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Introduction

The first United Nations’ International Decade of the World’s Indigenous People (1995-2004) has now officially ended. As with previous UN Decades, such as the Decade for Women (1976-1985) and the International Decade for the Eradication of Colonialism (1990-2000), the goals of the Indigenous Decade were ambitious: “To strengthen international cooperation for the solution of problems faced by Indigenous peoples in the areas of human rights, culture, the environment, development, education and health.” According to the theme adopted for the Indigenous Decade, this decade was to exemplify “partnership in action”; unfortunately, however, the past ten years have more closely resembled partnership inaction. Few would argue that the goals of the first Indigenous Decade were met, and the outcome of the Indigenous Decade was markedly different when compared to the successes of previous UN Decades. For example, as a result of the Women’s Decade, women’s rights are now “officially” viewed as human rights (CEDAW 1979, Beijing Platform for Action 1995), whereas the rights of Indigenous peoples have yet to be formally codified (despite the creation of a UN Permanent Forum on Indigenous Issues in 2000) within the UN system given the failure to ratify the Draft UN Declaration on the Rights of Indigenous Peoples. Indeed, only two of the forty-five articles comprising the Draft Declaration on the Rights of Indigenous Peoples (subsequently referred to as the Draft Declaration) have been “provisionally adopted” over the past twelve years of deliberations.

Given the shortcomings of the first UN Indigenous Decade (1995-2004), Indigenous delegations successfully lobbied for the passage of a second Indigenous Decade (2005-2014), which proposes the “further strengthening of international
cooperation for the solution of problems faced by indigenous people…”

Given the first Indigenous Decade’s far-reaching goals relating to education, standard setting, and protection of Indigenous human rights, how should one measure its success? Also, now that Indigenous issues are on the UN agenda, how effective have transnational Indigenous networks been in mobilizing support for meaningful “partnerships in action” both inside and outside the UN system?

Global Indigenous networks and organizations that were active during the Indigenous Decade and beyond address a broad range of issues, such as collective and individual rights, self-determination, globalization, colonization, and education. Often referred to as transnational advocacy networks, these agents for global and local change are created when the actions of grassroots movements, Indigenous organizations, and international regimes intersect. Such transnational advocacy networks include all “relevant actors working internationally on an issue, who are bound together by shared values, a common discourse, and a dense exchange of information and services”

To generate a comparison of the success and failures of transnational Indigenous networks, I employ Keck and Sikkink’s five-part model for evaluating transnational action network effectiveness:

1. Issue creation and agenda setting;
2. Influence on discursive positions of states and international organizations;
3. Influence on institutional procedures;
4. Influence on policy change in “target actors’;
5. Influence on state behavior.

In addition to these five components, I add a 6th: co-optation, which, in my view, is closely related to the language of “mainstreaming” used by the UN. Here I use the concept of co-optation in the way that Sociologist Michael Lacy defines it: “Co-optation
occurs if, in a system of power, the power holder intentionally extends some form of political participation to actors who pose a threat.” ⁴ Kanien’kehaka (Mohawk) scholar Taiaiake Alfred further describes how a process of co-optation takes place: “The complexity of Indigenous-state relations gives agents of the state many opportunities and mechanisms to move Indigenous leaders away from their communities, politically and ideologically, and towards the state.” ⁵ Ultimately, as Sociologist Raymond Breton finds, the most effective way of co-opting Indigenous leaders is “to embrace them.” ⁶

According to Lacy, powerful entities, such as state actors within the UN system, historically promote their own legitimacy through processes of blunting and channeling. ⁷ Together, these two processes create an illusion of inclusion for Indigenous peoples participating in global forums. Blunting simply means that an Indigenous political agenda is shifted and altered to fit the dominant norms of institutional structures. For example, downgrading an Indigenous right of self-determination to a claim to internal territorial autonomy in order to gain wider support from state actors would be one obvious form of blunting. As international legal scholar Patrick Thornberry explains, “Self-determination is a right, autonomy is not; autonomy is essentially a gift by the state (grudgingly offered, ungratefully accepted)…” ⁸

Channeling effects occur when members of Indigenous groups, having accepted representation via global forums, cease forms of resistance through other means by confining their activism to these official structures. For instance, rather than pursuing grassroots mobilization to stop the encroachment of a logging company on Indigenous homelands stemming from a development project, an Indigenous community might channel most of their political efforts into publicizing human rights abuses within a
global forum, such as the UN Development Program or the Special Rapporteur on the Situation of the Human Rights and Fundamental Freedoms of Indigenous People. With this form of co-optation, Indigenous communities are dissuaded from engaging in grassroots mobilization and/or directly confronting MNC/state practices. Instead, their efforts might be re-routed into a three-minute speech at the UN Permanent Forum. By pursuing such strategies, Indigenous efforts at political mobilization become co-opted by the very state-centric system that they seek to challenge. Here I am most interested in the process and conditions by which co-optation is “successful in stabilizing the regime” – as opposed to challenging the existing state-centric system.

Using co-optation as a tool for examining global political mobilization allows one to analyze the effects of this process on the transnational networks themselves. Including the concept of co-optation allows for an analysis of what happens to transnational action networks when some access to power has been granted, rather than denied, by the UN system. In this article, I examine how Indigenous movements have become institutionalized and mainstreamed within the UN system and how these developments have impacted grassroots mobilization. But first I relate how my experiences as a Tsalagi (Cherokee Nation) delegate to the UN Working Group on Indigenous Populations (WGIP) and UN Permanent Forum on Indigenous Issues (PFII) have informed my research on global Indigenous mobilization.

Observations from a Tsalagi Delegate
In the words of the late Menominee Indigenous rights activist, Ingrid Washinawatok El-Issa, “We must unlock the silence of our people. Unlock the silence and let us speak to the world.” Ingrid spoke these words as a challenge to Indigenous
leaders before the first Indigenous Decade began. Ten years later, Indigenous leaders have responded by “unlocking the silence of our people” but our stories of resistance have not been truly heard within global forums. After participating in annual meetings of the UN Working Group on Indigenous Populations and the UN Permanent Forum on Indigenous Issues as a Tsalagi delegate during the first Indigenous Decade, I have identified some of the shortcomings that illusions of inclusion within the UN system promote. For instance, there is currently no remedial action that can be taken to counter human rights abuses within the WGIP or PFII other than reporting, standard-setting, and occasionally making recommendations to other UN agencies. As noted international legal scholar S. James Anaya explains, “…where there is a violation of self-determination and human rights, presumptions in favor of territorial integrity or political unity of existing states may be offset to the extent required by an appropriate remedy.”

Both the WGIP and now the PFII are the most inclusive and open forums within the UN system but this openness has led to some unintended consequences. First, there has been a growing concern over delegates self-identifying as Indigenous and having questionable links to Indigenous communities while participating in UN forum proceedings. Additionally, given the growing participation by Indigenous peoples at these global forums, Indigenous delegates have an average of three minutes within either the Working Group or Permanent Forum to convey the needs of their community via an oral intervention. At one point during the 2004 Permanent Forum meeting, only joint interventions made by two or more Indigenous organizations/communities were permitted. State delegates, on the other hand, are granted 10-15 minutes for each of their oral interventions. From the strict time limits to the scrambles by Indigenous delegates to
find open seats on the floor that aren’t occupied by state delegates, one is constantly reminded at these gathering that this is indeed a state-centered forum.

Even with these shortcomings, UN forums do provide Indigenous representatives with opportunities for diplomacy and strategizing. The UN hallways are places to informally share stories of struggle and resistance with other Indigenous community members from around the world. I found that the most important conversations were held in these hallways. It is where I first met with the U.S. delegate to the UN Working Group in 1999. At this meeting, US State Department official, Mr. Dennis, informed me that the issues I had raised were “domestic” ones, and referred me to the U.S. Department of Justice for any further action. The contradictions he expressed were striking: a US State Department official speaking to a Tsalagi delegate at a UN global forum in Geneva, Switzerland was informing me of the domestic nature of my claims. Unfortunately, as Indigenous peoples we have grown accustomed to living within such contradictions.

After listening to US and Canadian delegates describe Indigenous rights as domestic rights each year at global forums, I soon realized that most states viewed Working Group and Permanent Forum meetings as places to reinforce an agenda of Indigenous rights “domestication.”

During my participation in UN Indigenous forums as a delegate over the past six years, there were only two instances where I believed that Indigenous concerns were voiced on our own terms. The first example took place at the seventeenth session of the UN Working Group on Indigenous Populations in Geneva in 1999. During period where delegates deliver three-minute interventions on behalf of their communities, a Puyuma Indigenous delegate named Ara Rusuramang from Falangnau (Taiwan) sang a harvest
song in his own language. His song broke through the standard bureaucratic proceedings and caught everyone off guard, especially the Chairperson, who did not strike her gavel to interrupt this moment. Ara later explained in English that he sang the song “…in hope that the indigenous peoples of the world will have a great prosperity to harvest.” This song could not easily be reduced to a political statement or a standard intervention -- it was a cultural expression of hope and honor. However, the song was not expressed in one of the five official languages of the UN and the delegate was reminded by the chairperson to adhere to UN language protocols. Ara’s song reminded me that so many had traveled so far only to be denied speaking their own Indigenous languages.

A second example where Indigenous delegates asserted a leadership role occurred at the eighteenth session of the Working Group on Indigenous Populations in 2000. While giving their intervention on July 26, 2000, the delegate from the Saddle Lake First Nation (Alberta, Canada) drew attention to Canada’s ongoing assimilation policies towards Cree children and youth: “Madam Chairperson, this is genocide!” In response to the Saddle Lake First Nation reference to genocide, all delegates representing the government of Canada abruptly vacated the room. The WGIP Chairperson then chastised Saddle Lake First Nation for invoking such a politically charged term, emphatically stating that no genocide against Indigenous peoples was currently taking place in the world today – nor had it occurred since she began reviewing this issue in 1984. Other delegates looked around the room at each other in shock at such a blatantly false statement. The intervention by Saddle Lake First Nation had exposed the true power at the Working Group – Indigenous statements were supposed to appease rather than challenge the attending member country delegations.
At the time, I believed that the two above-mentioned examples demonstrated some of the potential that Indigenous delegates working within the WGIP and even Permanent Forum could utilize to assert Indigenous self-determination. Yet this potential has not been realized and these forums have only become more rigid in applying their limited mandates. For example, several Indigenous and government representatives attending the May/2001 inaugural meeting of the UN PFII in New York emphasized the data gathering function of the organization and “…stressed that the Permanent Forum should not be ‘a house of complaints’.”¹⁶ Such a statement reduces Indigenous demands for basic human rights and self-determination to mere annoyances.

Since first writing about global Indigenous rights in 1995, I have urged Indigenous delegates to identify effective strategies to identify and promote remedial forms of justice both inside and outside UN forums. In a 1995 Human Rights Quarterly article, co-author Tomas Hopkins Primeau and I pointed out that the debate over the ratification of the Draft Declaration on the Rights of Indigenous Peoples centered too much on semantic battles, which prevented delegates from addressing the truly substantive issues of Indigenous self-determination. However, our proposed strategies focused too much on avoiding “…the volatile and intractable responses of host states”¹⁷ and not enough on asserting Indigenous powers of self-determination on our own terms. My subsequent work has elaborated on several possible models for an Indigenous global forum “independent of the UN” that requires states to apply for “observer or consultative status within the Indigenous community’s own international organization.”¹⁸

Additionally, given my direct participation within the WGIP and Permanent Forum, my co-author, Philosophy professor Cindy Holder, and I began to focus on the
disjunctures between theory and praxis – especially the theoretical misrepresentations of Indigenous community relationships. Finally, after extensively reviewing how academicians and international organizations have set out to establish definitions of Indigenous peoples, I attempted to strike a balance between self-identification and a flexible, working definition of Indigenous peoples. Overall, I have written articles in order to promote a critical discourse regarding the global and domestic applications of Indigenous human rights and self-determination – such a critical discourse amongst Indigenous activists and scholars has been noticeably absent as we reached the end of the first UN Indigenous Decade.

**The UN Indigenous Decade (1995-2004): Effectiveness of Transnational Networks**

Indigenous nations practiced diplomacy long before first contact with colonial powers by sending delegations to global destinations in order to foster new alliances of peace and friendship. During the colonial era, these diplomatic missions intensified. In 1730, for example, seven Tsalagis (Cherokees) from clan towns in South Carolina traveled to England in order to seek a strategic alliance with the Crown. Given their extensive histories of treaty-making and diplomacy, Indigenous peoples have long recognized the potential effectiveness of what Keck and Sikkink refer to as the “boomerang pattern”: when denied a local venue for change, Indigenous peoples seek out global allies to pressure intransigent host states from the outside in order to promote Indigenous self-determination. As early as April/1923, Deskaheh, Chief of Six Nations of Grand River, petitioned the League of Nations via the Government of the Netherlands, in order to influence Canadian Indigenous policy:

> We have exhausted every other recourse for gaining protection of our sovereignty by peaceful means before making this appeal to secure protection through the
League of Nations. If this effort on our part shall fail we shall be compelled to resist by defensive action upon our part this British invasion of our Home-land, for we are determined to live the free people that we were born.\textsuperscript{23}

Despite being unsuccessful in his effort to secure support from the League of Nations,\textsuperscript{24} Deskaheh’s words and strategies are just as prescient today. However, it wasn’t until 1971, when the Economic and Social Council authorized a UN study by Special Rapporteur José Martínez Cobo to examine the “Problem of Discrimination against Indigenous Populations” that indigenous peoples made it to the UN agenda and a more active transnational Indigenous rights network began to emerge. The resulting work by Martínez Cobo was issued as partial reports between 1981-1983 and became a “standard reference for discussion of the subject of indigenous peoples within the United Nations system.”\textsuperscript{25}

With a proliferation of Indigenous non-governmental organizations (NGO’s) in the U.S. and Canada during the 1970’s, such as the International Indian Treaty Council (IITC), founded in 1974, and the World Council of Indigenous Peoples (WCIP) formed in 1975, a regional Indigenous rights movement emerged in the Americas. At the inaugural meeting of the World Council of Indigenous Peoples from October 27-31, 1975, fifty-two Indigenous delegates from around the world and more than two hundred official observers from nineteen countries gathered at Port Alberni, British Columbia (Canada).\textsuperscript{26} Under the leadership of Shushwap Chief George Manuel, a declaration of WCIP principles was adopted at the first meeting – the selected passages expresses some of the goals of the WCIP for unity and mobilization:

Now, we come from the four corners of the earth, we protest before the concert of nations that, we are the Indigenous Peoples, we who have a consciousness of culture and peoplehood on the edge of each country’s borders and marginal to each country’s citizenship.
We vow to control again our own destiny and recover our complete humanity and pride in being Indigenous People.\textsuperscript{27}

By 1977, Indigenous organizations from North America, Australia, and the Nordic countries of Europe had internationalized many local struggles for Indigenous peoples by lobbying the UN and holding several regional conferences – most notably, the International NGO Conference on Discrimination against Indigenous Peoples in the Americas held in Geneva, which was attended by more than sixty Indigenous delegates from North, Central and South America.\textsuperscript{28} With the creation of the UN Working Group on Indigenous Populations (WGIP) in 1982, Indigenous rights activism was gradually transforming from a regionally based movement with a primary focus on discrimination to one that was truly intercontinental and multi-issue in scope. To better understand the effectiveness of this emergent transnational Indigenous rights network during the UN Indigenous Decade (1995-2004), I now turn to the five points outlined in Keck and Sikkink’s multi-level tool of analysis along with a sixth point of comparison: co-optation.

\textit{Issue creation and agenda setting}

While issue creation and agenda setting occurred in a number of ways during the Indigenous decade through conferences and standard-setting activities, I will focus on four key aspects of agenda setting in this section:

1. \textit{The establishment of a UN Indigenous Decade}: After successfully initiating an “International Year of the World’s Indigenous People,” Indigenous activists successfully lobbied participants at the 1993 World Conference on Human Rights in Vienna to recommend a UN Indigenous Decade. Full backing of the WGIP coupled with the strong recommendations contained in the 1993 Vienna Declaration and Programme of
Action, led the UN General Assembly to adopt a resolution proclaiming a UN Indigenous Decade commencing in 1995. In its resolution, the UN General Assembly recommended “full elaboration of a detailed plan of action, including an evaluation mechanism, and the establishment of a funding plan for the Decade, and that the meeting report to the Working Group on Indigenous Populations.”

Given the shortcomings of the initial UN Indigenous Decade (1995-2004), Indigenous organizations successfully lobbied for the passage of a second Indigenous Decade (2005-2014), which had the stated goal of “further strengthening of international cooperation for the solution of problems faced by Indigenous people in such areas as culture, education, health, human rights, the environment and social and economic development, by means of action-oriented programmes and specific projects, increased technical assistance and relevant standard-setting activities.” On December 20, 2004, the UN General Assembly formally adopted a resolution proclaiming a Second Indigenous Decade commencing on January 1, 2005.

2. The theme of UN Indigenous Decade: “Indigenous peoples: partnership in action”:
The High Commissioner for Human Rights was named coordinator for the Indigenous decade and set aside the time period January 1-December 9, 1994, for planning for the Decade in consultation with Indigenous people. Additionally, on February 17, 1995, the UN General Assembly, in accordance with the theme of “partnership in action” and based on the recommendation of the five members of the WGIP, established an International Day of Indigenous People to be observed every year on August 9, which is the anniversary of the first day of the meeting of the WGIP in 1982.
3. Annual WGIP conferences and themes: While the WGIP continues to serve as a “think tank on indigenous questions”, it is no longer the central focal point within the UN system for the transnational Indigenous rights network given the establishment of a Permanent Forum on Indigenous Issues in 2000. In addition to facilitating annual two-week conferences with Indigenous peoples and organizations in Geneva, the mandate of the WGIP remains broad, based on two overarching goals: 1) To review national developments pertaining to the promotion and protection of the human rights and fundamental freedoms of Indigenous peoples; and 2) To develop international standards concerning the rights of Indigenous peoples, taking account of both the similarities and the differences in their situations and aspirations throughout the world. In terms of agenda-setting, a new theme for each annual WGIP meeting is developed by the five rotating members of Working Group. For example, the 18th WGIP session in 2000 focused on “Children and Youth” while the 22nd session in 2004 discussed “Indigenous peoples and conflict resolutions.” Indigenous groups and organizations lobby for certain themes over others in order to highlight certain human rights abuses occurring within their host state(s).

Since its first meeting in 2002 in New York, the UN Permanent Forum on Indigenous Issues (PFII) has developed themes for its annual conferences in May. At the first meeting, the PFII Secretariat, in consultation with the Chairperson and forum members, worked closely with UNICEF to ensure that the PFII’s emphasis on “Children and Youth” was reflected by the agenda of the second PFII meeting in 2003. This was timed to coincide with the release of a special UNICEF report on Indigenous children in 2003.
4. Indigenous Declarations: Declarations by Indigenous organizations and individual nations voiced during the Indigenous Decade demonstrate a continued assertion of self-determination and have an agenda-setting function for the WGIP, Permanent Forum as well as other UN agencies. These declarations also reflect a consensus of Indigenous activists around certain issue areas and regional considerations. Unfortunately, given the rhetorical style, political context, and non-binding legal status of these documents, declarations are often ignored by states. Listed below are some of the Indigenous declarations put forward during the Indigenous Decade:

- Beijing Declaration of Indigenous Women (1995);
- Indigenous Peoples Seattle Declaration (1999);
- Indigenous Peoples’ Caucus Statement at WIPO (1999);
- Declaration of Indigenous Peoples on Climate Change (2000);
- Indigenous Peoples Millennium Conference statement (2001);
- Statement on the World Conference Against Racism & the Proposals for the Programme of Action of the World Conference Against Racism (2001);
- Declaration and Platform of Action on the occasion of the First Indigenous Women’s Summit of the Americas (2002).

Influence on discursive positions of states and international organizations

While there were several reports and recommendations related to standard-setting that came out of the UN Indigenous Decade, the document that created the most discursive positioning amongst states and Indigenous participants was the UN Draft Declaration on the Rights of Indigenous Peoples. In fact, the other major goal of the Indigenous Decade (in addition to creating a Permanent Forum on Indigenous Issues) was to promote UN General Assembly ratification of the Draft Declaration by the end of 2004. Since the initial process of developing a Draft Declaration started in 1985, over 400 Indigenous delegations and five independent legal experts who comprise the Working Group have assisted in writing this document. In 1994, when the Draft
Declaration was adopted by the Sub-Commission on Prevention of Discrimination and Protection of Minorities, it consisted of 19 preambular paragraphs and 45 articles. The following year, the Draft Declaration was reviewed by member states at the 50th session of the Commission on Human Rights, which established an Intersessional Working Group to assist in reviewing the Draft Declaration for eventual ratification by the General Assembly.

Twelve years later, the Draft Declaration remains stalled in the Intersessional Committee and little has changed since legal scholar Russel Barsh provided a comprehensive scorecard of state discursive positioning in 1996. According to Barsh’s observations at the 1995 meeting, Japan and the US contended that the Draft Declaration was “not a reasonable evolution from existing human rights law” and was too “intrusive into national legal systems.” Additionally at the 1995 meeting, Canada objected in principle to an Indigenous “right to self-determination”, “right to be identified as indigenous”, and ten other key features of the Draft Declaration. These stalling tactics intensified in September/2003 when Canada and Australia were criticized by Indigenous delegations for derailing negotiations over the Draft Declarations. These two state governments proposed that “…fundamental rights over land and natural resources would be discussed between a state and its indigenous population rather than being part of a universal declaration of rights of indigenous people.” In fact, Canada and the US are said to be creating their own versions of the Draft Declaration. These semantic battles between Indigenous delegations and states have been fairly consistent since the Intersessional Working Group was formed, as former Pacific representative to the United
Nations Permanent Forum on Indigenous Issues, Mililani Trask, pointed out in her 2003 review of the Indigenous Decade:

Every year the CANSUZ states (Canada, Australia, New Zealand and the US) have acted as a block objecting to the unqualified right of self-determination for Indigenous Peoples. These states and a few others have insisted on redrafting the document.37

What then, is the end result of twelve years of discursive positioning and deliberations by the Intersessional Working Group? At the close of the 1st Indigenous Decade, only 2 of the 45 articles contained in the Draft Declaration have been provisionally adopted. These two articles are fairly uncontroversial as they focus solely on the recognition of individual rights and similar versions have been ratified in other UN human rights treaties, including CEDAW.

- Article 5: Every indigenous individual has a right to a nationality;
- Article 43: All the rights and freedoms recognized herein are equally guaranteed to male and female individuals.

Despite ongoing state resistance to the language of the Draft Declaration relating to the recognition of collective rights, self-determination, and control over natural resources, there is optimism amongst Indigenous peoples and rapporteurs that the Draft Declaration will be ratified during the 2nd Indigenous Decade.

In 2006, there appeared to be some headway regarding the discursive positioning of states over the Draft Declaration. Indigenous peoples and states participating in the 2006 Intercessional Working Group reached agreement on the majority of 45 articles in the Draft Declaration. However, the Working Group was unable to reach consensus on some key issues, such as self-determination, lands, territories, and resources (namely Articles 25, 26, 27, 30).38 After the Working Group meeting, the Chairperson of the Working Group, Mr. Luis-Enrique Chavez (Peru), submitted his proposals to the 62nd
session of the Commission, which contained articles that had been provisionally agreed on as well as his proposals on outstanding issues.\textsuperscript{39}

At the Fifth Session of the Permanent Forum on Indigenous Issues, Australia, New Zealand and the U.S. issued a joint statement opposing Chairperson Chavez’ recommendations for the Draft Declaration and expressed their concerns over wording in the Draft Declaration that “…could be misrepresented as conferring a unilateral right of self-determination (Article 3)…thus threatening the political unity, territorial integrity, and indeed the security of existing UN Member States.”\textsuperscript{40} According to these three governments, “the provisions on lands and resources are particularly unworkable and unacceptable.”\textsuperscript{41}

More recently, Canada, which is one of 47 elected members to the newly developed United Nations Human Rights Council, also opposed approval of Chairperson Chavez’ version of the Draft Declaration. Echoing the views of Australia, New Zealand, and the U.S., Canadian Foreign Affairs Minister Peter MacKay expressed his concerns over the Draft Declaration’s wording around property rights and issues of natural resources, stating, "We want to ensure that these implications are fully comprehended before we sign on."\textsuperscript{42} MacKay further elaborated on his apprehension over the rights contained in the Draft Declaration: "…we don't want it to run contrary to some of the constitutionally entrenched rights that we have right now and some of the decisions out of the Supreme Court in Canada, not to mention some of the treaties that have been signed."\textsuperscript{43} As we enter the 2\textsuperscript{nd} UN Indigenous Decade, the discursive positioning of the CANSUZ states remains virtually unchanged.
Influence on institutional procedures

There are four aspects of the activities of transnational Indigenous networks during the Indigenous Decade that warrant further examination:

1. Greater participation rates by Indigenous organizations in WGIP and PFII: The overall number of Indigenous organizations increases from 48 in 1983 to over 500 by 2005, indicating a deepening of this transnational advocacy network. Additionally, the number of Indigenous participants has also increased dramatically since the creation of the UN Working Group on Indigenous Populations (WGIP) in 1982. As a point of comparison, the first WGIP session in 1983 had 22 NGO’s and Indigenous organizations attending; during the 22nd session of the WGIP in July/2004, 169 NGOs and Indigenous organizations participated – over 1,000 representatives from around the world were in attendance, making it one of the largest international meeting on Indigenous rights in the history of the WGIP.

There was also a marked increase in participation within the UN Permanent Forum on Indigenous Issues. At the 1st session of the PFII in 2002, approximately 900 observers representing governments, the United Nations system, and Indigenous organizations were present. At the 3rd session of the PFII in 2004, over 1,500 participants from some 500 Indigenous groups worldwide attended.

2. Relative openness of WGIP, PFII and Intercessional Working Group: At the first session of the UN WGIP in 1982, it was decided that any Indigenous person or representative would be allowed to participate in the annual conferences. In most other UN forums, participation is limited to states, intergovernmental organizations, and accredited NGO’s. This unique attendance policy makes the PFII and WGIP the most open bodies in the entire UN system. The dramatic increase in attendance by
Indigenous organizations since 1982 (detailed above) is partly attributable to this open attendance policy.

When the Intersessional Working Group was initiated in 1995 to review the Draft Declaration, the Human Rights Commission established a new process for accrediting “organizations of indigenous peoples’ without NGO consultative status so that they could participate in the sessions. This new accreditation process was overseen by the Coordinator of the Indigenous Decade and the NGO Committee of the Economic and Social Council, which approved 45 or approximately one-half of the total applications received. Given that there were only twelve Indigenous NGO’s with consultative status in 1996, this new accreditation process allowed for greater Indigenous participation in the Intersessional Working Group, which reviews the Draft Declaration.

3. UN Voluntary Fund: In 1993, the UN Voluntary Fund for the Indigenous Decade was established to finance Indigenous activities and programs between 1995-2004. However, no funding was available for Decade related activities until 1997. To make matters worse, in his 1999 Report to the General Assembly, the UN Secretary General stated: “…at the present time, insufficient funds are available to complete the programme approved by the Advisory Group and the High Commissioner for Human Rights in 1999 and no funds are available for the programme in 2000.”

The absence of substantial state and organizational funding has severely hindered Indigenous achievements during the UN Indigenous Decade. In fact very few states make regular contributions. As of May/2004, 73 percent ($1,693,897 in US dollars) of the overall contributions made to the Voluntary Fund during the Indigenous Decade were donated by three countries: Denmark, Norway and Japan.
While the US has yet to contribute to the Voluntary Fund, Canada’s contributions fail to match their public relations efforts and rhetorical support for Indigenous rights. The government of Canada’s $9,747 donation in 2003 was little more than a symbolic gesture to Indigenous issues and Canada’s annual contributions have actually decreased since they started donating to the fund in 1996. Funding from the U.S. has remained consistent, however: zero donations during the entire Indigenous Decade. As Mililani Trask concludes in her 2003 review of the Indigenous Decade: “The United Nations Decade of the World’s Indigenous Peoples proposed a workable and realistic Program of Action but many objectives and goals of the Decade have not been achieved due to lack of financing.”

A separate UN Voluntary Fund for Indigenous Populations, which was established in 1985, provides monetary assistance to representatives of Indigenous communities, which enables them to attend WGIP sessions. During the Indigenous Decade, 560 Indigenous representatives received financial assistance to attend the WGIP, while 77 have been supported to attend the annual Permanent Forum on Indigenous Issues since its first session in 2002. However, a modest budget only allowed funding for a “small portion” of “more than 200 eligible project applications and 600 Indigenous organizations request for travel assistance” received in 2004.

4. Creation of UN Permanent Forum on Indigenous Issues: One of the major goals of the Indigenous Decade was realized in 2000 when a Permanent Forum on Indigenous Issues was created by the Economic and Social Council (ECOSOC), comprised of sixteen independent experts: eight Indigenous representatives and eight state representatives from seven geographic regions of the world. The creation of the PFII was contentious from
the start; the name of the forum was compromised as states within the UN system refused to approve a “Permanent Forum on Indigenous Peoples” (emphasis mine), fearing that use of the word “peoples” would grant the right of self-determination to the world’s Indigenous nations. In response, some Indigenous delegates displayed signs at the meeting asserting: “We are peoples, not issues.”

Several Indigenous and government representatives attending the May/2001 inaugural meeting in New York “…stressed that the Permanent Forum should not be ‘a house of complaints.’” Instead, the Permanent Forum “…should have a role in researching, collating and analyzing data and statistics and should create a resource database to allow informed decisions.” While this new Permanent Forum has the potential to impact institutional procedures of the UN, its three-part mandate is limited to providing advice and disseminating information within the UN system:

1. Provide expert advice and recommendations on indigenous issues to the Council, as well as to programmes, funds and agencies of the United Nations, through the Council;
2. Raise awareness and promote the integration and coordination of activities related to indigenous issues within the UN system;
3. Prepare and disseminate information on indigenous issues. The Permanent Forum is to hold an annual session. The first meeting of the Permanent Forum was held in May 2002, and yearly meetings will take place either in New York or Geneva.

By providing “…expert advice and recommendation on indigenous issues to the Economic and Social Council, as well as to programmes, funds, and agencies of the United Nations, through the Council,” all information arising from Permanent Forum meetings is automatically vetted by the Economic and Social Council (ECOSOC). As the International Indian Treaty Council (IITC) points out, the Permanent Forum’s mandate is constrained in that “it cannot make recommendations directly to the United Nations
system nor to UN member states on these broad and important themes,” which could ultimately limit its effectiveness given that it operates under the “political good will of the State members of ECOSOC, and a very large and difficult-to-move United Nations bureaucracy.”

At the Fifth Session of the Permanent Forum on Indigenous Issues, Chairperson Victoria Tauli-Corpuz initiated a discussion on ways to better implement some of the 295 recommendations made in previous PFII sessions. Chairperson Tauli-Corpuz and Wilton Littlechild compiled the previous PFII recommendations under four broad categories: “information and knowledge generation, management and dissemination”, “increased and effective participation of indigenous peoples in various global, regional and national processes and mechanisms”, “development, popularization and dissemination of education and awareness-raising materials”, and “shifts in paradigms and approaches to development and in the formulation of conceptual frameworks, policies and guidelines, and setting up projects to reflect those shifts.” The four above-mentioned categories highlight the nature of the recommendations being put forward by the PFII to other UN programs and organizations. Not surprisingly, the main obstacle for implementing most of these recommendations has been a lack of financial resources and lack of awareness of Indigenous peoples’ issues among UN staff, management officials and governing bodies. Additionally, Tauli-Corpuz found that “…most governments were still working within the framework of dominant development. So a lot of effort is still needed to be done to shift the paradigm.”

As it stands now, delegates attending the Permanent Forum have approximately three minutes to convey the needs of their communities within compartmentalized topic
areas such as “Health”, “Environmental”, and “Economic Development”. Even as a permanent actor within the UN system, the Permanent Forum provides no formal recourse for Indigenous delegates to remedy human rights violations occurring within their communities.

**Influence on policy change in “target actors”**

While this criterion potentially overlaps with others, such as “influence on discursive positions of state” and “influence on state behavior,” I examine three possible sources of influence on policy changes regarding state and international organization behavior:

1. **UN Studies and WGIP Reports:** Systematic global studies and data gathering do not change the fact that the living conditions of Indigenous children have only worsened during the Indigenous Decade. A recent UNICEF report on the health of Indigenous children found that compared to non-Indigenous children, Indigenous children have lower vaccination rates and higher mortality rates, lower rates of school enrollment, and inadequate protection in justice systems. Based on the UNICEF report alone, it appears that little Indigenous policy change has occurred amongst target actors: states and international organizations. However, Permanent Forum President Ole Henrik Magga viewed the UNICEF as a significant development in the Indigenous Decade as a method to prompt policy changes amongst other UN agencies: “With this in hand we can go to all the other agencies and say, ‘Look what UNICEF did. We want you to come up with a description and, especially, an action plan.’”

   In addition to the UNICEF report, three other comprehensive studies have been concluded during the Indigenous Decade by the UN Working Group on Indigenous Populations:
• Special Rapporteur Mdm. Daes completed her study on Indigenous Peoples and their Relationship to Land in 2000;
• Special Rapporteur Martínez completed his study on Treaties, Agreements, and other Constructive Arrangements between Indigenous Peoples and States in 1999;

Despite their importance as comprehensive UN reports, these studies have been generally excluded from other UN decision-making bodies and have limited relevance to Indigenous communities other than as legal reference materials. As the IITC points out, “The fundamental problem remains that the recommendations by these non-conventional mechanisms to the States and UN Bodies such as the Commission on Human Rights to cease or to at least to address documented violations of Indigenous rights, are for the most part ignored and remain largely without effective remedy.”60 As current Permanent Forum President Victoria Tauli-Corpuz states: In my view, the central thrust of the Permanent Forum next year should be to push for the implementation of the past Permanent Forum recommendations, most of which have not yet been implemented.”61

2. Inter-Agency Cooperation: In 1996, a review of UN mechanisms relating to Indigenous peoples confirmed that “…UN organizations indeed carried out numerous projects for indigenous peoples but there was no effective inter-agency cooperation to promote the rights and development of indigenous peoples.”62 Some organizations such as the World Intellectual Property Organization, UNESCO, UNICEF, and UNEP, had consulted with relevant Indigenous organizations, such as the Permanent Forum. However, according to the IITC report, “Too often these consultations did not result in any effective mechanisms for ongoing input or in the implementation of any new policies or programmes.”63 In a closer look at the UN Development Program and the implementation of its policy on Indigenous peoples, Suhas Chakma, Director of the Asian
Centre for Human Rights, found that “…indigenous input was limited. The interaction as a whole did not rise to the level of actual consultation.”

3. International Labor Organizations (ILO) Convention No. 169 “Concerning Indigenous and Tribal Peoples in Independent Countries”: Ten countries ratified the International Labor Organization (ILO) Convention 169 “Concerning Indigenous and Tribal Peoples in Independent Countries” during the Indigenous Decade, which indicates possible renewed state commitments to Indigenous rights during this time period. However, the political effect of these ratifications in promoting Indigenous rights is limited given that only seventeen states in total have signed onto the Convention. Furthermore, the phrase self-determination, which is prominent in the Draft Declaration, does not appear anywhere in the 44 articles of ILO 169. Finally, ILO 169 denies the transnational nature of Indigenous rights networks -- Article 1, Section 3 of ILO 169 effectively ‘domesticates’ Indigenous rights by confining the applicability of this treaty to host states:

The use of the term "peoples" in this Convention shall not be construed as having any implications as regards the rights which may attach to the term under international law.

Influence on state behavior:

In pursuing state accountability outside the narrow confines of a “house of complaints”, a position entitled “Special Rapporteur on Situation of Human Rights of Indigenous People” was developed by the Commission on Human Rights in 2001.

Rodolfo Stavenhagen, an Anthropology Professor and founder/President of the Mexican Academy of Human Rights, took the position. However, the mandate of the Special Rapporteur is unclear and citizens of a particular country must invite Stavenhagen before he can visit sites of possible Indigenous human rights violations. According to Pacific representative to the United Nations Permanent Forum on Indigenous Issues, Mililani
Trask, “…it is quite evident from the title of the position that Indigenous Peoples’ right to self-determination was not considered a human right at the time the Commission passed the resolution.” Stavenhagen filed his first report to the General Assembly on October 21, 2004 and continues to visit countries, when invited, to receive information on allegations of human rights violations. However, even with the important mandate of Stavenhagen, Indigenous peoples are finding that ‘paper rights’ cannot ensure state accountability to human rights standards and international law.

In a recent survey of Indigenous organizations conducted by the UN Office of the High Commissioner on Human Rights, sixty-eight percent of the respondents indicated that, at the international level, the Indigenous Decade resulted in positive changes, including “better access to international activities, and exchange of experience and contacts with other indigenous organizations and representatives.” However, it was telling that only thirty-six percent saw positive changes at the community level. On the other hand, forty-four percent of the Indigenous respondents said that there had been “no improvements locally.”

As the International Indian Treaty Council’s assessment of the UN Indigenous Decade concludes:

“…the many reports cited herein and others found within the United Nations system, lead to the conclusion that Indigenous Peoples in general are no better off now than they were at the beginning of the Decade. Given that their human rights and fundamental freedoms have been more clearly defined and extensively debated, and have been applied to States as legal obligations by various competent international bodies since the Decade began, it is understandable if Indigenous Peoples view the continued denials of these rights as more deliberate and intentional than even before.”
Co-optation: Illusions of Inclusion

While Keck and Sikkink’s five tools for evaluating transnational networks examine how networks influence state and institutional decision-making structures, a co-optation variable reverses the direction of the analysis by assessing the potential impact of institutional structures on transnational Indigenous networks. As discussed earlier in the paper, Lacy finds that powerful entities, such as state actors within the UN system, historically promote their own legitimacy through blunting and channeling effects.70

Through these blunting and channeling processes, an illusion of inclusion is generated by states actors operating within the UN system – a system that once denied an Indigenous rights agenda now embraces it and channels the energies of transnational Indigenous networks into the institutional fiefdoms of member countries. In order to be successful within such a system, Indigenous delegates must often mimic the language and strategies of those institutions they work within. What results is a cadre of professionalized Indigenous delegates who demonstrate more allegiance to the UN system than to their own communities. In its worst configuration, the Permanent Forum represents an internationalized band council system.

The limited mandate of the UN Permanent Forum on Indigenous Issues, which confines transnational Indigenous networks to an advisory function to ECOSOC, blunts or tames a wider Indigenous political agenda of self-determination and pursuits of justice by failing to provide opportunities for remedial action. The semantic battles continue over terms like self-determination in order to blunt their overall impacts on the state-centric system. Even the name of this organization is the result of a compromise – Indigenous peoples sought a “Permanent Forum on Indigenous Peoples” but were instead reduced to “issues.” Furthermore, the documented lack of adequate financing for UN
Indigenous Decade Activities further hinders transnational Indigenous effectiveness in networking and facilitating cooperation with other UN agencies and host states.

Twelve years of Intersessional Working Group deliberations over the Draft Declaration demonstrates both a blunting and channeling effect. State actors have stalled any standard setting on Indigenous rights by challenging Indigenous advocacy of self-determination, sovereignty over natural resources and collective rights. In fact, some states, such as Canada and the US, have drafted their own versions of the document, which limits the scope of terms such as self-determination to domestic (versus global) contexts. Furthermore, as a channeling effect, the central focal point for Indigenous mobilization continues to be the ratification of the Draft Declaration – this goal is now inextricably linked to the ‘success’ of the Second Indigenous Decade. The recent state challenges by the US, New Zealand, Australia, and Canada to Chairperson Chavez’ revisions of the Draft Declaration over the language of self-determination, land, and resources demonstrates an intractability in the discursive positioning of states that has been steadfast for the past twelve years. What concerns Indigenous peoples most is the hastened ratification of a revised Draft Declaration with compromised or blunted language in order to meet the 2nd Indigenous Decade’s criteria of “success.”

With the lack of adequate Indigenous human rights standards in place and with the limited mandate of the Permanent Forum on Indigenous Issues as a permanent body within the UN system, Indigenous peoples are unable to effectively pursue basic strategies of global surveillance and shame within this global forum in order to maximize their influence on state behavior. Even with the creation of a Special Rapporteur on Situation of Human Rights of Indigenous People, it is under-funded and carries a very
constrained mandate in terms of remedial action for Indigenous peoples suffering human rights abuses. Accountability has not progressed from paper rights to actual realization of Indigenous self-determination and justice within host countries. As Victoria Tauli-Corpuz, Executive Director of the Tebtebba Foundation in the Philippines, states: “It is only because Indigenous peoples pushed that there has been any action at the state level, and in most countries, the response has been ceremonial, not actual.”

Echoing this sentiment, Ana Pinto of the Center for Organization, Research and Education in Manipur, India sums up her view of the Indigenous Decade: “As far as I am concerned, the International Decade has been a good ritual but has not produced the results it could have.” Marcos Matias Alonso, a Náhuatl delegate to the Permanent Forum, referred to the Indigenous Decade as a “relative failure,” pointing out that the UN Indigenous development fund lacks global financial support. These are some of the Indigenous stories of resistance that were not heard during the first Indigenous Decade.

At the close of the First Indigenous Decade, “…the only issues of note are the emptiness of the UN’s rhetoric and the failure of states and international organizations to put indigenous rights into practical effect.” Given the very open nature of this UN co-optation of transnational Indigenous networks, the IITC report questions state motives: “…it is understandable if Indigenous Peoples view the continued denials of these rights as more deliberate and intentional than even before.”

Overall, the co-optation of transnational Indigenous networks appears very effective in challenging the unity of the global Indigenous rights movement and hindering genuine dialogue regarding Indigenous self-determination and justice during the first Indigenous Decade. The illusion of inclusion has yet to be fully confronted within the
Wayne Lord (Métis), who is an elected representative of Canada to the Permanent Forum on Indigenous Issues, summed up the ongoing goals of the Permanent Forum by stating that “This [PFII] is not an exercise in decolonization. If you want decolonization, you need to go somewhere else.” Based on Lord’s assessment as well as the above evaluations of the Indigenous Decade, it appears that blunting and channeling have been effective tools in reinforcing statist perspectives on Indigenous self-determination, while the real struggles of the world’s Indigenous peoples remain.

**Conclusions**

After utilizing Keck and Sikkink’s five tools for evaluating transnational advocacy networks, some key findings emerge. Namely, the Indigenous Decade lacked any decisive, symbolic gains given the failure to ratify a non-binding Draft Declaration in order to establish a broader definition of human rights under the auspices of recognizing collective rights and self-determination. The unity of the transnational Indigenous network, which was challenged most forcefully in the Intersessional Working Group on the Draft Declaration, held up over time but failed to yield any substantive discursive shifts in state behavior. In contrast, by the end of the Women’s Decade (1976-1985), 90% of UN member states set up some mechanism to promote women’s interests at the state level. No such accountability measures occurred with Indigenous peoples, despite twelve years of continuous deliberations over the Draft Declaration.

In terms of influence on institutional procedures, the UN Permanent Forum on Indigenous Issues did not hold its first meeting until 2002 and effective inter-agency cooperation has yet to emerge. The limited PFII consultations that did occur with WIPO and UNICEF failed to result in any effective mechanisms for ongoing input or in the
implementation of any new policies or programs. Furthermore the PFII has a constricted mandate as an advisory body sharing data and relevant reports with ECOSOC versus going directly to other UN agencies. In contrast, the Women’s Decade led to the creation of an effective, autonomous organization (INSTRAW) at the beginning of the decade that played a lead role in the creation of inter-agency reports, namely the 1st World Survey on the Role of Women in Development (1985).

While Keck and Sikkink’s five evaluation tools provide a useful analytical framework for documenting the specific actions of transnational advocacy networks, these tools were often overlapping to a large degree and generally offered a limited, somewhat compartmentalized perspective regarding the overall impact of Indigenous network activity. Co-optation as a sixth factor allowed a more realistic and clearer picture of the evolution of transnational advocacy network goals and how their agendas have been framed by institutional and state actors. The Indigenous Decade has also witnessed a significant co-optation of key issues and agendas. The blunting and channeling effects of co-optation are most evident during the twelve years of Intercessional Working Group deliberations over the Draft Declaration. The blunting of key international political powers of self-determination and sovereignty over natural resources is coupled with a channeling of Indigenous peoples’ focus towards the ratification of the Draft Declaration. Consequently, ratification of the Draft Declaration is now inextricably linked to the ‘success’ of the Second Indigenous Decade. In sum, co-optation as a measure of ‘mainstreaming’ and the power of state and institutional entities to frame rights agendas carries a great deal of promise in assessing the future effectiveness of transnational Indigenous networks. These findings also give one a
critical, comparative perspective on the dynamics of co-optation and illusions of inclusion within the UN system and how these processes impact transnational Indigenous networks.

Given the channeling and blunting of Indigenous networks occurring during the first Indigenous Decade, it seems to be an appropriate time for Indigenous peoples to rethink their approaches to bringing Indigenous rights concerns to global forums. If one does choose to participate in UN forums, it is important to be aware of the limitations of these state-centric institutions. Based on my previous experiences within global forums, I suggest four possible future strategies:77

- Shift Indigenous mobilization efforts towards engagement and activism in Indigenous forums. The WCIP (described above) provides a possible model for the creation of a new Indigenous organization that functions according to Indigenous values and requires states and NGO’s to apply for observer status. The Unrepresented Nations and Peoples Organization (UNPO), which has a membership of over 60 Indigenous nations and other minority groups from around the world that promote only non-violent solutions to the conflicts that affect them, is another possible model. Ultimately what is needed is a new Indigenous organization that mirrors the specialized functions of societies/clan structures within Indigenous communities and allows Indigenous leaders to work outside the state-centric confines of the UN: a confederation of Indigenous nations;

- Emulate strategies of successful Indigenous movements, such as the Consejo Nacional Indio de Venezuela (CONIVE), which achieved widespread success through an extensive consultation with local and regional Indigenous communities and an ability to generate important constitutional changes in Venezuela for Indigenous peoples, which represent only 1.5% of the overall population.78 Additionally, Indigenous peoples in six communities in Venezuela have recently been granted title to 314,000 acres of their homelands. Political actions of the Confederación de Nacionalidades Indígenas del Ecuador (CONAIE), which represents 80 percent of the Indigenous population in Ecuador, are also important to examine; CONAIE has been successful in decolonizing governmental structures and getting Indigenous land returned in Ecuador;

- Make Indigenous declarations stronger political instruments by having them reflect consensus and unity within Indigenous communities, offering clarity on Indigenous self-determination entails, and by articulating strategies to build a new relationship
with states. Such declarations can serve an educative function as well as emphasize community-specific and regional Indigenous perspectives on self-determination; one example of this is the First Indigenous Women’s Summit of the Americas, which was held in Oaxaca, Mexico in December 2002. The gathering allowed Indigenous women to share their experiences and struggles with colonial powers and to issue a declaration pointing out the shortcomings of the existing UN human rights mechanisms for Indigenous women;\textsuperscript{79}

- Promote unity and strength among Indigenous peoples by encouraging renewed treaty making between Indigenous nations. Since host states have not honored Indigenous treaties for the most part, it is time for Indigenous peoples to lead by example and demonstrate once again their communities’ approaches to principles of respect and diplomacy.\textsuperscript{80} Treaties of peace and friendship entail making sacred compacts that should be renewed ceremonially on an annual basis with all participating Indigenous nations. New inter-Indigenous treaties might include those that affirming alliances, promoting protection for crossing borders, and trade arrangements, further illustrating the wide spectrum of Indigenous powers of self-determination. Of course, these are only a few examples of the multiple possibilities for promoting new treaty diplomacies and unity amongst Indigenous peoples.

As the first Indigenous Decade has come and gone, the main lessons of the past ten years have been to move beyond the channeling and blunting actions of state-centered forums and assert Indigenous self-determination and connections to the land on our own terms. While the WGIP and PFII are just two of several possible venues for transnational Indigenous activism, the preceding analysis demonstrates that efforts at widespread mobilization and unity are better served elsewhere. If we do not create or identify other viable and effective forums for asserting Indigenous self-determination, we run the risk of having similar discussions of co-optation and lack of accountability to the rights of Indigenous peoples at the conclusion of the second Indigenous Decade in 2014.
ENDNOTES:


I take issue with the notion of a “common discourse” since discourse is a constantly evolving process and is often transformed by contentious politics.


6 Quoted in Alfred, 74.


9 Ibid., 83

10 Some of the analysis will draw upon the author’s own experiences attending the UN Permanent Forum on Indigenous Issues meetings in New York in 2003 and 2004 and while representing the Cherokee Nation at the UN Working Group on Indigenous Populations in Geneva during the 1999 and 2000 meetings.

11 This quote is attributed to the late Ingrid Washinawatok of the Menominee Nation (1957-1999) who was tragically murdered by FARC guerrillas in Colombia while working on behalf of the Uw'a indigenous peoples in the region. She made this statement while acting as Chairperson of the NGO Committee on the United Nations International Decade of the World's Indigenous Peoples in New York, September 20-22, 1994.


13 This trend has been most apparent in the recent meetings of the Intercessional Working Group on the Draft Declaration. In the past, South African Boers, Namibian Bastars (descendants of Dutch settlers) and other settler-colonial groups have presented themselves as Indigenous at the WGIP. For further documentation, see Jeff Corntassel and Tomas Hopkins Primeau, “The Paradox of Indigenous Identity: A Levels-of-Analysis Approach” 4 *Global Governance* 150 (1997).


21 For more historical details on these diplomatic missions, see Herman J. Viola. *Diplomats in Buckskins* (1995).


24 Based on the actions of Canada and Great Britain, Deskaheh was denied a hearing at the League of Nations. However, several states at the time were supportive of his petition: Estonia, the Netherlands, Ireland, Panama, Japan and Persia. Sanders, Douglas,"The Legacy of Deskaheh: Indigenous Peoples as International Actors." In *The Human Rights of Indigenous Peoples* 73-74 (Cynthia Price Cohen, ed., 1998).


For the most recent version of the Draft Declaration, visit the Fourth World Documentation Project website at the following address: [http://www.cwis.org/drift9329.html](http://www.cwis.org/drift9329.html).


Ibid, Table 1.

Seguin, Rheal, “Canada Criticized for bid to amend rights deal.” A1 The Global and Mail (September 26, 2003).


Ibid.


Ibid.


Ibid.


Having consultative status with the UN Economic and Social Council (ECOSOC) simply means having the unlimited right to make statements before all UN Committees. Also, NGO's with consultative status must provide expert opinions to ECOSOC on issues that are being discussed. In order to maintain their special classification, consultative status NGO's must provide information to the NGO Committee regarding their aims, their work experience in the area of indigenous rights, funding sources and recruitment of members. Because of these stringent requirements, the procedures for obtaining consultative status is slow and can take several years. Sanders, Douglas, “The Legacy of Deskaheh: Indigenous Peoples as International Actors.” In The Human Rights of Indigenous Peoples 81 (Cynthia Price Cohen, ed., 1998); Roulet, Florencia. Human Rights and Indigenous Peoples 28-29 (1999).


54 Ibid, 20.


58 Ibid.


61 “UN Tools at Work in the Philippines: An Interview with Victoria Tauli-Corpuz.” 28 Cultural Survival Quarterly 36-37 (Fall/2004).


63 Ibid, 9.

As of this writing, ILO Convention 169, which went into force in 1989, has seventeen ratifications: Argentina, Bolivia, Brazil, Colombia, Costa Rica, Denmark, Dominica, Ecuador, Fiji, Guatemala, Honduras, Mexico, Netherlands, Norway, Paraguay, Peru and Venezuela.


The four recommendations discussed here are based on strategies originally outlined in Taiaiake Alfred and Jeff Corntassel, “A Decade of Rhetoric for Indigenous Peoples,” Indian Country Today (May 11, 2004)


For a copy of the Declaration from the First Indigenous Women’s Summit of the Americas, see the following website: http://www.redesalud.org/english/sitio/info.asp?Ob=1&Id=80