

UNITED NATIONS

Agenda Item: ENVIRONMENT INTERVENTION FOR EZLN, CHIAPAS MEXICO



May 18, 2004

Honorable Members of the Permanent Forum, Member States and Indigenous brothers and sisters, my name is Ofelia Rivas. I am the President of First Nations North & South, and also represent the Traditional O'odham Leaders of Northern Sonora Mexico: Cu:Wi I-gersk Community and the Ali Jegk Ceremonial Elders of the United States.

On January 1, 2004, First Nations North & South was asked to present this request from the traditional autonomous communities in Chiapas to call for an independent commission consisting of UN officials and traditional indigenous peoples from the autonomous communities of Chiapas to independently monitor the process from ratification to implementation of the San Andreas Accord in its original form because of past fraud in the process. This Accord consists of demands by the traditional autonomous communities of Chiapas for autonomy, self-determination to preserve our traditional way of life and control over resources.

Since 1977, PEMEX has obtained the right to occupy lands without permission from affected peoples. This constitutes a violation of Mexico's obligations under the International Covenant on Civil and Political Rights as does the continued lack of remedies and redress. We urge the Permanent Forum and Member to ensure the Mexican courts, the Inter-American human rights mechanisms and the UN system exercise such jurisdiction to help the autonomous communities of the State of Chiapas.

The Zapatistas argued that the changes to Article 27 and the new Agrarian Law signaled that the PRI and the Mexican government would never honor its **land reform** and redistribution commitments. The goal of the insurgency, therefore, was to force the government to renew its land redistribution efforts with greater honesty.

Honorable Members of the Permanent Forum, Member States and Indigenous brothers and sisters, The situation is worsened by arbitrary and corrupt acts such as massacres perpetrated by the Mexican and U.S. governments that has been responsible for diverting resources away from sustainable development, caused illegal interference, confiscation of land, and extensive property damage through corrosion. Peaceful demonstrations have been put down with violence by the police and army and coercion and illegal arrests are imposed on leaders of the protest movement and traditional community leaders of the self-governing traditional autonomous communities in Chiapas.

The problems are linked to the globalization of unsustainability. The people have been unable to obtain justice from the Mexican legal system despite the recommendation of Mexico's National Human Rights Commission.

Globalization; the liberalization of trade and investment such as NAFTA permits US and Mexican corporations the right to impose hazards, injury and even death upon communities and workers who have no rights or representation. The benefactors of free trade are factory farm operations and agribusiness groups such as Cargill, ConAgra, and Archer Daniels Midland that use United States taxpayer dollars to drive down prices and displace thousands of people such as the Chol-Tzotzil-Tsehlal, Zapatistas in Chiapas Mexico. These men and women are losing their cultural heritage, the sacred original corn given to them by the Creator which is getting contaminated by corn grown in government owned GMO fields. These unsustainable development practices are responsible for floods, salinization of lakes, contamination of drinking water and poisoning of the food chain. It has deprived the people of traditional farming livelihoods.

Globalization perpetuates ethnocide and genocide against indigenous peoples. The distinct identity of a particular indigenous peoples, is crucially linked to the lands we have occupied since time immemorial. Displacement from our territories means the destruction of our identity, cultures, and lifeways. Militarization and aggression leads to the disappearance not only of indigenous cultures, but of our peoples and nations. This constitutes genocide in violation of Article 7 of the United Nations Convention on Genocide.

Unfortunately, we have minimal protection afforded to us in the realm of national and international law including the principles of the Rio Earth Summit, Agenda 21, the ILO Convention 168, and the Draft Declaration on the Rights of Indigenous Peoples which is still being discussed at the Commission on Human Rights and is blatantly violated by Mexico, the U.S. and corporations.

Mechanisms within the UN where we can turn for redress of the violation of our rights barely exist. We urge the UN system to urgently address the situation before it is too late. It is for this reason; we request enforcement of International law including laws relating to development; self-determination and the collective rights of communities; economic, social and cultural rights and the rights of women and children. We strongly urge ratification of the Declaration on the Rights of Indigenous Peoples, a formal Complaint Procedure for Indigenous Peoples, increased funding for travel so indigenous peoples such as the peoples of Chiapas can attend the Permanent Forum on Indigenous Issues so they can speak with their own voice. It is for this reason we urge you to advocate for the renewal of the Decade of the World's Indigenous Peoples so we can ensure our survival.

Thank you for hearing our message.