

COLLECTIVE RIGHTS

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UK: Government blocks historic UN Declaration

February 2005



'The UK's human rights policies concerning indigenous peoples are abhorrent and shameful.' Dalee Sambo Dorough, Inuit spokeswoman

The UK government is blocking the recognition of indigenous peoples' rights at the UN. The international decade of the world's indigenous people ended in December 2004 without agreement being reached on the draft UN Declaration on the Rights of Indigenous Peoples – the key objective of the Decade.

The main cause of this failure is that some governments – mainly the UK, France and the US – refuse to enshrine indigenous peoples' collective rights in the Declaration. Although another Decade for indigenous peoples has been announced, talks over the Declaration have all but stalled: only two out of forty-five articles in the draft Declaration have so far been agreed.

To the world's tribal peoples, collective rights are of vital importance. 'Collective rights are essential for the integrity, survival and well-being of our distinct nations and communities. They are inseparably linked to our cultures, spirituality and worldviews. They are also critical to the exercise and enjoyment of the rights of indigenous individuals.' (Letter from 40 indigenous peoples' organisations to Tony Blair, September 2004).

Tribal peoples are recognised as 'peoples' by numerous UN bodies,

but the UK has formally objected to the use of this term in the draft Declaration in order to limit their rights. This is a complete reversal of hundreds of years of British policy, which recognised treaties made between the British Crown and the tribes of North America as between one nation and another.

Indigenous peoples have the right to self-determination, which can only be exercised collectively. Bizarrely, the UK government says it is willing to 'create' a new right of self-determination for indigenous peoples, but that this would be legally inferior to other human rights. Indigenous peoples are strongly opposed to such a discriminatory double standard.

Full collective rights over land and resources are essential for the survival of tribal peoples. The Yanomami of Amazonia, for example, live in large communal houses called 'yanos'. The concept of 'individual ownership' of such a building is nonsensical. A tribe's right to decide, for example, whether a mining company should be allowed to operate on its land, also only makes sense as a collective right. The UK claims, however, that these vital collective rights should be individual rights 'exercised collectively'. In the USA, the infamous Dawes Act of 1887 demonstrated the danger of this approach. The Act turned

'WE MUST REALISE THAT HUMAN RIGHTS ARE NOT ONLY THE RIGHTS OF INDIVIDUALS. THEY ARE ALSO COLLECTIVE RIGHTS.'

UN Secretary-General, 1993

communally-held Indian lands into individual plots; 90 million acres of Indian land were removed at a stroke, and the reservations were broken up.

The UK government's stance has been one of belligerent opposition to collective human rights. In November 2004, following a visit from North American indigenous representatives and hundreds of letters from Survival supporters, the UK government had a sudden change of position. It now admits that collective rights can exist, but refuses to alter its erroneous view that such rights are not really human rights, and persists in blocking the UN Declaration. Forty indigenous organisations have petitioned Tony Blair to change this stance, which also runs counter to the key

international law on this subject, the ILO's Indigenous and Tribal Peoples Convention of 1989.

Grand Chief Ted Moses of the Grand Council of the Cree in Canada notes, 'The Blair government continues to deny us our collective human rights that have existed in indigenous cultures for thousands of years. It is the height of arrogance for the UK government to insist that indigenous peoples should best embrace an individual rights approach.'

A UN Declaration on indigenous rights would be the most important advance for tribal people for fifty years. Survival International believes the UK's actions in blocking it are reprehensible, and should be firmly opposed.

ACTION

IN BRIEF

Survival's action bulletins are issued when a tribe is under threat – and when you can help. Many times since 1969, Survival has shown how focused public support can help to save vulnerable peoples from destruction. By spending a few minutes writing to the addresses below you really can help the world's tribal peoples. **Every letter makes a difference.**

Survival accepts no national government funds and depends on individual supporters to fund its work. You can, however, receive these bulletins free of charge by post or email. Just tick the box on the form.

This action bulletin is also available in French, Italian, Portuguese and Spanish – please write for details or extra copies.

Please write a brief and polite letter. Use the following letter as a guide or write your own:

I wish to express my grave concern that the UK government is blocking the recognition of indigenous peoples' rights at the UN. A UN declaration on indigenous rights would be the most important advance for tribal people for fifty years, and would greatly help them to protect their lives, lands and livelihoods from the many threats that they face. It is essential that such a declaration properly protects tribal peoples' collective rights. The government must listen to tribal peoples and work with them to ensure that their collective rights are fully recognised in the UN declaration.

Please send your letters to:

Rt Hon Tony Blair MP
10 Downing St
London SW1A 2AA
Fax: 020 7925 0918
Begin: 'Dear Prime Minister'

and, if possible, copy to your local MP.

You can locate your MP's address through this website:
<http://www.locata.co.uk/commons/>

or you can fax your MP directly through this website:
<http://www.faxyourmp.com>

INDIA: Isolated tribes of Andaman and Nicobar Islands survive tsunami

The five isolated tribes of India's Andaman and Nicobar Islands have survived the tsunami, despite being close to the epicentre of the earthquake. The Sentinelese, who have no contact at all with outsiders, and the Jarawa and Shompen, who have very little contact, all escaped relatively unharmed. The Jarawa were living in the forest rather than on the coast when the tsunami struck, so were relatively safe. The Sentinelese fired arrows at a helicopter above their island, North Sentinel, clearly indicating their wish to be left alone.

The two smallest tribes, the Onge and Great Andamanese, apparently knew on seeing the sea suddenly recede that a tidal wave was likely, and so fled to high ground. Sadly, the most numerous and assimilated tribe, the Nicobarese, were badly affected and many are feared dead. Survival has produced briefing papers for journalists reporting on the Andamanese tribes, emphasising that they are neither 'primitive' nor 'Stone Age'. Unlike almost everyone else affected by the disaster, the isolated Andamanese tribes do not appear to need outside aid.

The Jarawa, Onge, Sentinelese and Great Andamanese are thought to have travelled to the Andaman Islands from Africa up to 60,000 years ago. The fact that the languages of the four tribes are mutually unintelligible indicates that they lived isolated lives on reaching the islands. However, their ways of life are similar - all are nomadic hunter-gatherers living from the forest and by fishing in the coastal waters. They have suffered terribly since the islands were colonised, first by the British, and later by India.

We help tribal peoples defend their lives, protect their lands and determine their own futures.

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Photo: Inside the yano, ©Claudia Andujar / Survival.



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Postcode

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How did you hear of Survival?

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Survival, Freepost PAM 5410, London, EC1B 1EE, United Kingdom
No postage required if posted in UK. Do not return to your bank/building society.

*You must pay an amount of income or capital gains tax at least equal to the tax we claim on your donation (currently 28p for every £1 you give).

For office use: To The Bank of Scotland, West End Office, St James' Gate, 14/16 Cockspur Street, London SW1Y 5BL Survival International Charitable Trust (12-11-03) a/c 00768011, quoting the customer's name and our reference.

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