

Indian Council of South America Indigenous Peoples and Nations Coalition

Human Rights Council, Sixth Session
Item 9 Racism – Doudou Diène Report
Geneva, Switzerland
Ambassador Ronald Barnes

Camai – Greetings to Ambassador Doru Corfeo, Members of the Human Rights Council and to all distinguished participants. I also greet especially the Special Rapporteur Doudou Diène since this is directly pertaining to his Report.

I would agree that religious discrimination often takes the form of ideological violence and is encouraged by elites and used in politically discriminatory legislation as some form of democratic legitimacy as enunciated in Part I and II of the Report. Indigenous Peoples have been subject to this form of discrimination at all levels of recognition and in government despite their level of recognition and already available standards of law and policy that should have protected against such discrimination.

I was also happy to see in paragraph 46 that analysis of "the West with Christianity, owing to their historical closeness during the era of European colonization and the current political and intellectual rhetoric about the Christian identity of Europe" regarding the debate on whether or not to allow Turkey into the European Union. This can be similarly used in many Indigenous cases.

Christianophobia has existed between Indigenous Peoples and Europeans and other States who historically used the Catholic Church via the Papal Bulls decree as an ideological instrument to justifiably dispossess Indigenous territory and sovereignty and even to commit genocide against Indigenous Peoples. The United States continues to use the doctrine of discovery title based upon discriminating United States Supreme Court cases that continue to deny the exercise of legitimate rights to self-determination and protection against abuses. The basis of discriminating law and policy is used to justify taking land and territory.

I would request that the Human Rights Council broaden the mandate of the Special Rapporteur to review such cases that still exist to deny Indigenous Peoples their right to their lands, territories and resources at all levels of recognition.

I also need to question how to effectively address the question of racism and the right to self-determination, not from the perspective of the newly adopted Declaration on the Rights of Indigenous Peoples at the General Assembly yesterday in New York, but on existing international law, namely in the decolonization process. The attitude of the UN has been patronizing and racist to deny certain Indigenous Peoples who were listed and removed from the Article 73 of the Charter of the United Nations using discriminating law and policy. I would also recommend that using particular paragraphs of the Declaration and Programme of Action of the World Conference Against Racism to address this issue as it pertains universally to peoples at all levels of recognition.