



World Council of Churches
Fifth Annual United Nations Advocacy Week
Monday November 16, 2010
Climate Displaced Peoples Session II
Peter Emberson

The situation of Climate Change in the Pacific



Session IV: Climate Displaced Peoples;

- i) Moana Declaration
- ii) EKT- Tuvalu : Encounters at Funafala
- iii) Update on PCC's climate justice campaign

Policy Engagement
Women and Youth

United Nations Advocacy Week, New York

Peter Emberson

Nov 15 - 20, 2009

The Moana Declaration: Our Oikos – a new consciousness on climate change and our call to action

INTRODUCTION

- On the occasion of the Church Leaders Meeting on Resettlement as a direct consequence of climate change, Pacific Church Leaders issue the following statement on climate change and the imminent threat of forced relocation and displacement faced by Pacific peoples.
- Mindful of the impacts on food and water security; our way of life; our culture; our community; our overall health and well being; the ecological systems on which we depend; other creatures with whom we share God's creation;
- Led by our faith traditions and the life of Jesus Christ, we stand on behalf of the poor, those who have little power and with those throughout history who have acted for justice,
- We the Church Leaders from Pacific Island Countries (PICs) present at this meeting call upon the Pacific Islands Forum (PIF), affected states and the international community of states to:

1. **Ensure** that all persons and communities affected by climate induced catastrophes in the Pacific as well as other affected world regions, in particular those who are forced to flee their homes and lands, are afforded the respect and protection of the full spectrum of rights enshrined within the Universal Declaration on Human Rights and subsequent human rights treaties;

2. **Develop** local, national, sub-regional, regional and international plans to ensure respect for and protection of the rights of forced climate migrants;

3. **Develop** the framework for a new Convention or Protocol on Resettlement to cater for the specific and unique situation of persons, communities and states affected by climatic induced catastrophes.

4. **Undertake** immediate measures to identify available land and other appropriate resources for the purposes of relocating and resettling all forced climate migrants, both those displaced internally as well as those likely to seek resettlement in other countries;

5. **Carry out** intensive public consultations with Pacific communities affected and will be affected by rising sea levels or other consequences of climate change, with a view to developing viable and practical plans to protect the rights of forced climate migrants, in particular their housing, land and property and related rights;

6. **Develop** in a proactive way, in full partnership, cooperation and consultation with vulnerable people and communities affected by climate, policies, strategies and practical programmes that mitigate the worst effects and consequences of climate change on affected populations, and enable and empower such populations to adapt to changing environmental factors;

7. **Devote**, where mitigation and adaptation responses are likely to be insufficient per se, adequate resources, in particular financial resources, to practical measures designed to assist forced climate migrants to relocate and resettle in a manner consistent with their rights and in ways that secure for them an adequate standard of living and sustainable livelihoods;

8. **Explore** creative and innovative methods of identifying long-term relocation and resettlement options for forced climate migrants, consistent with their housing, land, property and related rights, whilst preserving their dignity as human beings;

9. **Develop** and support projects that demonstrate an alternative economic model reflecting faith based values of: justice, equity, and sustainability – in challenge to the values inherent in the neo-liberal economic model dominant in the world today;

10. **Ensure** the rights of other populations affected by the forced displacement of climate change migrants, such as host or receiving communities in areas where climate change migrants are settled, are fully and adequately protected;
11. **Call** on the peoples of the Pacific and the international community of states, to act toward exhausting all avenues available toward the realization of the critical issues in this Moana Declaration;
- 12: **Reaffirm** the prophetic role of the church and its responsibility to recognize and speak out against the injustices wrought on by climate change and call on all persons, communities and states to act now.

Tuvalu:

- Capital: Funafuti. Land: 26 sq. km EEZ: 757000 sq. km
- Population: 9,561 (2006 est) Language: Eng, Tuvaluan
- Currency: Australian Dollar
- Economy: Agriculture, fisheries and philatelic sales
- Highest point: >2m above sea level



Tuvalu:

- Archipelago consists of 6 true atolls and 3 reef islands
- Funafuti- 4,492, Nanumaga- 589, Nanumea- 664, Niulakita -35, Niutao- 663, Nui- 548, Nukufetau- 586, Nukulaelae- 393, Vaitupu- 1591, TOTAL- 9561



EKT-PCC Meeting on Climate Change

October 27 - November 03, 2009

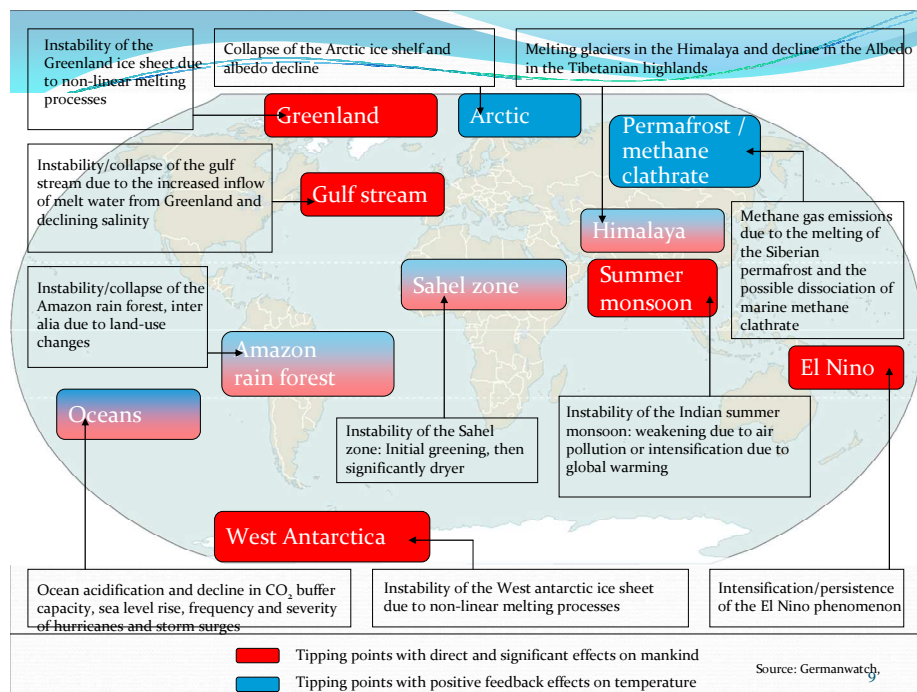
Funafuti Tuvalu.

Objective:

- i) Assist EKT with the formulation of a CC position
- ii) Introduce the "Moana Declaration" on climate change resettlement

26 Participants: 8 Women, 4 Youth reps (boys) and 14 Men





Funafala – Reflection on resettlement

• 6 Homes/families – reduced from 22+ in 1972 (Hurricane Bibi)

Oikoumene PACIFIC

Funafala – Reflection on resettlement

• Community of mostly women and children
 - Care givers/nurturers, custodians of tradition knowledge

Oikoumene PACIFIC

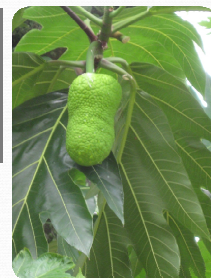
Funafala – Reflection on resettlement

- Subsistence livelihoods – staple: fish, breadfruit, pandanus, coconut/toddy.



Funafala – Reflection on resettlement

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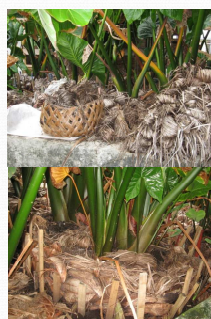
Funafala – Reflection on resettlement

- Adaptation has become a regular and natural part of existence – food preparation/preservation, water mgt, foreshore protection



Tuvalu – Reflection on resettlement

- Though adaptation is a natural part of existence
- Necessity is the driver of adaptation and is not necessarily articulated as 'climate change adaptation'



Tuvalu – Reflection on resettlement

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PCC's Climate Change engagements

Target Group: Community- National – Regional – International

- i) Aligned Pacific CSO Position for lobbying purposes (March 09)
- ii) The Church Leaders Meeting (CLM) on Climate Change and Resettlement – roll out CLM work programme contained in the Moana Declaration and subsequent meeting strategies i. (Ecumenism, HRs, Eco-Economics, Governance) – ii. UNAW iii. Collaboration with BfW, Diakonie, WCC on Resettlement meeting next year iv. visitation with member churches raising awareness on the points outlines in MD, 'assist' in formulation of a CC Position v. Develop a theology on Climate Change with PTC and ecumenical partners
- iii) Meetings with Fiji based Pacific Embassies and High Commissioners – Aug/Sept
- iv) COP15 Intersessional
- v) CAN Cook Islands Meeting – Pacific NGO strategising meeting (July 09)
- vi) Lobbying Pacific Island Forum member States (July-August 09)
- vii) Pacific Petition Drive and collation (May – Nov)
- viii) Substantive engagement in the Pacific Youth Festival (July)
- ix) Engagement and contribution in developing positions amongst international Climate Change networks and partners: WCC-WG-Climate Change, CAN International, GCCA, Christian World Service, APPRODEV etc.
- x) 350.org contribution Oct 24th
- xi) Media Article contributions – Europe, Canada, Australia, USA.
- xii) (Re)engagement with Member Churches- 'journey' from where they are at now.



Thank you for listening



AN OVERVIEW OF THE STRUGGLE BY INDIGENOUS PEOPLE'S THAT RESULTED IN THE ADOPTION OF THE UN DECLARATION OF THE RIGHTS OF INDIGENOUS PEOPLES

THIS HAS BEEN A LONG JOURNEY AND WE HAVE A LONG WAY TO GO.

THIS JOURNEY STARTED WITH THE ARRIVAL OF CHRISTOPHER COLUMBUS TO THE AMERICAS, AND THE DECISION IN WHICH THE CHURCH OF THAT TIME CONQUERED THAT THERE WERE NO RIGHTS OF THE INDIGENOUS PEOPLES THAT HAD TO BE RECOGNIZED.

INDIGENOUS PEOPLES ATTEMPTED TO RAISE THE ISSUED OF THEIR RIGHTS DURING THE FORMATION OF THE LEAGUE OF NATIONS. THEY AGAIN RAISED THE ISSUES OF THEIR RIGHTS WITH THE FORMATION OF THE UNITED NATIONS IN 1945, AND EVERY YEAR SINCE.

INDIGENOUS PEOPLES ADDRESSED THEIR ISSUES BEFORE THE WORKING GROUP ON INDIGENOUS POPULATIONS IN GENEVA FROM 1984-1993.

DURING THE PERIOD OF PLANNING TO CELEBRATE 500 YEARS OF SO CALL "DISCOVERY", WHICH WE SAY THAT IT WAS OF THE OCCUPATION OF THE LAND OF INDIGENOUS PEOPLES BY THE EUROPEANS, THEY FORCED THE WORLD TO ALSO RECOGNIZED THAT THERE WAS SIMULTANEOUSLY 500 YEARS OF RESISTANCE TO RACISM, GENOCIDE AND OF GRAVE AND PERVASIVE VIOLATIONS OF THE HUMAN RIGHTS OF GOD'S PEOPLE.

AS A RESPONSE TO THE OUTCRY OF INDIGENOUS PEOPLES ALL AROUND THE WORLD AND PEOPLES OF AFRICAN DESCENT, IN 1993 PEOPLES OF GOOD WILL JOINED THE VOICES OF INDIGENOUS PEOPLES IN SOLIDARITY, INCLUDING THE CHURCH.

SINCE THEN, WE HAD THE UN DECLARING A YEAR OF INDIGENOUS PEOPLES, AND COMMITMENTS WERE MADE (THIS WAS CONSIDERED A FAILURE). THEN THERE WAS THE CALL FOR AN INTERNATIONAL DECADE

OF THE WORLD'S INDIGENOUS PEOPLES (WHICH FAILED), 1995-2004. THEN A SECOND DECADE FOLLOWED, 2004-2014, STILL ON BUT NO ONE KNOWS ABOUT IT.

CONFERENCE AGAINST RACISM – 2001, DURBAN, SOUTH AFRICA, THEN 2007, THE UN DRAFT DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES (SEE TEXT).

AT THE DURBAN REVIEW MEETING THIS YEAR IN GENEVA, THERE WAS A RE-COMMITMENT TO SPECIFIC SET OF ACTIONS DESIGNATED TO GIVE MEASURABLE RELIEF TO INDIGENOUS PEOPLES.

BEFORE ALL OF US TODAY, ESPECIALLY THE CHURCHES, IS TO WALK WITH INDIGENOUS PEOPLES TO SEE TO IT THAT THOSE ACTIONS PLANS AND COMMITMENTS BY GOVERNMENTS ARE MET. THERE MUST BE LOBBY WITH GOVERNMENTS WITH THE SAME FERVOR THAT LOBBY AND ADVOCACY IS DONE. THIS MUST BE DONE AS WE ARE DOING WITH CLIMATE CHANGE.

INDIGENOUS PEOPLES ARE ALSO GOD'S CHILDREN, THE CHILDREN OF THE EARTH.

THANK YOU!

World Council of Churches
Fifth Annual United Nations Advocacy Week
Tuesday November 17, 2010
Indigenous Peoples Rights Session I
Carol Pollack

I. Introduction

We meet today at a time when – as well all know - the situation of indigenous peoples in many parts of the world continues to be critical. But we also meet at a time when indigenous movements have achieved some remarkable recent successes.

I was asked to speak today about the achievement of the UN Declaration and its implications for the UN and for indigenous peoples. I will also speak about its history and the history of indigenous peoples and the UN itself – which of course is part of the history of the Declaration as well.

Origins of the movement

- The adoption of the United Nations Declaration on the Rights of Indigenous Peoples - a major victory for the world's indigenous peoples - came about after more than two decades of struggle and advocacy by the international indigenous peoples' movement and reflects the increased prioritization of indigenous issues at the UN.

The History leading to the Declaration

- The origin of indigenous peoples' advocacy before international institutions long pre-dates efforts around the UN Declaration.
- Because indigenous peoples have all too often faced barriers to obtaining justice and redress to the numerous problems experienced within their own countries, they have sought other venues for raising complaints and seeking redress. On at least two occasions, indigenous leaders traveled to the League of Nations to report on violations of their human rights. But they were not received.
- These instances underscore that the history of indigenous peoples knocking at the door of the institutions of the international community of "nations" is old and that indigenous peoples have faced significant barriers to accessing them.
- Indeed, indigenous issues received little attention from the international community until the last two or three decades of the twentieth century.
- One notable exception was the International Labour Organization, which was the first international organization to promote specific international norms and policies on indigenous peoples, adopting its first convention on indigenous peoples in 1957.
- By and large though during the UN's early years- the 1950s, international relations were dominated by the Cold War and by the independence movements of dozens of former colonies.
- However, in the 1960s and 70s, the anti-colonial movement, the civil rights movement which in turn sparked off the indigenous movement, as well as an increased openness of the UN to civil society brought to the table the realities of gross and systematic violations of human rights against indigenous communities.
- This led to the launch, in 1972, of a study on the subject, the Martinez Cobo study, and thereafter the establishment in 1982 of the Working Group on Indigenous Populations with the mandate to develop international standards on indigenous rights.
- The Working Group set the important precedent of allowing the participation of indigenous representatives at its meetings, thus bringing indigenous voices directly to the UN.
- The Working Group, with the participation of indigenous representatives, completed a Draft Declaration on the Rights of Indigenous Peoples, which was subsequently reviewed by a new working group under the Commission on Human Rights.
- The negotiations under the working group on the draft declaration were long and difficult. Vicky Tauli Corpuz, Chair of the UN Permanent Forum on Indigenous Issues, has described how, when the negotiations started, a formation of

governments said that the Working Group was an intergovernmental body and indigenous peoples were just to be observers to the process and therefore not be given a voice.

- Ms. Tauli Corpuz wrote, “We strongly opposed this and threatened to walk out from the whole process if this was the ruling. We asserted that a declaration on our rights cannot be negotiated without our full and effective participation and demanded that we should have an equal voice with the governments in negotiating the text. We won after we threatened to walk out of the whole process. This is what makes this Declaration unique. For the first time in the UN, the subject of the rights was allowed to have an equal voice with governments. But this is also one factor why it took many years before the Declaration was finalized.”¹
- The negotiations took 11 annual sessions and in 2006 the draft was submitted to and adopted by the UN Human Rights Council.

Adoption of the UN Declaration

- The UN Declaration was then brought to the General Assembly, where, in 2007, the overwhelming majority of Member States – 144 – voted in favor of the Declaration. Only Australia, Canada, New Zealand and the United States voted against and 11 States abstained.
- Since that time, Australia has officially endorsed the Declaration and, in a widely circulated statement, committed to fully implement the standards contained therein. This year both Colombia and Samoa, which both abstained in the General Assembly vote on the UN Declaration, announced their endorsement of the *Declaration*.

The UN Declaration: Content

- The *UN Declaration* is the most comprehensive, universal international human rights instrument explicitly addressing the rights of Indigenous peoples.
- It elaborates on the economic, social, cultural, political, spiritual and environmental rights of Indigenous peoples, which throughout history have not been respected. And interprets how international human rights law should be applied to indigenous peoples considering the historical injustices suffered through colonization, the dispossession of lands, territories and resources and the destruction of cultures and traditional socio-political and economic systems.
- As concluded by Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people, James Anaya: “Far from affirming special right per se, the Declaration aims at repairing the ongoing consequences of the historical denial of the right to self-determination and other basic human rights affirmed in international instruments of general applicability.”

Self Determination

¹ Victoria Tauli-Corpuz, The UN Declaration on the Rights of Indigenous Peoples: A Major Victory and Challenge

- The Declaration affirms in its article 3 the right of indigenous peoples to self-determination.
- By that right, they can freely determine their political status and pursue their economic, cultural and social development. They have the right to maintain and strengthen their distinct political, legal, economic, social and cultural institutions, while retaining their rights to participate fully, if they so choose, in the political, economic, social and cultural life of the state.
- A clarification regarding territorial integrity was added in the last article of the Declaration, article 6, para. 1, which indicates that the affirmation of self-determination in the Declaration is to be interpreted as compatible with the principle of territorial integrity and political unity of states.

Overall Content

- Having established the right to self-determination, the Declaration provides a detailed list of rights that, as set out by Article 43, constitute “the minimum standards for the survival, dignity and well-being of indigenous peoples of the world”
- The Declaration reaffirms both basic individual rights, such as rights to life, to a nationality and access to justice, and also collective rights, which include:
 - rights in relation to self-government and autonomous political, legal, social and cultural institutions;
 - cultural integrity;
 - and lands, territories and natural resources;
- Article 22 calls for particular attention to be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities in the implementation of the Declaration.
- 17 of the 46 articles deal with indigenous cultures and how to protect and promote them, by respecting indigenous peoples’ direct inputs in decision-making and allowing for resources for education in indigenous languages and other areas.
- The Declaration recognizes subsistence rights and rights to land, territories and resources and recognizes that peoples deprived of their means of subsistence and development are entitled to just and fair redress. In fact, at least 9 articles of the Declaration are devoted or related to the right to land.
- The Declaration states that indigenous peoples and individuals are free and equal to all other peoples and individuals and have the right to be free from any kind of discrimination in the exercise of their rights.
- The duty of States to consult with indigenous peoples on decisions affecting them is also greatly emphasized in the Declaration. It also promotes indigenous peoples’ full and effective participation in all matters that concern them and emphasizes the principles of participation and free, prior and informed consent, which will require countries to adopt participatory approaches to indigenous issues, which will require effective consultations and the building of partnerships with indigenous peoples.

- The Declaration also calls on States to provide effective mechanisms for prevention of and redress for a number of abuses.
- The Declaration relates to already existing human rights obligations of States, as demonstrated by the work of United Nations treaty bodies and other human rights mechanisms.
- In fact, it is widely viewed as not creating new rights. Rather, it provides a detailing or interpretation of the human rights enshrined in other international human rights instruments of universal resonance – as these apply to indigenous peoples and indigenous individuals. In this sense, it can be seen as embodying to some extent general principles of international law.²
- And, as a resolution adopted by the General Assembly with the approval of an overwhelming majority of Member States, the Declaration represents a commitment on the part of the UN and Member States to its provisions.

III. Implications of the UN Declaration

- Over the course of the 2 decades of negotiations over the UN Declaration, there were a number of additional significant developments regarding indigenous issues at the UN. These include the adoption of ILO Convention 169 in 1989, the establishment of the First and Second Decades of the World's Indigenous Peoples, the creation of 2 specific mandates focused on indigenous issues – UNPFII and the SR – and the establishment of the IASG. In December 2007, the HRC established a third mechanism focused on IP- the Expert Mechanism.
- With the adoption of the UND, it is hoped that through the work of these bodies, mechanisms and agencies, the work of the UN system as whole for indigenous peoples will gain momentum.
- In its preamble, the UN Declaration emphasizes that “the United Nations has an important and continuing role in promoting and protecting the rights of indigenous peoples” and articles 41 and 42 explicitly call upon UN bodies and specialized agencies to “contribute to the full realization” of the Declaration; to “promote respect for and full applications of the provisions” of the Declaration and provide “follow-up” for its effective application.
- The Permanent Forum, which is mentioned specifically in article 42, has stated its commitment to “making it a living document throughout its work.” The Permanent Forum also affirmed the Declaration as its legal framework and its intention to ensure that the Declaration is integrated in its own recommendations on its substantive mandated areas, as well as in the Forum’s work under the special theme for each session and in its ongoing themes and priorities.
- The responsibilities detailed in articles 41 and 42 are also shared responsibilities that apply to all UN human rights bodies and mechanisms, as well as to the various UN programmes which in some way touch upon indigenous issues.³
- The UN Declaration has a significant impact on the activities of a number of UN bodies and agencies, resulting in some ongoing efforts to implement the Declaration, including
- Efforts within the UN: such as:

² A/HRC/9/9, para. 41.

³ A/HRC/9/9, para. 61.

- Agency efforts to promote the UN Declaration among their own staff members and to take it into consideration in the development of policies concerning indigenous peoples.
- SPFI has been involved in the development and roll out of UN Development Group Guidelines on Indigenous Peoples Issues; a UN Tool Kit on indigenous issues for use by UN Country Teams and in trainings designed for UNCTs on indigenous issues. All efforts are intended to assist the UN system to mainstream and integrate the rights indigenous peoples' issues into operational activities and programmes at the country level.
- External Efforts: such as:
 - Efforts to better disseminate the UN Declaration, including by translating it into indigenous languages
 - Promoting the UN Declaration in the provision of technical services
 - Trainings on the UN Declaration are also being developed for Government Officials and Indigenous Peoples
- The UN is just one of the important actors. The process of implementation of the UND will also require the efforts of States and Indigenous Peoples and of Civil Society and NGOs.

Role of States

- The paramount role of States is made clear by Article 38 of the Declaration, which requires that "States, in consultation and cooperation with indigenous peoples, shall take the appropriate measures, including legislative measures, to achieve the ends of this Declaration"
- Indeed, the Declaration requires specific affirmative measures from States in connection with almost all of its provisions.
- Generally, for States to fulfill their mandate under the Declaration will require them undertake legal and policy reform. In addition to application at the national level, such measures would also need to reach the local level.

Legal Reform

- There have already been a number of instances of legal reform and judicial action taken at the State level. For example:
 - In November 2007, President Evo Morales of Bolivia convinced the Parliament to make the UN Declaration a national law. It was adopted in full and it is called the National Law on Indigenous Peoples.
 - The Declaration has also already been used as a normative reference in recent or ongoing constitutional revision processes in Ecuador and Nepal.
 - In the Arctic, Greenland achieved significantly enhanced self-government in June 2009 with a new Act that recognizes Greenlanders as a people under international law and Greenlandic as the official language. The Act also provides for Greenland's ownership and control of all natural resources. As described by the Premier of Greenland, "this new development in Greenland and in the relationship between Denmark and Greenland should be seen as a *de facto* implementation of the Declaration and, in this regard, hopefully an inspiration to others".

- Domestic courts also have a role to play in operationalizing the rights of indigenous peoples.
 - Even if not empowered to directly apply the Declaration, domestic courts can use it as an interpretive guide in applying provisions of domestic law.
 - A good practice in this regard is the October 2007 decision of the Supreme Court of Belize in the case of *Maya villages v. Attorney General*, a case in which the Court used the Declaration and other international sources to guide its interpretation of the Constitution of Belize to affirm the rights of Maya villages to their traditional lands and resources.⁴
- It is important to stress, though, that legal recognition and judicial action are contributing factors to implementation of the UN Declaration at the local level – but may not be sufficient to change peoples' day to day reality.

Indigenous Peoples

- The UN Declaration also bestows responsibilities upon indigenous peoples' themselves.
- For example, indigenous peoples are called upon to exercise responsibilities for the preservation, exercise and development of their cultural heritage and expression. And the Declaration acknowledges indigenous peoples' inter-generational responsibilities, including environmental stewardship, with regard to their traditional lands, territories and resources (arts. 25 and 29)⁵
- In addition, most of the provisions of the Declaration, inducing the articles that elaborate on the elements of indigenous self-determination in the areas of self-government and autonomy, cultural integrity and social areas, require the active, good faith engagement of indigenous peoples with States and the broader political and social structures.

Civil Society

- Finally, I would like to emphasize that civil society organizations can also play an important role in the implementation of the Declaration.
- The passage of new international human rights instruments often presents the opportunity to review and revise national legislation to ensure that it is in conformity with the instrument. Civil society organizations can play an important role in galvanizing awareness of the Declaration and in pushing for its implementation in this way.
- Non-indigenous NGOs can also seek to incorporate the principles of the Declaration in any work undertaken with indigenous peoples.

⁴ *Manuel Coy et al. v. The Attorney General of Belize et al.*, Supreme Court of Belize, Claims No. 171 and 172 (19 October 2007).

⁵ A/HRC/9/9, para. 77.

- Civil Society groups that publish newsletters or other publications can include information and news about the Declaration, improving understanding of its significance at local, national or international levels, and reporting on its implementation.
- Legal organizations, working in cooperation and consultation with indigenous peoples can play a very important role in, for example:
 - undertaking legislative or policy analysis with a view to implementing the Declaration;
 - or by bringing the UN Declaration before their domestic courts.
 - Or by participating in or organizing trainings for judges and lawyers about the UN Declaration. Judges may be more likely to apply, be guided by or even just cite to what is already familiar.
- All such contributions would contribute to making the UN Declaration – an instrument advocated for more than 20 years - a living reality.

--Thank You --

World Council of Churches
Fifth Annual United Nations Advocacy Week
Tuesday November 17, 2010
Indigenous Peoples Rights Session II
Musanga Timani (French)

Coordinatrice du Centre Wamama Batwa Tuungane, Assistante chargée de la Promotion féminine et des Questions Environnementales. ACPROD-BATWA (Action Communautaire pour la promotion des Défavorisés Batwa).
2nd Session, Tuesday 17 Novembre 2009, 11 : 00 – 12 : 30

L'adoption par l'Assemblée Générale des Nations Unies de la Déclaration des Nations Unies sur les Droits des peuples Autochtones a été accueillie avec joie par les populations autochtones de la République Démocratique du Congo. Néanmoins, l'applicabilité et l'intériorisation de ce texte est loin d'être matérialisée et même comprise par les acteurs sur le terrain entre autres, la Constitution qui n'admet guère de spécificité des peuples.

L'adoption de cette déclaration est l'espoir des Peuples Autochtones qui attendaient depuis longtemps la reconnaissance de leurs droits par les Etats membres des Nations Unies. Malheureusement bon nombre de nos Etats continuent à garder leur position de refus de reconnaître la présence des peuples autochtones dans leurs pays.

L'utilité de cette Déclaration pour les P.A. se trouve dans son applicabilité et l'intériorisation par les Etats qui sont appelés à intégrer cette question dans leurs législations nationales.

Les instruments nécessaires que peuvent utiliser les P.A. pour résoudre leurs problèmes sont :

- La Déclaration des Nations Unies sur les Droits des Peuples Autochtones
- Toutes les Conventions et Pactes relatifs à la protection et promotion des droits de la femme et de l'enfant
- La constitution des Etats

- Les organisations des droits de l'homme et des peuples Autochtones
- Les Eglises agissant en synergie dans le cadre œcuménique où les acteurs sont sensibilisés sur la déclaration et les droits des P.A.
- Toute la population y compris les autorités politico-administratives, l'armée, les Cours et Tribunaux et les Peuples Autochtones eux-mêmes

L'Eglise est la première institution qui est mieux positionnée à faire une pression à nos Etats en vue de l'adoption de la Déclaration des Nations Unies sur les droits des P.A. Les délégués de l'organisation dans chaque pays peuvent être soutenus par le Conseil Œcuménique des Eglises des Nations Unies afin de faire le plaidoyer et le lobbying sur la question des droits des P.A. d'être reconnu et son application par nos Etats.

Les Eglises ont la tâche de mettre en œuvre la Déclaration des Nations Unies sur les Droits des P.A. par son rôle primordial d'assistance tant morale que spirituelle de toute âme sur terre. Jésus-Christ, notre Sauveur est venu pour sauver l'humanité toute entière. La parole de Dieu dans le livre d'Esaïe 61 : 1-3 nous dit « ... Car l'Eternel m'a oint pour porter de bonne nouvelle aux malheureux ; il m'a envoyé pour guérir ceux qui ont le cœur brisé, pour proclamer aux captifs la liberté, et aux prisonniers la délivrance... ».

Une des missions de l'Eglise c'est de plaider pour la cause de l'homme, réclamer son droit et faire sa justice. Le Conseil Œcuménique des Eglises par sa représentation aux Nations Unies peut contribuer à l'adoption de la Déclaration des Nations unies sur les droits des P.A. par les Etats et assurer sa mise en œuvre à tous les niveaux dans le monde.

La situation des droits des peuples autochtones continue à être alarmante en RDC suite aux multiples guerres menées par les groupes armés, les milices et les FDLR ET Interahamwe. Les droits des P.A. sont en train d'être violés du jour au jour à cause de l'insécurité qui règne à l'Est de la RDC.

a) **Droit à la terre :**

La violation des droits des P.A. suite aux guerres à répétition cause l'expulsion des Peuples Autochtones de leurs terres par l'occupation des terres par des bandes armées. En suite, les Aires protégées et les concessions continuent à être installées sur les terres des autochtones et leurs territoires sans consultation aucune, ni leur consentement libre et préalable et sans aucune indemnisation.

C'est le cas de milliers des peuples pygmées expulsés brutalement des forêts lors de la création des parcs nationaux ou de l'élargissement de leurs limites au Sud-Kivu (Parc National de Kahuzi-Biega, la réserve d'Itombwe) et au Nord-Kivu (Parc National de Virunga) sans consultation ni indemnisation.

C'est aussi le cas des familles pygmées dépossédées de leurs terres ancestrales à Beni au Nord-Kivu et en Ituri (Province Orientale) devenues concession d'exploitation.

Une des lois nationales clés aux réformes est le Code Forestier promulgué en 2002 ; mais celui-ci ne prévoit rien comme espace de forêt qui serait identifié comme appartenant aux peuples pygmées. Le Code forestier limite le droit d'usage dans les forêts classées au ramassage de certains produits spécifiques pour l'utilisation non commerciale et ne permet pas la chasse.

L'intensification des opérations militaires de la traque des FDLR dénommées opérations Kimya II ainsi que l'insécurité permanente causent les déplacements massifs des populations de leurs milieux. Dans leur fuite, les victimes n'emportent rien et ils sont plongés dans la misère et la pauvreté totale.

b) Droit à l'éducation :

A cause de la discrimination et la stigmatisation, les peuples pygmées ne jouissent pas d'un accès égal aux services de l'éducation ; ils subissent des taux extrêmes de pauvreté, d'analphabétisme en comparaison avec la population nationale, la scolarisation des enfants est difficile par la prime payée par les parents. La guerre est à la base de la pauvreté, manque d'emploi, la famine, la mortalité infantile très élevée et une augmentation de nombre d'enfants de la rue.

c) Droit à la santé :

Les Peuples Autochtones ont des difficultés à accéder aux soins de santé primaire par manque des cadres sanitaires des infrastructures ou locaux sanitaires dans leurs milieux. Les femmes et les enfants sont privés des consultations prénatales et préscolaires dues à l'absence de services concernés dans ce domaine.

Les femmes font accoucher leurs bébés dans des cabanes ou en pleine forêt sans intervention médicale quelconque. La situation médicale ou la santé des P.A. est tellement alarmante par manque des hôpitaux, ce Centres de santé et même des dispensaires. Ils ne sont pas acceptés facilement par leurs voisins.

RECOMMANDATIONS

- Que le représentant du Conseil Œcuménique des Eglises aux Nations Unies sollicite à l'ONU de demander aux Etats membres d'adopter la Déclaration des Nations unies sur les droits des P.A., d'intégrer les dispositions de la Déclaration dans leurs législations nationales et prendre des mesures pour assurer son application.
- Que le COE appuie les Eglises et autres organisations membres dans le plaidoyer et le lobbying auprès des Etats en vue de faire régner le droit et la justice à tous et à faire respecter les droits des peuples autochtones
- Appuyer les Eglises et les organisations autochtones dans la sensibilisation de toutes les couches de la population et des autorités sur la Déclaration des Nations Unies sur les droits des Populations Autochtones
- Octroyer la terre aux autochtones et assurer la protection des droits à leurs terres
- Protéger les populations victimes de guerre et insécurité dans leurs régions
- Que le COE appuie les efforts des organisations autochtones et des Eglises membres pour assurer la scolarisation des enfants et jeunes autochtones ainsi que l'alphabétisation des adultes autochtones
- Que le COE sollicite auprès de l'Organisation Mondiale pour la Propriété Intellectuelle (OMPI), l'UNESCO, l'UNICEF, la Banque Mondiale ainsi que d'autres organismes impliquées dans la question des populations d'appuyer la promotion des langues, des cultures et des religions des populations autochtones
- Que le COE appuie les Eglises et organisations autochtones à promouvoir la santé des Populations autochtones par la construction des infrastructures sanitaires (Hôpitaux, Centres de Santé, Dispensaires...) et assurer leur accès aux soins de santé primaire et à tous les autres services sanitaires

Que l'Eternel notre Dieu vous bénisse. Je vous remercie.

World Council of Churches
Fifth Annual United Nations Advocacy Week
Tuesday November 17, 2010
Indigenous Peoples Rights Session II
Matheus Adadikam

I. THE PAPUAN RIGHT OF COMMUNITY LAND

The right of community land is right that belong to the people or community which received from forefather many years ago from the first generation to the next generation till now.

Papua with the large around 406,958.67 km is belonging to the 250 tribes of Melanesian people which named Papuan and they have been staying in this island many-many years ago. Papua is a rich island; with a lot of natural resources, since the integration period around 1969 from Dutch to Indonesia, slowly the natural resources of Papua is starting become the property of the non Papuan; they are the comers that coming from other places in Indonesia; finally the Papuan is being shoved aside and lost their rights.

Due to the reason of development, the government persuades the community to give their land and become the property of the government. It is look like the government is helping the community but in reality not.

In Indonesian Government regulation in 1945, chapter 33; 3 that land, water and everything is belong to the government and it will be used for the prosperity of the community. Then there was an agrarian regulation in 1960, number 5 which link with this regulation.

There is some of the government programs which will control the community rights; such as;

1. Transmigration Program
2. Forest Processing
3. Mining Activities

Those programs are for the community development because it is supported with the government regulations but this is the mistake which made by the government because through the government regulation they are starting to control the rights of the Papuan.

1. Transmigration Program: At the beginning, the Papuan was persuade by the government to give their land to



the government then the government starting to build the roads, housings, wells, and then the government send all the comers from other places in Indonesia to Papua. All of their expenses covered by the government, and during 2 years, they are supported by the government. Many of the comers after stay some years in Papua; they sold their houses then comeback to Java, then back again to Papua as the new comers, this is known by the government but they just let them come through the

next transmigration program. Also some of the comers sold their land to the

Papuan, but in reality at the beginning this land was belong of the Papuan. This is prove that there is a systematic plan which made by the government.

There is also the local transmigration; this is special for the Papuan in order that the other could see that the Papuan also get the attention from the government same like the comers from other places. In reality not!

The transmigration department makes discrimination between the Papuan and the non Papuan; they do not get the supporting during 2 years like non Papuan.

Some of the Papuan protest the government about this but the government said that your are the Papuan, you have a lot of things, land, and not like the other people that coming from other places; that's why they have to received finance support during 2 years from the government. This is not fear, but the government just let this happen from time to time.

The local transmigration is not serious made by the government because, the government build housings, roads, wells, then send the Papuan which fisherman and make them become the farmers, they try to change their life, this is not easy finally some of them comeback to what they did before; fishing. Some of Papuan child which stay at the transmigration area cannot speak the Papuan language and know about the Papuan culture. They know about the Javanese culture and language better then the Papuan language because they live together with the Javanese at the transmigration area.

Since the local government asked to stop the transmigration program, the comers are starting to come more to Papua by boat, airplane, in huge number of people; around 1,000 till 5,000 around Papua. They get discount if go through ship or airplane to Papua, this regulation made by the government.

This picture we can see that the Papuan at the local market, they sold their vegetables, sweet potatoes in the roads, and non Papuan they have a nice shops where they can sold their goods.

2. Forest Processing and Mining Activities

Since the government made the regulation about forest processing and mining operation in Papua, the life condition of the Papuan is change but the other problem is the damage of the environment which will be influenced the life of the Papuan in the future. The Papuan not involved at the beginning of the mining operation; only between the government and the mining company, for example; the oil company in Sorong and PT. Freeport Indonesia in Timika. And forest processing for oil palm garden which legal and illegal.

II. THE PAPUAN RIGHT OF EDUCATION

The Papuan knows about the education since 1855 when two missionaries from German arrived in Papua. From time to time the Papuan was teaching to be the teacher or evangelist.

There are three periods of education in Papua;

1. Zen ding Period (1855-1956)
2. Dutch Period (1956-1963)
3. Indonesian Period after integration (1969-2009)

1. Zen ding Period (1855-1956)

This is the beginning of Papuan knows about the education from the missionaries even not a lot but they were teach and to be sent to all places in Papua to be the evangelist and teach the other Papuan.

2. Dutch Period (1956-1963)

During this period, the Dutch supported what was made by the missionaries before but only some of the Papuan could get the education. The education system by Dutch was good because they have attention to the characteristic and culture of Papuan.

90% of the Papuan who get education during this period was really good; this is because of the education system.

3. Indonesian Period after integration (1969-2009)

Since the integration in 1969 many of Papuan get the education but the quality is not good, because the education system is centralize from Jakarta; this is happening in the elementary level till university level. Because the system is centralizing; there is no attention to the characteristic and culture of Papuan; stigmatize Papuan is lazy and idiot. Finally many of Papuan only studies the social sciences instead of mathematical and natural sciences.

Due to the centralizing system; government use the national curriculum, finally the Papuan child who lives in the remote area become the victim, because of transportation, communication and geography factor.

In 1980 the government made regulation to close all the teacher school, because there are a lot of teacher in Java, but in other places in Indonesia include Papua still need teacher. To solve this problem, the government recruit teacher without teaching background; this is for the elementary level, that's why the quality of the elementary education in Papua is not good. The other reason also is the government makes the regulation that all the school which run by the churches have to become the government school.



Due to centralize system, some of the villages in Papua have problem with the education facilities; such as there are a lot of child want to go to school but there is no school, in other places, there is a school and child but no teachers; and every year the students can go to the high class without do the examination.

This is happening in many places in Papua, they just want to make report to the Education Department of the province that the education in the remote area is running well. After the student already in senior high school even at the university we can find that they cannot read and write. This is to prove that the quality of the education is really bad.

III. THE PAPUAN RIGHT OF HEALTH

The Papuan lives in the highland, lowland and coastal area with difference character which influence the life of Papuan. There is no malaria in highland, but in lowland and the coastal area are the places for malaria and TB. Lot of Papuan lives in kampongs in the highland, lowland and coastal area, some of the Papuan comes to the town, but not a lot. All the non Papuan lives in town, they come from other places in Indonesia.

The health facilities in remote area are not good, that's why the Papuan who lives in the remote area has many problems with their health; especially mother and child, and the number is quite high, also malaria and TB.

Starting 1980 HIV/AIDS virus found in Papua, first in Merauke then Timika, in the south of Papua and now in all places in Papua; this virus quite quick through sexual intercourse.

Below are number of HIV/AIDS in Papua; March 2009;

- | | |
|--------------------|------------|
| 1. Mimika Regency | 2005 kasus |
| 2. Merauke Regency | 1028 kasus |
| 3. Nabire Regency | 607 kasus |



- | | |
|---------------------|-----------|
| 4. Biak Regency | 399 kasus |
| 5. Jayapura Regency | 298 kasus |
| 6. Town of Jayapura | 231 kasus |
- In Timika there are 2005 case, HIV is 1551 and AIDS is 454 case.

IV. THE SAFE RIGHT OF THE PAPUAN

Many of Papuan not feel safe in their land till now, because of shooting case by unknown people in the highland of Papua. In Timika, this case happening for 3 months in area of PT. Freeport Indonesia, and no one know who is the shooter.

Due to this situation around 1500 Indonesian Military and Police have been sending to Timika but this is make the Papuan not feel safer. In some places in Papua, the Indonesian Military is starting to recruit the militia member.

V. IMPACT OF SPECIAL AUTONOMY FOR THE LIFE OF PAPUAN

In 2001 the Indonesian government made the regulation number 21 about the special autonomy for Papua, this regulation purpose to solve the problems of Papuan. Since this regulation was made till now, there is no change the life of Papuan.

This regulation not implemented well by the government because;

1. Special Autonomy is handled by Jakarta.
2. The Indonesian Legislative at provincial (DPRD) and the Papuan Assembly (MRP) in preparing and makes the special regulation for Papuan still intervened by Jakarta.

Due to this regulation not implemented, many of Papuan are not trust the Jakarta and doubt on the Indonesian Legislative at provincial (DPRD) and the Papuan Assembly (MRP); prove of this also is that the Papuan not enjoy their rights; such as right of culture and community land, right of education, right of health and right of safe as mentioned on the regulation of special autonomy for Papua.



RECOMMENDATION:

1. Papua need help of other partner to support the Jakarta, Indonesian Legislative at provincial (DPRD), and the Papuan Assembly to prepare and make the special regulation for Papua.
2. Papua need help of other partner for the capacity building of the education process include all the school which running by churches in Papua.

World Council of Churches
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Tuesday November 17, 2010
Indigenous Peoples Rights Session II
Argemiro Bailarin Bailarin (Spanish)

1. Presentación de mi pueblo y sus principales problemas

Mi nombre es Argemiro Bailarin, líder comunitario de la comunidad de alto guayabal (resguardo de Uradá –Jiguamiandó), profesor de la comunidad a las niñas y niños con énfasis en el respeto y la recuperación de la lengua, escritura y tradiciones de la cultura indígena. Como líder he desempeñado un papel importante en la defensa del territorio sagrado en labores de denuncia y visualización de la ocupación ilegal e inconsulta al territorio tradicional de los indígenas embera por parte de la empresa norteamericana Muriel Mining Corporation.

Las tres comunidades que conforman el resguardo Uradá Jiguamiandó del pueblo Emberá, Alto Guayabal-Coredocito, Uradá y Nuevo Cañaveral, viven en una situación de violación de los derechos colectivos a los recursos naturales, territorio colectivo y la consulta, por las actividades inconsultas de exploración minera realizadas en su territorio tradicional por el proyecto minero “Mandé Norte” de la empresa la Muriel Mining Corporation.

El 3 de enero del presente año, sin haber consultado a las comunidades según sus usos y costumbres, sin respetar sus propias maneras de toma de decisiones y sin haber obtenido su consentimiento previo, libre e informado, la empresa minera, acompañado por el ejército, inició actividades de exploración minera en su territorio tradicional.

La incursión de la empresa y el inicio de actividades mineras además amenazan la integridad cultural de las comunidades y sus miembros por afectar un lugar de importancia y transcendencia espiritual particular, denominado el cerro sagrado de *ellausakirandarra* (“Careperro”).

Las tres comunidad, junto con otras comunidades indígenas y afrodescendientes directamente afectadas por el proyecto minero, realizaron una consulta interna entre el 24 al 28 de febrero donde rechazaron la presencia de la empresa.

A pesar de haber retirado su personal de forma provisional el dos (2) de febrero de 2009, la Muriel Mining Corporation ha señalado su clara intención de reiniciar actividades mineras en el territorio de la comunidad. La presencia militar se ha mantenido constante hasta la fecha. El Estado colombiano no ha realizado ninguna acción encaminada hacia la revocación de las concesiones de explotación minera al territorio del resguardo, ni la realización de un nuevo proceso de consulta de acuerdo al derecho consuetudinario y costumbres de la comunidad.

Invitamos al Consejo Mundial de Iglesias a tomar conocimiento de la situación de las comunidades del resguardo Uradá Jiguamiandó y de las violaciones a sus derechos colectivos y los de las otras comunidades afectadas por el proyecto minera de la Muriel Mining Corporation.

Las comunidades indígenas de Alto Guayabal-Coredocito, Uradá y Nuevo Cañaveral.

Las tres comunidades forman parte del pueblo indígena *Emberá oibida*⁶, y habitan en el Resguardo de Uradá, en la cuenca del Río Jiguamiandó⁷ en el Municipio de Carmen del Darién, departamento de Chocó (ver mapa Anexo). La comunidad de Alto Guayabal-Coredocito, en turno, incorpora a dos asentamientos, el de Alto Guayabal y Coredocito, debido a una serie de desplazamientos que afligieron a la Comunidad en el año 2000.

Desde el 23 de julio del año 2003, los indígenas de Uradá Jiguamiandó consiguieron la titulación colectiva de 19.744 has. con 5.860 m² de su tierras⁸, área alrededor del Cerro “Careperro”, o “*ellausakirandarra*” en el idioma de la comunidad, lugar sagrado para todos los Emberá del resguardo. La población de las tres comunidades está compuesta por 183 familias.

Historia de violencia en la región.

Desde mediados de la década de los 90, las comunidades del Resguardo Uradá Jiguamiandó y las demás comunidades de la cuenca del río Jiguamiandó han sido golpeadas gravemente por la violencia sociopolítica por parte de actores armados militares y paramilitares⁹.

El 3 de mayo del 2000 las operaciones militares de la Brigada 17 del Ejército Nacional de Colombia generaron el desplazamiento forzado de la comunidad de Alto Guayabal y la desaparición forzada de tres de sus miembros¹⁰. La comunidad de Alto Guayabal se vio forzada a vivir ocho años en otro asentamiento, “Coredocito”, más adentro de su territorio tradicional, cerca del cerro sagrado “Careperro”. Por temores de la violencia continuada en la zona, la Comunidad no ha podido regresar a su asentamiento original de Alto Guayabal hasta el 2008.

El Proyecto Minero Mandé Norte.

El Proyecto Mandé Norte es un proyecto de explotación minera conformado por nueve concesiones mineras¹¹ otorgadas desde el 4 de febrero de 2005 por gobernador del departamento de Antioquia, para la exploración técnica y explotación económica de una mina de cobre, oro, molibdeno y “demás minerales concesibles”, a favor de la sociedad anónima Muriel Mining Corporation con sede en los Estados Unidos. Las concesiones cubren un área de aproximadamente 160 km² entre los municipios de Murindó, departamento de Antioquia, y Carmen del Darién, departamento del Chocó. Aproximadamente la mitad de las 110 km² de las concesiones ubicadas en jurisdicción del municipio de Carmen del Darién, se encuentran dentro del territorio tradicional de las comunidades del resguardo Uradá Jiguamiandó, cerca de la comunidad Alto Guayabal-Coredocito (ver mapa Anexo).

La “Zona de La Rica”, identificada como el área que muestra el mayor potencial geológico-minero, y sitio de las primeras incursiones de la empresa Muriel Mining Corporation y las Fuerzas Militares colombianas, se ubica contiguo al asentamiento de Coredocito y **sobre el lugar sagrado de los Emberá: el Cerro “Careperro”**.

⁶ *Emberá oibida*, en general los Emberá se consideran como hombres de río y como hombres de montaña (*Emberá eyabida*)

⁷ En la lengua Emberá, el río Jiguamiandó se llamaba cubamiandó, que significa “río de fiebres.”

⁸ Instituto Colombiano de Reforma Agraria (INCORA), en Liquidación mediante la resolución 007, de dos globos de terreno baldíos.

⁹ Véase por ejemplo, Corte Interamericana de Derechos Humanos, Caso de las comunidades del Jiguamiandó y Curbaradó, Medidas Provisionales, resolución de 6 de marzo de 2003.

¹⁰ REGINA RUBIANO BARIQUIRU, PABLO EMILIO DOMICO y su hija BLANCA LINA DOMICO. Anteriormente el en enero de 1999, se produjo la desaparición forzada de GUILLERMO NIAZA CANO y su hijo IBANIEL NIAZA MAJORE de 11 años de edad. Esos crímenes se encuentran en absoluta impunidad.

¹¹ Los representantes únicamente tiene acceso a uno de los nueve contratos de concesión minera, CONTRATO ÚNICO DE CONCESIÓN MINERA No. 6197, lo cual incluimos en el Anexo. Los nueve contratos corresponden a nueve títulos mineros conferidos por Ingeominas, el Instituto de Investigación e Información Geocientífica Minero Ambiental y Nuclear, ver Anexo.

Hasta la fecha, **no se ha realizado ningún estudio de impacto ambiental ni social** sobre los efectos de la etapa de exploración ni de explotación.

Iniciación de actividades por parte de la Empresa

Desde el domingo 31 diciembre de 2008 hasta el día de hoy persisten operaciones militares, por parte de efectivos de la Brigada 15 y la Brigada 17 del Ejército Nacional de Colombia, en el área del asentamiento de Coredocito. El sábado 3 de enero de 2009, hacia las 10:20 a.m. llegaron a Coredocito 4 geólogos de la empresa Muriel Mining, quienes aterrizaron en la cancha de fútbol del resguardo en un helicóptero blanco, entre tanto sobrevolaban en el entorno 2 helicópteros militares¹².

Posteriormente, la empresa y los militares precedieron a deforestar dos sitios, conformando aproximadamente 3 has de bosque virgen, para realizar perforaciones de exploración y para establecer un campamiento. La empresa planea realizar trabajos de exploración consistente en perforaciones en la zona con una duración de 4-6 meses principalmente en el área del cerro sagrado “Careperro”. La segunda fase de la exploración involucra la presencia y actividad mucho más intensivas por parte de la empresa minera, con una duración aproximada de dos años y utilizando cuatro maquinas de perforación, perforando 80 a 100 pozos.

Falta de consulta y rechazo de las comunidades directamente afectadas

En ningún momento, ni antes ni durante el inicio de las operaciones del Proyecto Mandé Norte en el territorio de las comunidades del resguardo de Uradá Jiguamiandó, se consultó con la asamblea general de ellas, su máxima autoridad según su derecho consuetudinario.

La única reunión para incluir la participación de miembros de las comunidades, se realizó el 3 de septiembre de 2007¹³. Sin embargo, esta reunión no se realizó en consulta con la asamblea general de la comunidad, según sus costumbres¹⁴.

Reunión de consulta a los pueblos

Entre los días del 24 al 26 de febrero pasado, las comunidades Alto Guayabal-Coredocito, Uradá y Nuevo Cañaveral, junta a las otras 9 comunidades indígenas de los resguardos de Río Chageradó-Turriquitadó y Río Murindó, todas con territorio dentro del área del proyecto Mandé Norte, realizaron una consulta interna de los pueblos. La consulta tuvo la finalidad de concertar con las comunidades afectadas, de una forma democrática, de acuerdo a sus usos y costumbres y maneras propias de toma de decisiones, sobre el proyecto de exploración y explotación minera en sus territorios.

Participaron 1.251 personas de las comunidades mencionadas, de las cuales 784 reunieron los requisitos establecidos por las autoridades indígenas de cada comunidad para votar¹⁵. De estas 784 personas elegibles para la votación, 784

¹² La militarización e ingreso de la empresa a la comunidad, dentro del contexto histórico de violencia por parte de efectivos militares y paramilitares, generó una nueva situación de zozobra, provocando el desplazamiento temporal de 6 familias de Coredocito hacia el asentamiento de Alto Guayabal.

¹³ Acta de la reunión del proceso de consulta con las comunidades del Cabildo Mayor de Carmen del Darién, Cabildos Menores de Uradá y Coredocito, Cabildo Mayor Indígena del Bajo Atrato (CAMIZBA) – Proyecto de Exploración Mandé Norte, Carmen del Darién, Chocó, 3 de septiembre de 2007.

¹⁴ Cf. Nota de las Comunidades Indígenas de Alto Guayabal y Uradá Jiguamiandó, a la Dirección de Etnias, Ministerio del Interior y de Justicia, 7 de diciembre de 2007 (“Ningún líder o representante está autorizado a firmar acuerdo de exploración, explotación minera en la zona de la Rica, Batatal-taparos, Jarapetó, sin autorización de la comunidad y las Autoridades locales”).

¹⁵ Según la decisión por consenso de las comunidades interesadas, los requisitos eran (1) ser mayor de 10 años de edad y (2) ser miembro de una de las comunidades indígenas cuyos territorios se encuentran en el área de afectación del proyecto. Véase Acta 001,

votaron en contra del proyecto, y ninguna votó a favor¹⁶. De una población en condición de votar de aproximadamente 1.200 personas entre los tres resguardos, 77% votaron en contra del proyecto.

Los gobernadores locales de cada comunidad participantes velaron por la autenticidad y transparencia del proceso de la consulta, el cual además contaba con la presencia de varios observadores internacionales y representantes de la Alcaldía de Carmen del Darién y el Municipio de Murindó¹⁷. El día 28 de febrero se realizó otro proceso de consulta en la comunidad de afrodescendientes de Pueblo Nuevo para las comunidades del territorio colectivo del Río Jiguamiandó.

Peligro para el territorio y la integridad de la comunidad

Suicidios.

Teniendo en consideración los antecedentes de violaciones a los derechos humanos de la región, los anuncios de la ocupación por parte de la empresa y el ejército de los territorios de las comunidades, ha generado afecciones para los pueblos indígenas por su particular situación e identidad socio cultural, espiritual y existencial material. Estos anuncios han generado angustia, temor e incertidumbre en las comunidades se han presentado 8 intentos de suicidio entre jóvenes entre los 13 y 16 años y el suicidio de una joven de 16 años¹⁸.

Importancia cultural y espiritual del cerro sagrado “Careperro”.

Como mencionamos anteriormente, el cerro sagrado “Careperro” se ubica en la zona de interés minera identificada por la empresa Muriel Mining Corporation como “La Rica”.

Dentro del territorio habitado por el pueblo Emberá que habita la Cuenca del Río Jiguamiandó, existen lugares sagrados, uno de ellos recibe el nombre de “**ellausakirandarra**”, o **cerro “Careperro”**, allí:

*“...habitan también los espíritus malignos que los **Jaibana** [médicos tradicionales] han expulsado. A través del trabajo que hacen los sabios tradicionales, estos espíritus se mantienen alejados de las comunidades y se evita que ocasionen enfermedades y daños a las personas: Abrir las entrañas de **Ellausakirandarra** es liberar esos espíritus y colocar en riesgo el bienestar físico y espiritual de los pueblos indígenas.*

*Así mismo, allí habitan los **animara wandra** o caciques de los animales. Ellos son espíritus protectores de los diferentes animales y su desaparición pondrá en riesgo también la supervivencia de muchas otras especies”¹⁹.*

Consulta interna de las comunidades indígenas de los resguardos indígenas de Urada Jiguamiandó, en el Carmen del Darién y los resguardos del Río Murindo y Chagerado en el Municipio de Murindó, 25 de febrero de 2009; véase Anexos.

¹⁶ Cabe notarse que la cifra de 798 votos mencionado en la carta de los Gobernadores del resguardo incluye 15 votos adicionales de miembros de comunidades afrodescendientes de Murindó que también participaron en la consulta. Véase Anexos, Resultados de la consulta de los pueblos, 28 de febrero de 2009.

¹⁷ Acta 001, Consulta interna de las comunidades indígenas de los resguardos indígenas de Urada Jiguamiandó, en el Carmen del Darién y los resguardos del Río Murindo y Chagerado en el Municipio de Murindó, 25 de febrero de 2009; véase Anexos.

¹⁸ Según el criterio de la comunidad, estos hechos están vinculados con la preocupación sobre la “perdida de los hogares sagrados, contaminación del agua, destrucción de los bosques, animales invasión al territorio, [y la] intensificación del conflicto armado” Nota de la Autoridad Cabildo Local Indígena de Coredocito, Por la pervivencia milenaria de los pueblos Embrea Oibibu y Eyabiba de la cuenca del río Jiguamiandó, Ancadía y Coredocito en la región del Bajo Atrato, departamento de Chocó.

¹⁹ Comunicado de prensa, Posición de las comunidades Embera Dovidá y Eyavidá frente a la posible exploración y explotación minera de sus territorios, 24 de octubre de 2005.

Las comunidades que habitan cerca del Cerro saben que los únicos que pueden penetrar o desplazarse en esta zonal, son los **Jaibanás** (médicos tradicionales) quienes conocen y tiene alianzas con los **Jais** (espíritus). Para los Emberá el cerro "Careperro" es "*testigo de la memoria, los secretos y existencia de los Indígenas del Bajo y medio Atrato*"²⁰.

1. Como puede ayudar UNDRIP (La declaración de las naciones unidas sobre los derechos de los pueblos indígenas) a resolver sus problemas?

La **declaración de** las naciones unidas sobre los derechos de los pueblos indígenas es muy importante para la solución de los problemas de mi comunidad por varias razones.

En primer lugar, consagra la obligación de los Estados de celebrar consultas de buena fe con los pueblos indígenas interesados por medio de sus instituciones representativas antes de adoptar y aplicar medidas legislativas o administrativas que los afecten, a fin de obtener su consentimiento libre, previo e informado²¹.

En segundo lugar, hacen un reconocimiento del derecho de los pueblos indígenas de su Derecho a las tierras, territorios y recursos que tradicionalmente han poseído, ocupado o de otra forma utilizado o adquirido con reconocimiento y protección jurídicos de esas tierras, territorios y recursos respetando las costumbres, las tradiciones y los sistemas de tenencia de la tierra de nuestros pueblos

²⁰ *Ibíd.*

²¹

"Artículo 30

1. No se desarrollarán actividades militares en las tierras o territorios de los pueblos indígenas, a menos que lo justifique una razón de interés público pertinente o que se haya acordado libremente con los pueblos indígenas interesados, o que éstos lo hayan solicitado.
2. Los Estados celebrarán consultas eficaces con los pueblos indígenas interesados, por los procedimientos apropiados y en particular por medio de sus instituciones representativas, antes de utilizar sus tierras o territorios para actividades militares.

Artículo 32

1. Los pueblos indígenas tienen derecho a determinar y elaborar las prioridades y estrategias para el desarrollo o la utilización de sus tierras o territorios y otros recursos.
2. Los Estados celebrarán consultas y cooperarán de buena fe con los pueblos indígenas interesados por conducto de sus propias instituciones representativas a fin de obtener su consentimiento libre e informado antes de aprobar cualquier proyecto que afecte a sus tierras o territorios y otros recursos, particularmente en relación con el desarrollo, la utilización o la explotación de recursos minerales, hídricos o de otro tipo.
3. Los Estados establecerán mecanismos eficaces para la reparación justa y equitativa por esas actividades, y se adoptarán medidas adecuadas para mitigar las consecuencias nocivas de orden ambiental, económico, social, cultural o espiritual".

De igual manera, la declaración de **las naciones unidas sobre los derechos de los pueblos indígenas** es un fuerte instrumento de derecho internacional que puede ayudarnos a nivel político y jurídico a defender nuestra libre autodeterminación (Art 3), nuestro derecho a la diferencia como pueblos indígenas, nuestro derecho al territorio, el derecho a la autonomía y el autogobierno (Art 4) en las cuestiones relacionadas con sus asuntos internos, el derecho a la no destrucción de su cultura (Art.8) y el derecho de los pueblos indígenas a no ser desplazados por la fuerza de sus tierras o territorios.

Finalmente, esta declaración nos ayuda a proteger nuestra relación espiritual con la tierra (Artículo 25²²) y consagra claramente nuestro derecho a la no militarización del territorio como factor de riesgo de nuestra propia integridad física frente a los actores armados del país, en los siguientes términos:

“Artículo 30

1. No se desarrollarán actividades militares en las tierras o territorios de los pueblos indígenas, a menos que lo justifique una razón de interés público pertinente o que se haya acordado libremente con los pueblos indígenas interesados, o que éstos lo hayan solicitado”.

Solicitamos respetuosamente, al Consejo Mundial de Iglesias, tomar bajo consideración esta situación de violación de los derechos colectivos de las comunidades Alto Guayabal-Coredocito, Uradá y Nuevo Cañaveral.

Sin ningún otro particular, aprovechamos la oportunidad de agradecerle su atención en el presente asunto,

¹ <http://www.alboan.org/docs/articulos/canales/alboan/InformeFalsosPos.pdf>

¹ <http://www.unhchr.ch/huricane/huricane.nsf/0/7DDCDEC9249C5EEFC12575D90076B2D5?opendocument>

¹ http://www.mindefensa.gov.co/dayTemplates/images/seguridad_democratica.pdf

¹ <http://www.elespectador.com/opinion/editorial/articulo87344-directiva-ministerial-029-de-2005>

²² Los pueblos indígenas tienen derecho a mantener y fortalecer su propia relación espiritual con las tierras, territorios, aguas, mares costeros y otros recursos que tradicionalmente han poseído u ocupado y utilizado de otra forma y a asumir las responsabilidades que a ese respecto les incumben para con las generaciones venideras.

World Council of Churches
Fifth Annual United Nations Advocacy Week
Wednesday November 18, 2010
Colombia Session I
Lilia Solano

UNITED STATES MARK THEIR TERRITORIES BY MEANS OF MILITARY BASES

Let me start by making a brief reference to the military presence and role of the US Army around the world in order to reaffirm the concern that the installation of these bases should cause in Colombia and its neighboring countries. Although the Colombian official discourse says that such military presence is going to be developed or might be taking place as we speak today, in reality the US Army has already been present in Colombia for quite a good number of years.

According to the annual report of the Department of Defense, there are more than 823 US military bases in over 130 countries. This is a deployment that occupies a combined extension of more than 2.5 million hectares in the five continents, to monitor strategically the US interests. These bases permanently house over 250,000 members of the armed forces and provide work to approximately 45,000 local contractors. The report does not include the bases in Kosovo, Afghanistan, Iraq, and Kuwait. The Pentagon also indicates that it has 32,327 barracks, hangars, hospitals and other buildings and rents 16,527 facilities in the US bases abroad.

These military bases not only demarcate the confines of the empire but also represent the military power of the US around the world. However, their role goes beyond mere military and warfare tactics and they are felt at the day-to-day level of common life in the countries in which such bases are established. They also respond to the interests of US based companies and businesses that are just as or perhaps much more concerned that the Pentagon itself that this vast military deployment should continue. Whenever the United States signs an agreement with any country anywhere in the world to install a military base, there begins a cloudy relationship of neocolonialism and dependency with the implied country. Crimes and social problems that might be used to justify the establishment of a US military base tend to escalate to despicable violations to human rights, and grow out of control. Ultimately, a foreign military base indicates the presence of an occupying army and it becomes a symbol of subjugation. This single reason should suffice to disown them.

Over the last years the Pentagon has made evident its desire to abandon its military presence in some rich countries such as Germany and move their bases to countries governed by dictatorial regimes. The latter are more likely to provide the Pentagon with a more "tolerant environmental legislation." In general terms, the host countries have to accept clauses that exempt the US from compensating for environmental disasters that its Army might unleash and guarantee impunity to the US Army personnel who are thus accountable only to the US martial courts. These type of provisions means that the more tyrannical the government of the host country, the better the conditions for a military base to operate.

In Colombia, the new facilities are the main Navy and Air Force bases of the Colombian Army, namely: Apiay, Malambo, Palanquero, Cartagena and Malaga Bay. The US is not going to build new bases but to take control of what is already in place. Thus, the US Army will be in the position to surround the Amazon basin, track more closely legal and illegal trade routes, monitor areas of strategic importance, and keep a closer watch on progressive governments in the region.

The control of these military bases by the US Army constitutes a flagrant violation of the sovereignty of the country. This agreement militates against the Colombian institutional and legal frameworks and transfers to foreign hands the tasks of

overseeing and keeping control of sensitive areas whether purely military but also ideological, political, economic, and so forth.

To William Brownfield, the United States Ambassador to Colombia, the US military presence is one of collaboration. From now on, says Brownfield, US aircrafts and battleships will have access to much needed refueling stations on their routes to more complex operations. However, the reality in Colombia is that the local bases have always played such role of cooperation. Some cases in point are Tres Esquinas and Larandia in the Caqueta province, and Apiay (Meta province). These three bases operate with the presence of Pentagon equipment and personnel that provide technical intelligence to support the fight against subversive groups, to exercise control over the leaders of social and political movements, to monitor the Colombian borders, and to train the military and their paramilitary spinoffs.

This Colombia-US accord on military collaboration whereby the control of Colombian military bases is transferred to the US Army, shows the high level of dependence that the current Colombian Administration keeps in its relationship with the US. The Colombian government is seriously compromised with the illegal activities of paramilitary squads and drug traffickers and it bumps from one scandal to the next on account of criminal infiltration to the highest levels. It has at its disposal a weak Congress (upper and lower houses) and the lack of independence renders the media to functioning as mere antennas that broadcast the official communiqués and speeches.

In terms of geopolitical strategy Colombia is a gem. Its geographic position facilitates quick access to sea and air routes. To make things more favorable to an agreement of military collaboration with the US, it is being administered by a President so seriously compromised that its bargaining power is next to zero.

It is of the utmost importance to immediately advance a frontal resistance against what we should call now “the US military bases” in Colombia. Although this is a very difficult task it must be accomplished. What is at stake is the Colombian sovereignty and autonomy, the destiny of innocent people, the preservation of the environment. In short, life is what is at stake.

The politics of democratic security: neither security nor democratic, but war

Security as a major concern is a card that repeatedly is thrown on the table as Colombia’s policy makers and public administrators make their best to create a climate that is favorable to mega-investments in the context of the so called free market economy.

This drive translates into a military strategy of war that consumes all the resources and infrastructure of the State. It is noteworthy that this strategy of war lumps the social movements and the insurgency together in a common front as enemies the State must combat. It might present itself under different names and packages. Thus the recent history records the implementation of all sort of plans: “Plan Lasso” (1964) designed to achieve the ill-named pacification of the country; “Plan Andes” (1968) that set in motion a counter-guerrilla warfare; “Provisional Manual for the Planning of National Security” (1974); the “National Strategy” against violence, that was implemented under the Presidency of Cesar Gaviria (1991); Andres Pastrana’s well known “Plan Colombia” (1998) that skyrocketed the US military influence and investments to levels unheard of before.

In the 2002 with Alvaro Uribe this militaristic drive takes on the name of “democratic security.” Uribe’s strategy revolves around the so called “total war,” which combines low-intensity warfare (social level) with more conventional warfare

strategies (insurgency level). Uribe's "democratic security" asks for conceptions based on massive deployments of artillery capacity, heavy equipment, large concentrations of troops and the use of the civilian population working alongside the Army in its different bodies, divisions, brigades and battalions.

Reducing the role and presence of the State in the Colombian territory to its military muscle, the politics of "democratic security" is but another chapter of the war that historically has been imposed upon the Colombian population. This policy apparently is being successful, according to the official discourse. However its results are far from being considered indicators of democratic progress. Let us take a closer look at some of them:

- * Uribe's "democratic security" asserts a model of public administration that is seriously compromised with plain criminal activities. The Uribe Administration has set in motion a series of measures aimed at using the instances of the State to pay favors and co-opt potential dissenters.
- * This policy protects the interests of European multinationals and North Americans, and powerful local business groups to whom are offered megaprojects and important contracts under the umbrella of free trade treaties.
- * This security policy has gone to the extremes of claiming positive results based on cases that fraudulently present the execution of innocent civilians as trophies in its struggle against the insurgency.
- * This is a policy that despises humanitarian agreements, rejects any notion of a negotiated solution to the armed conflict, treats with contempt the notions of peace, sovereignty, autonomy, and shows total disregard to the integration of Colombia in the Latin American region.
- * Uribe's "democratic security" criminalizes social and political protest and thus enables law enforcement officers to conduct to arbitrary detention of social and union leaders. This policy tramples with the rights to due process, impartial investigation and fair trial, and it does not uphold principles such as the presumption of innocence.
- * This policy ignores the obligations that the Colombian State is bound to as a signatory to international conventions on the promotion and protection of human rights. It enables State agents to violate them with absolute impunity.
- * "Democratic security" criminalizes grass roots organizations of peasant, indigenous peoples, Afro-Colombian, students, representatives of popular groups, social and feminist movements. It labels politic dissenters as terrorists thus closing the way of legal protest.
- * This is a policy with a counter-agrarian reform agenda that legalizes the redrawing of the rural map that was advanced by drug traffickers and right wing illegal paramilitary warlords. The end result of this agrarian policy is the concentration of rural property in the hands of powerful transnational agro-industries.
- * This policy fosters an environment that is conducive to harassing and attacking to girls and women, adolescents and LGBT people.
- * Uribe's "democratic security" has established a system of collaboration with law enforcement officers that generously rewards trade union leaders murderers and outlaws.

* This is a policy that closes the doors to plain Colombians and sees thousands of them going abroad to live in conditions of vulnerability.

* “Democratic security” persecutes those intellectuals who dare to raise a critical voice and labels them “intellectual terrorists” in a time in which terrorism is a world wide concern. Therefore, rigorous research and academic work are rendered dangerous pursuits.

* This policy of security attacks Human Rights organizations and dismisses them as “agents of terrorism”.

* This is a policy that controls the freedom of expression, reducing the media to operate as simple antennas that broadcast the official discourse.

* This is a policy that justifies the breach of the conventions and international agreements on Human Rights that has been ratified by Colombia.

* The current Colombian version of “democratic security” list as sponsors of terrorism those States in the region that do not follow its dictates. It therefore claims and extraterritorial jurisdiction to enforce its regulations.

* This is a policy that promotes the US direct intervention even at the risk of destabilizing the region. By transferring some of its military bases to the US Army, Colombia is becoming a sort of Israel for the region.

* “Democratic security” in its President Uribe’s version deletes from the collective memory the hidden history of repression in Colombia and crushes the dignity of Colombians and their efforts to build a real democracy.

What we are witnessing in Colombia is not a *renaissance* of a policy of security, but a war of enormous proportions. The official rhetoric that speaks of a legitimate struggle against terrorism cannot hide the facts that prove it fallacious. Uribe’s Administration plays its card on the assumption that Colombians ignore that poverty and unemployment are on the rise, drug traffickers are reinventing themselves, paramilitary groups are regrouping, internally displaced people keep on flooding the already overcrowded urban centers, the political parties that support the government are tangled up in political scandals and organized criminality, public services keep on being privatized, intelligence services resort to mafia-style procedures in order to keep tabs on political dissenters, young people in poor *barrios* are executed by law enforcement officers in order to be reported to the media as guerrillas and terrorists, and the overall decomposition of a State devoted to undermine the lives of countless common citizens.

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Colombia Session II
Joseph Donnelly

For the numerous reasons of faith-based partnerships with mutual concerns for the rights and needs of communities around the world, as CARITAS Internationalis representative to the United Nations I am pleased and humbled to share deeply in your collective WCC concerns for our sisters and brothers in COLOMBIA.

COLOMBIA at the United Nations. Where do we see it? Where do we hear about this significant country with exceptional internal human resources caught in quite extraordinary struggles for life?

This flag - this is the flag of the COLOMBIA country and communities. Like 191 others it flies in front of UN headquarters each day. How many see it? How many can identify it? When groups come to the UN and the UN Church Center here in this building some will ask: What "color" is Colombia? It's a telling question which deserves some quite specific answers with full explanations.

Some of the background on NGO and faith-based advocacy for Colombia includes the fact that many partners here in New York disturbed by the absence of or invisibility about any Colombian advocacy at the UN gathered together in 2004 in this building where you participate today. Approximately 14 people from 12 organizations sat together quite seriously to face the facts that non-actions around Colombia were locked in the previous status-quo position often held that: "There's no way to do advocacy around Colombian concerns at UN because the US is not interested in the matter being addressed here - especially as it is not on the Security Council agenda, etc... and most simply see it as a drugs and rebels issue period."

The group gathered to identify ways and possible advocacy resources out of the "freeze" from the past. All acknowledged past/present difficulties and/or staffing limitations. However, all agreed the time was ripe to try something new while urging that expectations be kept low and simple. The presbyterian UN Office hosted the gathering while Caritas joined them to push Colombia onto a common table with interested friends and partners.

So it happened. It began to unfold that simply, but with a new determination to break myths around the troubled country, to give voice to countless grave concerns and to identify ways to speak with both the Colombian Mission to the UN - and other member states, some with considerable influence within the Security Council and/or the General Assembly. We began to ask: What about the large IDP populations around the country? How could so many Colombians be internally displaced people and no one seems to know their plight? How could Colombia have the second largest IDP population in the world, second only to Sudan which is always in the news, while deafening silence surrounds Colombia? Today, it is estimated that there are 3.5 million internally displaced Colombians.

Amidst the arguments or strategies around accepting or rejecting statistics addressing human conditions and humanitarian crises, the face-to-face living reality of people who are homeless, displaced, isolated, ignored, abandoned, forgotten is a massive moral challenge for everyone.

There are women, children, men, elderly, vulnerable people everywhere you look. While many organizations, churches, faith-based communities and several UN agencies are actively engaged

with the needs and rights of Colombians - somehow they are still not on "the agenda" which is another reality we can endure any longer.

We all have to find the links, make the necessary connections - here in New York at the UN, as much as in Bogota, in every part of Colombia - and everywhere we can communicate locally as well as globally. Colombia does not exist in isolation. It is well known, however, not understood it may be.

We all must be more steadfast. We must be present in and to Colombia constantly, and consistently so that there remains a penetrating "reality check" wherever we are.

Part of the challenge is that there are many complex issues within the Colombian questions.

The land issues as fierce and devastating as the human issues, justice issues as urgent as basic human, social, pastoral economic and political rights. None of these can be ignored. We too must face these issues amongst ourselves and with our churches, communities, parishes, organizations. We too must be a steadfast presence here, across this one NY street - at United Nations.

At the UN there are thousands of accredited national and international NGOs. Only hundreds are actually around the UN in NY, others are in Geneva, Vienna, Paris and at UNICs around the globe.

Do they know us? Do they know Colombia? Do they know the regional impacts and implications from Colombia? How can we speak to them, educate them about distinctions between universal human rights and internal sovereignty? These can not be mutually exclusive domains. As well we need to say as churches in this regard: Here is our chart of actions/issues. We are responsible representatives. Hold us accountable, as you like, but listen to the truths we live, the daily facts of life we know as stale bread of the poor not as some public relations campaign whose motivation is curious.

A final perspective about the same time as our NY-based efforts around Colombia, another group of NGOs were "seized of the matter" of the extraordinary humanitarian crisis in Northern Uganda. While it was the most child-focused crisis in the world, it was simultaneously considered one of the 10 most underreported crises in the world according to the UN's Department of Public Information. That focus grew slowly, surely through all kinds of myths, roadblocks but carefully revealing considerable international readiness to get beyond just the actions of LRA rebel groups. There was a new appetite

to ask about protection of civilians, IDPS and their decades long lives in IDP Camps. There was a growing partnering sense of Member States, even SC members, could make a difference to expand the dialogue, communicate better with Ugandan leadership, as well with the religious and cultural leaders initiatives for protection as much as peace, for justice as much as development. Many who has lost everything, most notably their own children put the question to NGOs and some Member States. We have lost all. We work so others do not lose their children. We have the political will to advocate, to change the status quo. That's what they said to us on a weary wintry day in NY. They put the strong question, nearly an indictment to us. They left their question on our table, on our consciences. No one was prepared to not answer their question. Suffice it to say today that while life in Northern Uganda is not perfect, far from it - there is peace, there is security to a greater degree.

And - 80% of the 1.6 million IDPS have gone home or at least gone back to farming their family community lands. Some of this is the result of several years of advocacy and partnerships around the UN community so that UN SC Resolution 1653 came into being - along with a mandate for the SG to

appoint a Special Envoy for LRA affected countries. The awesome damning facts on the ground at the start of this 21st century is now countered by the awesome solidarity with hundreds of thousands of families recovering ever so carefully from 20 years of absolute vulnerability.

None of this happens easily. Like Colombia, Uganda's national flag flies proudly in front of the UN headquarters. Today Uganda is a rotating member of the Security Council, contributing its concerns and resources for needs of our nations. These are long complex struggles, even when there's much political will, information and negotiations. It is rarely easy, but we must be steadfast. We must be respectfully, professionally, pastorally visible. As such, you do not see a flag for Palestine visible in front of the UN, despite 60 plus years of advocacy. So many NGOs and FBOs carry that hope too, but without forgetting COLOMBIA.

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Gonzalo Vargas Llosa

Recounted my initial experience when I arrived in Panama to take up my post as UNHCR Representative. I had found a very difficult situation, whereby Colombians who had fled the conflict back at home and had arrived in the Darien, in Panama, were not being given adequate protection by the Government. In fact, many of them were being deported. The Church, a key ally of UNHCR and with a substantive presence in the Darien, was providing critical aid and protection to this group of Colombians;

- The reason why Panama had a negative attitude to Colombian refugees was historical and also economic, given the large number of Colombian economic migrants in that country. In the course of the three years that I served in Panama, the Church, the NGOs and UNHCR were fortunately able to convince the Government to improve its policies towards Colombian refugees and asylum-seekers, but a lot more remained to be done;

- As for the situation of IDPs inside Colombia, this was grave. There were more than three million of them, mostly from a rural background, and most of whom had lost their land as a result of the conflict. The Afro-Colombians and the indigenous groups were disproportionately affected by forced displacement. While the legislation and entities responsible for IDPs in Colombia were in theory very comprehensive, in practice many IDPs did not receive enough support, mainly because of lack of resources;

- The humanitarian and the situation of IDPs inside Colombia did not receive the kind of international attention that it deserved, given its magnitude. It was therefore critical that all those actors and entities interested in helping the victims do everything possible to make this problem more visible to the outside world. This was also a major challenge because the Government of Colombia did not want to give too much exposure to the conflict and the forced displacement.

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Friday November 20, 2010
Closing Keynote
Hyunju Bae

I. It's my great honor to speak for this closing session as a Korean theologian. I would like to convey my heart-felt special thanks to our brothers and sisters who came from the communities of climate displaced peoples, indigenous peoples, and Colombia, the communities now most critically wounded by the complex structures of injustice. Thank you for sharing your stories with us in many sessions. I appreciate your creating a sacred space among us through worships in which we could feel the pain of the Mother Earth and your communities. There we mourned and repented. Many of your stories made me speechless, because the insanity of this civilization just doesn't make any sense, and because I am part of it. At the same time, I also felt a special blessing coming from your presence, as your fierce speech demonstrates your dauntless spirit and passionate love of life, and as the presence of the crucified people opens up the space of the presence of the crucified God among us. We would never fathom thoroughly this dark mystery of the existence of evil powers on earth. I simply pray that the knowledge of faith that neither death, nor life, nor angels, nor rulers, nor things present, nor things to come, nor powers, nor height, nor depth, nor anything else in all creation, will be able to separate believers from the love of God in Christ Jesus our Lord could somehow strengthen you in your difficult daily struggle (Rom 8:38-39).

My special thanks also go to the family of this Church Center right across the UN. Its geopolitical location speaks volumes. The story of its foundation initiated by Methodist women and the tale of its hospitality to serve as a home for the leaders of the underrepresented communities reminded me of the earliest Christian movement in the first century. The base of earliest Christianity was the house churches often represented by women. Their well-known hospitality to take in the charismatic wandering apostles and prophets was often provided by women. I hope that this Church Center continues to function as a home for the leaders of the underrepresented and the voiceless, and by doing that, persists in working as a powerful testimony to what Christianity is about in its ecumenical solidarity. Last but not least, I appreciate UN Liaison Office and GPTR for offering this advocacy experience to reconfirm our solidarity as the people of God who, despite all kinds of differences, engage in the common journey of faith in the empire.

II. During this advocacy week, all of us were invited to breathe and think in a triangle room created by the three arms. Each arm is felt very precious and very heavy: global-ecumenical, UN, and advocacy in action. As we ponder on this challenge, it becomes clear that ecumenical advocacy is to take place at multiple levels and in multiple ways. It should happen at multiple levels such as global, regional, sub-regional, national, and local levels. It should also take place in multiple ways, both vertically and horizontally. A vertical traffic refers to the two ways, top down and bottom up, which signify a movement with a global initiative and a local response on the one hand, and a movement with a local initiative and a global response on the other hand. A horizontal traffic indicates the WCC dealing with the UN, the member churches and the NCC with their own national government, and the local churches with the local political entity. Ecumenical advocacy requires mutually-interlocking, multi-dimensional dynamics and methodologies. Yet one person or one organization cannot possibly engage in the whole repertoire with the same depth. Therefore we need each other as partners. The sense that we belong to one body with many members, whose head is Jesus Christ our Lord, makes our burden bearable (1 Cor 12:14; Eph 5:23). How would this complex body work? I don't know. Will our methodologies be successful? We don't know. But trusting God's guidance and drinking of one Spirit, we could travel together until the day our journey on this earth comes to an end.

It is beyond dispute that the prophetic challenge that the WCC poses to the 'principalities and powers' at the global level should continue and become stronger. To offer the discernment of the signs of the times to the power and international communities in season and out of season is an important ministry. We discussed many strategies to put this

challenge into practice: lobbying, monitoring legislative process and action, urging the implementation of resolutions, developing a national and multi-national campaign, and making use of media. I hope that all these strategies, that is, political, legislative, judicial, administrative, and public relations strategies, could be employed, as the WCC continues to practice this important prophetic vocation, working together with the international NGOs and the World Social Forum. Otherwise, the arrogance of the empire would get amplified, and the victimization of the poor and the vulnerable would get accelerated.

For the oppressed, the news of the existence and activity of the international group beyond the national boundary is something like the rain to the parched land, or the energizing emergency nutrient to the dying. To make solidarity visits, as 'Living Letters' do, and to invite the victims to give testimony to draw the attention of the international communities are very important prophetic work. The stories I heard here about the Pacific, Papua, Ecuador, Colombia, Congo and other countries, reminded me of the democratization movement in Korea during the 1970s and the 1980s. We Koreans felt isolated, as the military regimes tried to insulate the people from the world, frustrating our communication with the outside society. At that time, some ecumenical activists dared to pay solidarity visits, letting us know that there were international groups of people who cared about us and understood what we were going through. It gave us hope and empowerment. Another occasion to which the international pressure made a visible contribution in my own immediate context was women's ordination in the Presbyterian Church of Korea (PCK). The request for women's ordination was continuously denied for more than sixty years. The General Assembly finally passed it in 1995, when the voice for women's ordination became stronger. At that time, the letters from the outside ecumenical partner churches gave pressure to its patriarchal leadership. I hope that ecumenical solidarity and advocacy at an international level would strengthen itself for the sake of all those disfranchised people who are denied human dignity, the speech of freedom, and the right for self-determination.

Yesterday's mission trip was a good exercise of a two-tiered advocacy, both international and national. Our morning group met with the Korean ambassador, and we were glad to hear that Korea had just officialized its will to mitigate the GHGs emission by 30%. He also promised to support the political activities of the leaders of Pacific countries in the UN, and showed his awareness of the ecological ethics that the Korean companies should abide by in Africa. In the meantime, I expressed my personal disagreement to our government's developmental project of the four major rivers in the Korean peninsula, as it would disturb the ecological balance and well-being of both nature and local communities. This advocacy activity was a stimulating experience. I began to entertain an idea that theological schools or seminaries might attempt to make this kind of field activity, that is, real advocacy actions, part of theological curriculum in the area of practical field work, or something like 'public theology in action,' so that the theological students could have some first-hand experiences in the advanced advocacy process as part of their ministry and mission training.

III. My next reflection is about our relationship with the church as our base community which should financially support this kind of prophetic and apostolic mission and continue to reproduce ecumenical activists, just like all of you, of the future generation. Many of us indicated the potential and power of the church. Given the urgency of global situation, the church needs to be mobilized toward this prophetic work of advocacy. On Monday, Mr. Olav Kjørven, Assistant Secretary-General and Director of Bureau for Development Policy at the UN Development Programme, remarked that the present global crisis seems to have happened not just due to the wrong policy making, but because of its deeper origin, as human apathy, greed, and selfishness are its seedbed. He urged that the church should mobilize itself to engage in turning the tide in this global crisis, as from his perspective the church has the most powerful language to make a difference, but underutilizes its power. In passing he also mentioned a reconciliation process which is taking place between the former enemies, that is, the environmentalists and the conservative sectors of the church in the USA. This fence-mending process is underway because of a common understanding of the gravity and urgency of global crisis. When Mr. Kjørven expressed his hope in the local communities and the church, I could resonate with it. I would like to lay stress on two aspects in this connection.

Firstly, our reach-out attempt should be directed toward both outside and inside. We ecumenical Christians engage in 'wider ecumenism' with the vision of the peace and reconciliation of the world. The statistics tells that the 80%

of the world population has religious affiliation. Wider ecumenism seeks to reach out to the believers of other religions in order to enhance a mutual understanding and establish solidarity for building the global communities of peace and reconciliation. With the same vision, we ecumenical Christians also need to try to reach out internally or intramurally to 1.4 or 1.5 billion non-ecumenical Christians, who, along with over 560 million ecumenical Christians, would constitute about slightly less than one-third of the planetary total. In order to give shape to my own struggle in my context where I live together with non-ecumenical or conservative Christians, I coined a term, 'intramural ecumenism,' to designate this kind of internal reach-out effort. I often run into conservative Christians who remain so because they have never had a chance to hear the good news of ecumenism and participate in its practice. If ecumenical Christians don't take initiative in building an internal platform for an honest and prayerful dialogue, the religion of Christian majority could lend itself to the status quo uncritically, and legitimate it unwittingly or out of misplaced conviction, as it did in the time of colonization and slavery. Intramural ecumenism might start with opening up a dialogue. We might present factual evidence regarding the overall global crisis such as climate change, the environmental refugees, and the cases of the violation of human rights, explain the ecumenical strategies to respond to it, and ask what their own Christian responses to this situation are. In mutual listening a huge gap would appear, but we could begin from there and move patiently toward a dialogical relationship. Practical insights and wisdom will come up in the process. The basis of patience is the hope that if we recruit more Christians from our own base communities to work for the common good, we can give stronger voice to Christian aspirations for building the alternative world.

Secondly, the church has the power to serve as a vitalizing and organizing core for local communities. In Korea, some of small-size and mid-size churches have attempted to explore this possibility in both urban and rural areas and have proved their viability. In the churches that engage in the life of grassroot communities at various levels, *minjung*¹ could reclaim their God-given human dignity as the subjects of history. Christianity also has the potential to build an international local-to-local networking. For instance, some Christian communities in Korea, which practice life-giving agriculture, develop alternative energy, and explore alternative schooling, are devoted not only to serving the rural villages where the old and the poor constitute the majority, but also to sending their own missionaries to the rural areas of other Asian countries to help the local residents to develop economically autonomous life style. These Christians don't insist upon forming the church itself, but I heard that it often comes later naturally. This kind of attempt can make the grassroot Christian communities the place of hope for *minjung*, and build a networking for an alternative globalization that focuses on fostering the community life in a non-market way. In this vein, it is noteworthy that the church in Korea seems to have the potential of hewing a new path for peace and reunification through a promotion of the sharing and the relationship building between the North and South local communities. For instance, a church in Jeju Island in South Korea played a key role in the local efforts of sending boxes of tangerine to a village of North Korea as a sign of solidarity since the late 1990s. As the church and the related local communities did not stop what they had been doing even after the critical IMF crisis hit the economy of South Korea, the North Korea village was touched by Jeju communities' genuine spirit, and invited 250 local people. They visited North Korea via a direct air route between Jeju (South Korea) and Pyongyang (North Korea) in 2002. All together, these examples of local, local-to-local, and international networking activities among grassroots communities, with the church or Christian groups as their dynamic major servants, are the testimonies to the potential of Christianity to be utilized for sustaining local communities and for envisioning an alternative globalization that is decentralizing.

IV. If our hope for the renewal of the church could come true in reality, a number of awakening methods are to be utilized. We grope for the ways to overcome the reluctance and hesitations of the church to engage in prophetic advocacy. Above all, we need to provide a meaningful and relevant biblical interpretations to help the church understand its own identity and vocation more fully, and to promote its commitment. I am fully aware of the ambivalent function of the Bible. The Bible could function as the 'most dangerous book in the world.' It did function as such sometimes in the past. I agree with the people who pinpoint some negative meaning field in the Bible which perpetuates the exclusion of indigenous people, the collusion of the Bible with the building of the empire, and the role of the Bible to legitimate the rule

of masters. At the same time, however, it is also true that history has witnessed to the transforming power of the Bible. We don't have time to explore what kind of hermeneutics it would take to deal with this ambivalence of the Bible. I just would like to revisit a well-known saying that we can't throw out a nursery of babies when throwing out bath water. The Bible is to be constructively engaged for the renewal of the church and its mobilization in the cause of prophetic advocacy.

I think that one of the commonalities of the story of the people of God in the Bible and the story of the people of God in the 21st century is the imperial framework. As you know, the story of the people in the Bible evolves along with the rise and fall of the empires such as Assyria, Babylon, Persia, Hellenistic Kingdoms, and finally the Roman Empire. Jesus was crucified by the Roman soldiers. Although the cross and crucifixion came to be used metaphorically to signify a personal surrender to one's own mission or the transcendence of the old self, the bottom line is that crucifixion was historically the most horrible punishment of those who threatened the status quo of the Roman Empire and resisted against it. The story of the Bible is in a sense about the journey of faith to create an alternative space and culture of life in the empire, and I think that all of us are participating in the 21st century version of the same journey.

Not only the imperial framework, but also many inspiring texts and themes deserve our exploration. Let me visit just one biblical topos which offers a new appreciation of the church's identity and the work of the Holy Spirit. Acts 2 narrates a tale about the birth of the church. We all know that the first church in Jerusalem was the community of the Holy Spirit. However, it has been customary to focus almost exclusively on the miracle of speaking tongues. Yet to lay exclusive stress on the miraculous workings of the Holy Spirit does not exhaust the rich repertoire of the Spirit. The Holy Spirit not only grants spiritual gifts and performs miracle, but also energizes the community to live up to the alternative prophetic vision. The first church "had all things in common; they would sell their possession and goods and distribute the proceeds to all, as any had need" (Acts 2:44-45). The economic sharing was also practiced internationally when the church in Antioch decided that each would send relief to the believers in Judea, when the latter suffered from a severe famine during the reign of Claudius (Acts 11:27-30). These proto-churches, responding to the needs of the others, embodied an economic alternative which stood in stark contrast to the dominant economic norm of limitless individualistic accumulation which disconnects the human relationship. The first faith communities, full of the Holy Spirit, operated on the basis of compassion. Their prophetic spirituality was characterized by the sensitivity to the needs of others. The religion of apathy, greed, and arrogance was simply not there. This kind of a transformed life and practice of the community is the true miracle that the Holy Spirit performs. As a large portion of Christians is nowadays Pentecostal and the contemporary theological emphasis tends to be more given to the importance of the Spirit, the prophetic aspects of the biblical portrait of the church as well as that of the Holy Spirit need to be more explored and disseminated across numerous sectors of Christianity.

One of the crucial conditions for the renewal of the church would be the theological education. Along with relevant biblical interpretations, appropriate theological perspectives and resources as well as platforms of discussion and reflection are to be developed and provided to the church if we want to overcome the stagnant state of the church regarding prophetic advocacy. If ecumenism means unity in action for 'life,' it follows that we need to develop the 'theology of life' as well as the 'spirituality of life' to formulate the relevant theological and spiritual education for the 21st century ecumenical activity. If we understand life as an all-embracing space and a web of interrelated beings, the theology of life and the spirituality of life are to be characterized by an ecological sensibility of relationality which goes beyond anthropocentric obsession and fosters the respect for the rights of other life forms. They should also envision the restoration of relationship and connectedness among all human beings. As the broken human relationship reveals itself most pungently in the voices of victims injured by the social injustice, we need to develop the "theology of victims" which would build on their testimonies, stories and prayers, and to make it indispensable in the process of constructing the theology of life and cultivating the spirituality of life. The Christian traditions would provide rich resources to mold them, but the other cultural and religious traditions are to be consulted to find a broader fertile ground to foster a planetary life. The understanding of life and its expression could differ in each context. Therefore it would be of great help to share and exchange useful theological resources, arising from our immediate contexts, through a networking of theological institutions.

V. Finally, I would like to take some minutes to tell my own personal story in the Korean context. While many churches in Korea are imbued with the gospel of prosperity, Christianity in Korea has a strong tradition of prophetic witness. Firstly, Korean Christianity played a key role in the historic March-First Independence Movement in 1919 against Japanese imperialism. Secondly, during the latter half of the 20th century, Korean Christianity actively participated in the democratization movement and the human right struggles. Thirdly, the prophetic tradition of Korean Christianity manifests itself in diverse trajectories in the contemporary society. An example is life-fostering movement in both urban and rural areas which is initiated by Christians. A number of former *minjung* church ministers and activists have now settled down in the rural area, doing organic and natural farming and practicing life-giving agriculture. I have an altar-decoration piece, all made of recycled fabric, displayed on the wall of this hall. It was made by a woman minister, Rev. Hooim Park, who used to work for a *minjung* church consisting of the poor women and children in the urban area in the 1980s and the 1990s and now settled down in a rural area, practicing natural farming. She is now preparing for the basis of alternative community of Christian activists who want to join her gradually in the future. We also observe the counterpart attempts in the cities. This kind of life-fostering movement is the expression of Korean Christianity responding to the ecological and economic crisis at both national and global levels, synchronically speaking. It is also the demonstration of a continued prophetic tradition of Korean Christianity in the 21st century, diachronically speaking.

But I found it problematic that the trajectory or the manifestation of this precious prophetic tradition was not cherished by most of the churches in Korea. And I also found it troubling that even though the PCK began to campaign for a Decade of Fostering Life in 2002 as a Korean implementation of the WCC's Decade of Overcoming Violence, it was not fully understood and practiced by local churches and presbyteries. I realized that without raising the awareness among ministers and theological students at first, no paradigm change could happen. As a teacher in a local seminary of the PCK, I felt that it was an imperative to offer a required course to the ministry candidates that would help them to come up with their own philosophy of ministry in tune with this important tradition and movement. The entire faculty agreed to my proposal to offer a required course titled 'Ministry and Mission for Life,' and decided to open this class for the second-year M.Div. students. As a chair of the preparatory committee, I found rich human resources at both local and national levels. We invited activists from diverse sectors such as environmental movement, groups working for migrant workers and multi-cultural family, groups working for peace and reunification, groups working for North Korea refugees, social welfare expert groups working on urban poor and suicidal prevention, special education expert groups working for the disabled, counseling expert groups, alternative local-economy building movement, and alternative life-giving agriculture movement. The preparatory committee also invited local ministers to participation in this process and asked them to give voice to their own field theology of ministry for life, keeping in mind this broad framework of diverse prophetic activities, most of which might be called advocacy work for the marginalized.

It took 2 years to complete the preparatory process, and I was proud of the fact that one of the small schools in the PCK made this transformation of theological curriculum possible. In February this year, I went to see the General Secretary of the PCK to ask him to give a sermon at the worship which would celebrate the launching of the "Ministry and Mission for Life" as a required course for the M.Div. students. On that day, on my way home, full of happiness and thankfulness, I received a call to come to a committee meeting of the board of trustees, and I did. I don't want to go into the details. At that night, I found out that the board meeting decided to reject the extension of my contract. I was fired. Of course they have the right to do that but only with a proper procedure and the appropriate reason. There was no proper procedure to respect my human right, and the reason they presented was a carefully designed scheme which would bring flagrant social disgrace to me and which I couldn't understand nor accept. It happened only one week before the spring semester would begin and my classes were abruptly canceled. They wanted to evict me out of the office. The worst part was their threats and intimidations. I couldn't believe my ears. In shock over this nonsense violation of human right at the university level in the democratized Korea and at the Christian institution, I lost 5 pounds within only a few days and later suffered from retinal bleeding which blocked my vision. In comparison to the stories I heard here, my experience is merely a tempest in a teacup. But at that time it was very scary. At first, I just didn't want to deal with this kind of local power

group and was ready to leave. But soon I realized that it was not a matter of job, but a matter of justice, and that I needed to live up to what I had been teaching to my own students. Gradually I came to find that my case was the beginning of the things to happen later to other members of the faculty. Some of them had been trying to transform the institution at the risk of a confrontation with the bureaucratic minions of the powerful, embedded in the school structure, who prevent a proper communication between the faculty and the board of trustees. Later I learned that I was chosen because they wanted to make an example of me, the sole woman professor in the faculty, because I don't have a local root, and because my voice and activities irritated this tiny undemocratic but very powerful group of local patriarchs.

I decided to fight back. My lawyer and others told me that my case would win 100% legally, but that reinstatement might take three to ten years on the basis of precedents, and especially because this present government supports the return of the conservative ownership of the university which prefers a dismissal of progressive thinkers. I had to make myself ready for that. Then I wrote a letter for my family, friends, students, and those concerned, which explained why my classes were abruptly canceled and why I couldn't accept the decision of the board meeting, and posted it to the school's website. More than two thousand people read it, and I became a beneficiary of unexpected advocacy by my students, colleagues, ministers, the General Assembly of the PCK, and Christian civil society. Even my Korean American friends living in NY wrote for me, and a Korean WCC staff, Rev. JuSeup Keum, wrote for me from Geneva. And a miracle happened. The local, national, and international advocacy posed such a pressure to the board of trustees that they decided to withdraw their decision and reinstated me at the end of April. I heard that this kind of quick reinstatement in two months is unprecedented in what I might jokingly call the history of the reinstatement fight of fired professors in Korea. To speak frankly, I cannot say that I have completely recovered from this trauma, both physically and psychologically. At the same time, it is also my confession that I witnessed to and experienced a miracle performed by people's advocacy. Despite the harsh reality in which I need to practice my own share of 'intramural ecumenism,' I am more optimistic than pessimistic, as I have many reasons of hope because of the solidarity among the people of God.

What is advocacy? From my own experience, advocacy is a sign that God of truth and compassion is still alive and that I am not alone in the wilderness. Advocacy is something that takes place when people who care enough to act exist somewhere. Advocacy is a blessing that comfort those who are mourning and lamenting in the dark night of soul. Advocacy is an energy-giver that enables the victim to take courage to speak and fight a good fight. Advocacy is a bridge-builder that establishes the everlasting relationships among people.

Please allow me to conclude my speech with the words of the Bible: "Now faith is the assurance of things hoped for, the conviction of things not seen"(Heb 11:1); "Let us not grow weary in doing what is right, for we will reap at harvest time, if we do not give up"(Gal 6:9). I look forward to seeing you in Busan, the venue for the 10th WCC Assembly, in 2013. God bless you. Thank you.

World Council of Churches
Fifth Annual United Nations Advocacy Week
Friday November 20, 2010
Closing Keynote
Paul Divikar

An Advocating Church

1. Dalit reality – 167 million in India (2001 census) facing 'Hidden Apartheid' in the largest democracy of the world, through an entrenched system of hierarchy and discrimination. It continues virulently even today as I speak.
 - a. Segregation - housing, dining and marriage
 - b. Discrimination in access – Education, livelihood means, civic amenities and social relationships
 - c. Denial of access – employment, housing, capital and labour markets
 - d. Restrictions in behavior – marriage, dress code, usage of civic amenities
 - e. Violence as backlash on assertion – 24,500 crimes of serious nature per year (conservative estimate by Govt of India) ranging from verbal abuse and extreme humiliation of naked parading, tonsuring, forcing people to eat human excreta, urine to sexual assault, battery, torture, rape, murder and lynching,
2. Apart from this the cultural and economic rights have denied and gross violations like land and housing rights, denial of employment opportunities, demonising the culture, criminalising the youth, denying right to protest and naming them as terrorists continue to day despite the facade of constitutional measures, laws and 'progressive policies' in vogue.
3. Church in India is identified as a Dalit Church except in Kerala and North East states and a large proportion of membership from Dalit communities. A Positive aspect. This has resulted in Dalits gaining an 'inner liberation', being made in the image of God, accepted fully and eligible for free entrance to 'heaven'. Church is an inner sanctuary for Dalits in India.
4. A challenge – the institutions which dehumanise Dalits, and the violence against Dalits that is freely unleashed when Dalits gain a descent living, that is not challenged. The theology and the leadership have connived to keep the Dalits from challenging the forces that dehumanise and exclude from communion with the rest of the society and creation is not regarded as the mission of the Church.
5. The Dalit concerns are seen as physical depravations on the one hand or esoteric and transitory identities which will be resolved in the world to come or the 'other world'. Therefore a charity approach is taken.
6. There was a shift in perception when an initiative by Christian and non-Christian human activists decided to challenge these external structures which perpetuate contemporary forms of slavery and crimes when they are challenged.
7. Launching a massive local, national and international action and advocacy we mobilised secular forces. Christian church outside of the country was the first to see this as a mission of the Church and has strengthened this. WCC and LWF extended intense support at the UN bodies. Church in India is still struggling to deal with this internally and to further strengthen this internally.
8. Within a short time, during the WCAR – Durban conference, it became one of the most visible issue paving way to several UN bodies like CERD having a thematic discussion and a General Recommendation passed, appointment of two Special Rapportuers, Drafting of UN Principles and guidelines for Elimination of

Discrimination based on (Caste) Work and Descent. We are now working towards bringing about a Declaration for Elimination of Discrimination based on Caste.

9. This is only the beginning! There is lot of work within the states and at the national level apart from within the congregations that needs to be taken up. The Challenge before us is how to make this an institutional priority for Church in India. Do we have a theology which can accompany dalit and IP and other vulnerable communities in India to challenge these institutions and bring peace and justice?
10. Strategies differ from the religio-cultural settings of each of the countries and the societies we represent. There many of us here who have Christianity as a major cultural setting. There are some others that Christianity and Christian culture is regarded as a minority in other parts of the world that we come from. And here the strategy for Church needs to be different. In both these cultural settings the Churches have critical responsibilities – what are the nuances? Intersectional – a critical focus on the work – IP, Climate Change and extreme conflict and human rights violations. Intersectional and the layers of exclusion that gets caught in the invisibility of the violations that take place.
11. WCC has an important role in the advocacy. But has limited human resources. So we need to strategise our interventions. The people/representatives who are here may not represent the churches back home. There may be an animosity here, which needs to be addressed between the ecumenical thought and the congregational desire of how mission needs to be shaped. We need to have a new way of partnership so that Churches will have a creative partnership with the communities hurting. There is a human resource crunch which needs to be taken note of. At the same time we need to explore the possibility of volunteers who can be supported during the HR committees at the UN for advocacy preparations in the sessions. Is there a need to revive the 'urgent action appeals' going from the WCC. All this will ensure that we have a comprehensive strategic role for human rights interventions for WCC.
12. What is the member churches' understanding of the HR Advocacy and the role that WCC should take? Is there a shared understanding of what it should be? Would it have an educative role? *Post-Declaration* strategy for member churches need to be shaped and streamlined. How to get the goals realised. How to translate this into clear advocacy goals both at the UN (NYC, GVA) and also in the missions in the capitals where we are strong.
 - a. NEED TO have three streams flowing –
 - i. Theological stream as to how this can be translated into our teaching, workshop and interpretations within the Churches.
 - ii. Membership education and mobilisation on how to proceed with the churches.
 - iii. Sharp advocacy strategies both for policy implementation and breaking impunity as well as bringing a change in policy to address the challenges we are facing.