

Indigenous Women at the End of the Decade

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The first Decade of the World's Indigenous People (1995-2004) helped to promote recognition of our very existence, of what makes us different and to create certain legal standards at the international level, particularly through the creation of a UN Permanent Forum on Indigenous Issues and the position of Special Rapporteur on the Situation of Human Rights and Fundamental Freedoms of Indigenous People. Yet, we have not attained our primary goal of reaching an agreement between indigenous peoples and States that would permit the adoption of the *Declaration on the Rights of Indigenous Peoples*.

The States have not demonstrated the openness required to recognize us as an emerging group that is demanding the recognition of our rights.

Without this UN declaration, we cannot defend and protect the local laws that do recognize us. Consequently, our rights are only half recognized. But, rights are rights. It is critical that the States uphold the rights of indigenous peoples and preserve the multicultural character of our planet if we wish to achieve balance in this world; otherwise, we face cultural disintegration and, ultimately, the gradual extinction of our peoples.

Progress

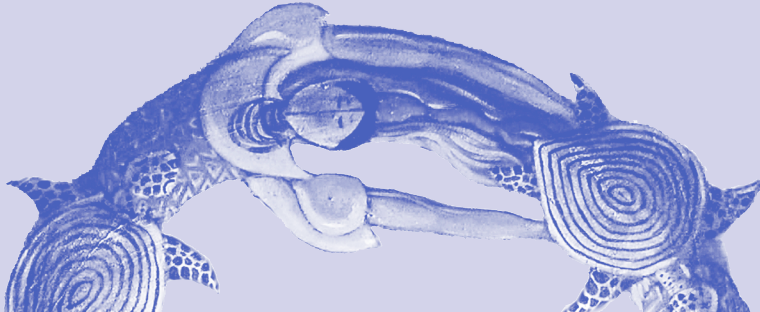
We have made significant progress at the national level. Indigenous peoples are now constitutionally recognized in some countries, particularly in the Americas. Exercising the right to self-determination and autonomy, even if this is only at the local level, constitutes a pillar of indigenous law in Mexico. Some indigenous peoples have signed agreements with States and have managed to



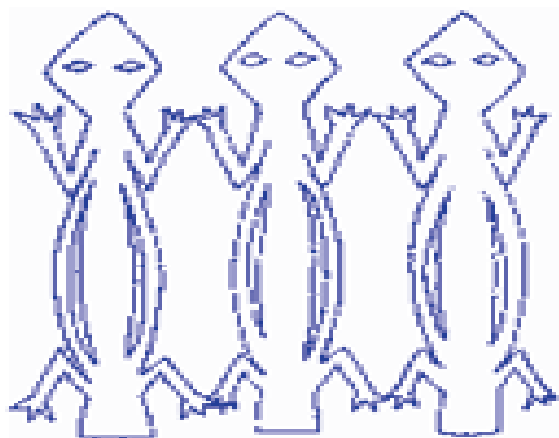
establish and participate in democratic governments. In most cases, however, once these governments are in power, this alliance has not translated into concrete action. Indigenous representatives have been appointed to head certain institutions but they are not necessarily the decision-makers. In other cases, their decisions are subjugated to the political imperatives of the minister, governor or some other political player. Sometimes, the experience has been restricted to the local level. However, it is important to recognize that new relations have been established with governments and

that solid alliances have been built on issues of importance to indigenous peoples.

This progress has had some positive results for indigenous women. We have had a greater role in discussions among our people and we have also demanded and taken our rightful place. We have examined some of the practices and customs that hinder the full enjoyment of our rights and serve to marginalize, exploit and subjugate us within our own nations and communities. By participating in this process, we have been able to break



with a romantic vision of our customs, not all of which are beneficial. As indigenous women, we have a better understanding of the role we play in our communities and we are currently better able to transmit what makes us fundamentally distinct from other societies, such as our languages, family ties, philosophies and cosmology, values and social rules.



I believe that the human rights mechanisms put in place by the United Nations, albeit too slow, constitute a major achievement in that they allow us to monitor, to some extent, the States that fail to protect or respect the rights of indigenous peoples. We hope that these forums will also take into consideration indigenous women's demands with respect to the customs and traditions that hinder or undermine our recognized rights. It is crucial that the Special Rapporteur take the time to study the impact of these customs and traditions on indigenous women. The time has come for indigenous peoples to take a serious look, without romanticizing or demonizing them, at certain realities like child marriage, the rape of young girls, violence within communities and more generally the role of women within their societies. Peoples who demand the respect of their rights must not tolerate practices that oppress women. Indigenous women's well-

being and serenity are preconditions to achieving spiritual and material strength. Women's active participation is therefore critical in this process of self-examination.

Disappointments

Over the course of this decade, we made the least progress in the area of natural resources. For example, Article 27 of the Mexican Constitution stipulates that these resources belong to the State and does not recognize indigenous territories. Furthermore, the legislation does not make provisions for sharing the profits from the exploitation of these territories.

The issues of control over natural resources and the protection of biodiversity, which often affect indigenous territories, are very controversial. Even if State authorities are currently aware of these issues, they refuse to consult the indigenous peoples living on these territories. Occasionally, at the local level, some effort is made to consult indigenous peoples before proceeding with certain institutional or legal reforms, or before implementing certain measures, such as those affecting protected areas or sustainable management, with a view to better use and management of natural resources. These rights, however, fall under the tutelage of the State, and decisions ultimately remain in the hands of government authorities. In my opinion, it is a process. If indigenous peoples demand and propose alternative solutions, States will have to listen.

In terms of cultural diversity, Mexico presents itself as a multicultural nation with its indigenous populations. It recognizes our right to self-determination and autonomy, but restricts the exercise of these rights to the local or municipal level. As Mexican indigenous peoples, we reject these reforms and continue to demand that the content of the San Andres Accords (1996), signed between the State and indigenous peoples, be revisited. Today, there is recognition of linguistic rights and the



need to create institutions that respect these rights. This certainly represents progress, even if these rights fall under the tutelage of the Mexican State and a number of obstacles have yet to be overcome, such as standards with which we have to work and the bureaucracy involved in implementing public policy.

Indigenous peoples must participate to a greater extent in decision-making and not remain on the sidelines, reduced to knocking at the State's door. They must unite to demand their place so that they eventually occupy the front ranks, even if only within the institutions created for them. Non-participation of indigenous peoples brings us back to the indigenist approach that prevailed 50 years ago, when indigenous policy was the

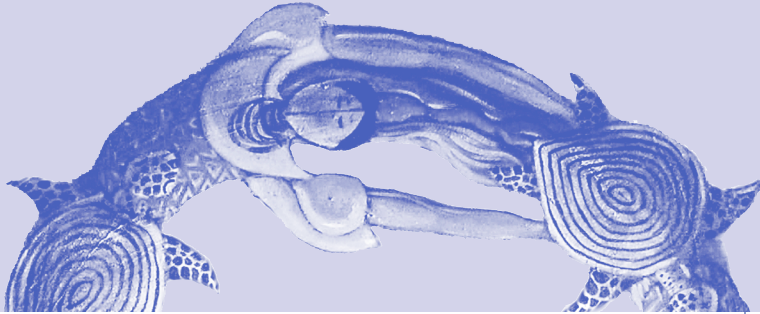
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responsibility of the State and its institutions, not that of indigenous peoples. If we do not change this approach, we will find ourselves with a new indigenism, a new form of colonialism, despite the trend towards creating spaces, projects, programs and forums that "take care

of" indigenous peoples. These measures, however, are designed neither for nor by indigenous peoples. Power remains in the hands of the State and indigenous peoples participate in a structure that is neither adapted to them nor truly takes them into account. Thus, the issue of recognizing multicultural societies is still very much on the table. How can indigenous cultures develop

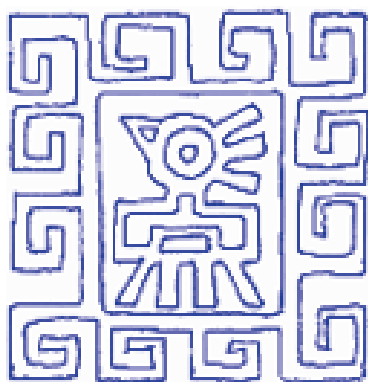
and thrive when our hands are tied and we are under State tutelage?





With specific regard to women, it is crucial that we be taken into account, that we receive greater support to implement productive projects that protect our culture as well as develop and strengthen our knowledge and skills in natural resource use and management.

Simply putting the words laid out in national constitutions into action, with the full participation of indigenous peoples, is a major challenge.



Human rights promotion must be placed on national agendas. These rights should be promoted through broad-based training and be integrated into school curricula. It is important to highlight indigenous rights, to conduct media campaigns to spread the message against racism, exclusion and intolerance. Human rights protection and promotion, as well as knowledge of these rights will help to prevent conflict and foster a culture of peaceful coexistence.

For their part, indigenous peoples must lead energetic awareness campaigns about their cultures and above all their languages, which are rapidly disappearing. They must recognize the rights of indigenous women and stop invoking customs and traditions to justify subjecting

women to discrimination, exclusion and violence, a phenomenon that also harms our children.

I dream of a day when we will live in a fair world that respects identity, differences and diversity in general. I dream that future generations will respect differences and value diversity as a precious gift to humanity. I dream of the day we overcome the envy, jealousy and revenge that fuel conflicts between people, communities and nations. In the shorter term, I long for indigenous women to join forces in a worldwide network and rebuild solidarity among indigenous women at the local, regional, national and international levels. I also dream that we will be able to rediscover our spirituality, where the strength and future of our peoples reside.

Lastly, I hope the draft *Declaration on the Rights of Indigenous Peoples* is approved, and that national and international movements unite.



Discussion Questions

- **How can the cultures of indigenous peoples be strengthened while respecting the rights of women?**
- **How can alliances be built to advance the debate on the issue of land and resources?**
- **After having read this testimonial, what are your priorities for action in the next decade?**