

United Nations High-level Meeting to be known as the World Conference on Indigenous Peoples

(Aotearoa, New Zealand, Statement)

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(Check against delivery)

ITEM: Panel discussion - “*Indigenous priorities for the post-2015 sustainable development agenda*”.

THANK YOU MR CHAIR,

Regarding: Freedom of Expression & Other Civil Rights

1. The Outcome Document of the Open Working Group for Sustainable Development Goals¹ specifically mentions indigenous peoples in only two proposed SDGs (Goals 2 and 4). However, it must be recognized that there is a profound functional relationship between *all* SDGs and the rights of indigenous peoples. Moreover, indigenous peoples’ ability (as both individuals and as collectives) to realize these rights is, in turn, intimately tied with the right to privacy; freedom of expression; freedom of assembly; freedom from unreasonable search and seizure²; and freedom of the press.
2. These freedoms must be protected so as to create a (quote) “*inclusive*” and “*safe*” society (as referenced in Sustainable Development Goal 11).
3. In other words, the cessation of such intimidation is necessary to fully implement both the SDGs and the World Conference on Indigenous Peoples Outcome Document, especially paragraphs 3 and 17 as they relate to obtaining indigenous’ peoples free, prior and informed consent.
4. This point was emphasized at the World Conference opening speeches yesterday, when the UN High Commissioner for Human Rights called for Action plans to include an immediate halt to intimidation of indigenous peoples’ rights advocates.³ Halting of such intimidation must include all unnecessarily intrusive and unlawful mass surveillance by

¹ 19 July 2014, downloadable at <http://sustainabledevelopment.un.org/focussdgs.html>.

² See concerns expressed by the New Zealand Law Commission, “Expansion of GCSB intelligence gathering intrusive” (19 July 2013), downloadable at <https://www.lawsociety.org.nz/lawtalk/lawtalk-archives/issue-823/expansion-of-gcsb-intelligence-gathering-intrusive>.

³ This echoes the Commissioner’s concerns raised in his report in June this year to the Human Rights Council’s Twenty-seventh session, on “The right to privacy in the digital age”, UN document A/HRC/27/37, at http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session27/Documents/A.HRC.27.37_en.pdf.

States on its citizens,⁴ adequate national legislation and enforcement, strong procedural safeguards and effective oversight to ensure full transparency and accountability.⁵

5. Such is necessary if good faith and trust is to be re-established and nurtured between States and indigenous peoples, lest genuine efforts to effectively defend human rights, and thereby bring peace and stability to the world, are seriously undermined.

Regarding: Poverty, the Environment and the Economy

6. We all know that indigenous peoples are disproportionately represented in poverty statistics. The SDG Outcome Document declares that “*Poverty eradication is the greatest global challenge facing the world today and an indispensable requirement for sustainable development.*”⁶ And SDG 1 is to “*End poverty in all its forms everywhere*”.⁷
7. However, while worthwhile targets are listed under SDGs 1 and 8,⁸ there is no recognition that poverty is itself merely a symptom of the larger social injustice of inequitable distribution of wealth between the “haves” and the “have nots”.
8. Also, current economic culture and ‘drivers’, including the well-documented pathological behaviors of corporate entities and financial institutions (both transnational and domestic), continue to disproportionately influence harmful environmental outcomes which have led to the Planet’s current climate change crisis, and which profoundly affects the wellbeing – and in many cases, survival – of Indigenous Peoples.
9. We therefore encourage urgent, effective action that addresses those root causes of systemic wealth inequality. For example, we recommend comprehensive, independent, transparent country inquiries (with effective, findings and action-oriented recommendations) into the following three areas:
 - a. the social, cultural, environmental and economic impacts of the current predominant economic systems and institutions; what a fair distribution of wealth within countries

⁴ Such as surveillance recently alleged to have been carried out by the New Zealand Government prior to the 2013 enactment of the highly controversial Government Communications Security Bureau Bill.

⁵ See Deputy High Commissioner for Human Rights Flavia Pansieri’s comments as reported in “UN rights official cites ‘clear need’ for vigilance on issue of privacy in digital age” (12 September 2014), at <http://www.un.org/apps/news/story.asp?NewsID=48697&Kw1=surveillance+&Kw2=&Kw3=#.VCGMxPldXA0>.

⁶ SDG Outcome Document, paragraph 2, p1.

⁷ As a related aspiration, the SDG Outcome Document also includes “*Goal 8. Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all.*”

⁸ Such as those relating to rights to economic resources, access to basic services, mobilization of resources for developing countries, sustaining GDP growth, increasing employment and so on.

ought to look like; and what the effective mechanisms are for achieving such equity⁹;

- b. the equitable setting of corporate tax rates and State enforcement of corporate tax collection; and
- c. whether international trade agreements (such as the Trans Pacific Partnership) comply with the human rights and freedoms of all affected citizens, including Indigenous Peoples.¹⁰

2. We also recommend:

- a. *developing and implementing* good governance¹¹ culture, practice and constitutional mechanisms, including a genuine progress index or framework as a true means of measuring wellbeing of their citizens, including Indigenous Peoples; and
- b. *providing meaningful assistance* to Indigenous Peoples to create local food, energy, water, knowledge, health, social and other ‘securities’.¹²

Thank you Mr Chair.

⁹ In addition to Indigenous Peoples’ models, see Edgar Cahn, “Building the Core Economy”, at <http://www.youtube.com/watch?v=4deABsB3TBU>; and Noam Chomsky, “How to Ruin an Economy”, at https://www.google.com/url?q=http://www.youtube.com/watch%3Fv%3D6mhj-j0z-fk&sa=U&ei=dqJpU_jzOo-fugTvhIG4Cw&ved=0CAYQFjAA&client=internal-uds-cse&usg=AFQjCNEQG3OAGPx_F_n-LXzFR3MHU0x5rQA.

¹⁰ Key concerns relate to democratic and human rights violations in terms of the environment, the health sector, workers and consumers, public use of and access to information, domestic control over law and regulation, control over the domestic economy, and the State’s ability to promote the public interest. For an Aotearoa perspective, see “It’s Our Future” (New Zealand) at <http://www.itsourfuture.org.nz/>. On 15 September 2014, Canadian Lawyer Robert Amsterdam provided some useful commentary on the TPP, particularly as it applies to Aotearoa in the wake of recent allegations about the National Government’s mass surveillance of New Zealand Citizens. To hear his commentary, see <http://www.youtube.com/watch?v=Pbps1EwAW-0> (around 1:38:00 mins).

¹¹ The SDG Outcome Document states that “*Good governance and the rule of law at the national and international levels are essential for sustained, inclusive and equitable economic growth, sustainable development and the eradication of poverty and hunger.*” (paragraph 12, p3).

¹² For more ideas see <http://www.scribd.com/doc/114372672/The-Quest-for-Happiness-and-Freedom> and <http://www.doingitourselves.org/what-economic-crisis-really-means-and-what-we-can-do-about-it>.