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Item 4 of 1



Consejo General de Tainos Borincanos • United Confederation of Taino People

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My name is Naniki Reyes Ocasio, I am a Taino from the island of Boriken, known as Puerto Rico, I am a representative of El Consejo General de Tainos Borincanos, La Confederacion Unida del Pueblo Taino, and speaking on behalf of Caribbean Antilles Indigenous Peoples Caucus on agenda item number 4, Human Rights.

Mr. Chairman, and distinguished delegates, for 512 years the indigenous Caribbean Taino People have endured centuries of genocide, ethnocide, religious persecution and other basic human rights violations, including freedom of religion and self-determination. This situation has not changed since the colonization of the island of Boriken, (Puerto Rico) first by Spain and for the last 106 years, by the United States. Although historic documentation and recent DNA studies demonstrate a continuous indigenous presence, the Commonwealth Government of Puerto Rico officially denies the existence of the Indigenous Peoples of Boriken. This official policy of denial results in the lack of political will to acknowledge and be responsive to the ongoing violations of our rights. For example, while state policies for the preservation and protection of indigenous cultural heritage (Quote "national patrimony" End Quote) do exist on the island, these same policies violate our "constitutional rights" to freedom of religion and basic human rights with respect to but not limited to protection, preservation, access and use of traditional lands, territories, and natural resources including Sacred and Ceremonial Sites. Prior and new legislation continues to be enacted without the full and effective participation of local Indigenous Peoples.

Mr. Chairman, we remind this body that on July 12, 2000, for the first time in 28 years, the Special Committee on Decolonization achieved consensus and, acting without a vote, approved a text to "reaffirm the inalienable right of the people of Puerto Rico to self-determination"... in conformity with resolution 1514 (XV) and the applicability of its fundamental principles to the question of Puerto Rico."¹ Further, recognizing that we are in the fifth year of the Second International Decade for the Eradication of Colonialism, it is clear "From numerous deliberations ... that self determination is important to the Indigenous People."²

Noting the absence of any recommendations focusing on this specific issue within the Report on Outcomes of the first session or the Final Report on the second P.F. session of 2003 (E/2003/43 E/C.19/2003/22), we propose the following recommendations to the Permanent Forum:

¹ Acting Without Vote, Special Decolonization Committee Approves Text on Puerto Rico, (UN Press Release GA/COL/3036, July 12, 2000, Commission on Human rights, E/CN.4/2000/NGO/85. 11 February 2000, see also the, Written Statement submitted by the American Association of Jurists, a non-governmental organization in special consultative status.

² UNDP Consultation on the Protection and Conservation of Indigenous Knowledge, Sabah, Malasia, 24-27 February 1995. See also COICA Statement, the Mataa Declaration on Cultural and Intellectual Property Rights of Indigenous Peoples, Final statement from the UNDP Consultation on Indigenous Peoples' Knowledge and Intellectual Property Rights, Suva, April 1995 and the International Workshop on Indigenous Peoples and Development, Ollantayambo, Qosq, Peru 21-26 April 1997.

1. Establish a relationship between the Forum, the Working Group on Indigenous Populations, and the special rapporteurs who address issues relating to Indigenous Peoples, to form linkages with the UN Special Committee on Decolonization and all related UN bodies, for the purpose of coordinating efforts with respect to Taino and other Indigenous Peoples of colonial and dependent countries, and non-self-governing territories;³
2. That the Forum recommend Puerto Rico be placed back on the list of non-self-governing territories.
3. That the Forum include Taino Peoples in the implementation of the Forum's recommendations in paragraphs 53, 55-57, 87, 92-95, and 100-103 of its' Final Report on the second session of 2003 (E/2003/43 E/C.19/2003/22);
4. That the Special Rapporteur on the Situation of Human Rights and Fundamental Freedoms of Indigenous Peoples, pay special attention to the situation of Taino and other Indigenous Peoples of colonial and dependent countries, and non-self-governing territories;
5. That the Working Group on Indigenous Populations include Indigenous Peoples of colonial and dependent countries, and non-self-governing territories within the study proposed in paragraph 81, of the Forums' Final Report on the second session May 12-23 2003 (E/2003/43 E/C.19/2003/22).
6. That the situation of Taino and other Indigenous Peoples of colonial and dependent countries, and non-self-governing territories be integrated into all mandated areas of work of the Forum as well as throughout the United Nations system and that mechanisms and resources be identified with the aim to train and certify indigenous representatives working on these issues within their respective countries and territories to act as official observers and/or negotiators (e.g. Human Rights Observers).

In closing, the "condemnation by the Special Committee of Washington's colonial rule over Puerto Rico would serve the interests of all those everywhere who fought [and continue to fight] for the right to self determination of all peoples and the future of humanity."⁴ Violations of Indigenous Peoples basic human rights are inseparable from and rooted in the denial of our inalienable right to self-determination.⁵ Mr. Chairman, and distinguished delegates, Bo'Matum, (thank you) and we look forward to a concrete response and guidance from this auspicious body with respect to our proposed recommendations.

³ Jose Luis Morin, *Indigenous Hawaiians Under Statehood: Lessons for Puerto Rico*, Journal of the Center for Puerto Rican Studies (Volume XI Number 2, Spring 2000); see also Evaluation of the International Decade of Indigenous Peoples, submitted to the Office of the High Commissioner of Human Rights in March 2004.

⁴ Ibid at 1

⁵ Charter of the United Nations, Preamble, articles 1, 55 and 56, Chapters XI and XII; Vienna Declaration of 1993; Universal Declaration of Human Rights, articles 2, 3, 4, 22, 23, 25, 26, and 28; International Covenant on Economic, Social, and Cultural Rights, article 1, binding on the United States of America as of September 8, 1992; United Nations General Assembly resolutions 2105 (XX), 2023 (XX) and 1514 (XV); "Protocol of San Salvador" to the American /convention on Human Rights, article 11 and the Rio Declaration on Environment and Development of 1992.