having attended various sessions of the United Nations Working Group on Indigenous Populations, having participated in the International Labor Organization's process of amending ILO Convention 107 resulting in today's ILO Convention 169, and having had some experience in the process of indigenous peoples' adoption of standards to serve as our declaration of the rights indigenous peoples, I can not help but feel extremely concerned at what seems to be near hysteria over the probable completion of the United Nations Declaration of Rights for Indigenous Peoples.

As an advocate or representative of indigenous peoples, I can not accept an indigenous declaration of rights which fails to assert the fullest, the highest, the most lofty assertion of rights of indigenous peoples. As such, I believe the prior declarations of rights submitted for this working groups consideration in the mid-1980's from the World Council of Indigenous Peoples and from other affiliations of indigenous organizations are proper and accurate statements of our inherent rights, whether or not the United Nations or individual governments agree. It is our document.

The United Nations Declaration of Indigenous Peoples Rights or whatever title is given to a standard which eventually emerges from this working group will not be an indigenous document. It should never be suggested or mistaken as a document containing the full aspirations of indigenous peoples. It is at best a statement of the extent to which governments at this point in time, are willing to see beyond their own defensiveness, their own history of abuse, beyond their complicity in crimes against humanity, and at this point in time say, "We can go this distance in recognizing indigenous rights."

To do just that, to take a stand, to adopt a United Nations standard which sets the minimum level of rights, in

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and of itself, is a triumph for indigenous peoples. I do not expect that minimum standard to meet our highest expectations. I do expect it to go much higher than the current realities of the vast majority of the world's indigenous peoples. And where are they? They are not in the first world countries where indigenous representatives can flood to the United Nations in Geneva, Vienna or New York on a regular basis. They are represented here, if at all, by the few and far between, by representatives of people without benefit of travel, not only for political reasons but due to extremely poor economic, health and educational conditions; people living not merely in poverty but in a state of misery where hope itself is non-existent.

I expect the document which emerges from the United Nations to meet not my highest aspirations but as a general document, to vastly improve the lot of the majority of indigenous peoples.

As an indigenous observer of this working group, but more important, as a human being, I urge this United Nations body of five "experts" of governments, but more important, as fellow human beings, to continue your work in pushing the international voice of governments to the highest possible limits of human rights and of fundamental freedoms for indigenous peoples. I urge you to do it without delay. And as you do so, I remind you and the U.N. institution, that this U.N. instrument can never substitute for an expression of the world's indigenous peoples. We indigenous peoples will have to do that ourselves.

But your United Nations document shall fill a vacuum of world attention and standard desperately needed at the present time for the vast number of indigenous peoples of the world. Only until that step is taken will we be able to move to the next level of humanity beyond human rights, to the level of human care, of concern, of love for one another, not because of the mandate of an international organization but because of a torch of humanity from within. When we attain that level of humanity will the real conditions of misery be overcome.

Aloha a hui hou,

Poka Laenui  
(Hayden F. Burgess)