

On Indigenous people's rights

Various European countries host indigenous people and almost all countries in Europe interact with indigenous people in other parts of the world, for example, through the exploitation of natural resources or when giving development aid. Indigenous people are among the most impacted people in the world by climate change. And yet they are rarely consulted on the matter. The question of their rights is hence also a European matter. Unfortunately, though Europe has achieved tremendous progress in defending individual and collective rights, the situation of indigenous people has scarcely improved. The following examples represent the diversity of the issues at stake.

For example, in New Caledonia, France, many rights have been devolved to the Kanak people under an ongoing process that started after the Nouméa agreement of 1998 that ended a period of revolts. A self-determination referendum should take place before 2018. However, as a UN Human Rights Council report from 2011¹ stresses, mining and fishing still threaten the Kanak culture. The rights and customs of other populations of Pacific Islands under French administration such as for example Tahiti or Wallis and Futuna are also recognized.

In Guyane, France, a recent parliamentary report by Aline Archimbaud and Marie-Anne Chapdelaine² shows that suicide rates among young Amerindians is ten times higher than in the rest of the region. Ameridians have little access to drinkable water, electricity, health care or education, face constant racism from other inhabitants or even local authorities and have no specific representation.

In Northern Europe, the Sámi people, whose traditional land, Sápmi, is now divided between Finland, Norway, Russia and Sweden, have no right over land, water and natural resources. Though once prosperous reindeer herders and merchants, they have been subject to a harsh process of colonisation, which nearly led to their complete disappearance. Since 1973, some efforts have been made to ensure the Sámi people their rights and to preserve their rich culture, but the situation is far from satisfactory in any of the four countries. Forestry, mining, oil drilling and fast growing tourism are very detrimental to the Sámi livelihood.

None of the four states guarantee sufficient access to education in the Sámi languages. Though Sámi Parliaments have been established in Finland, Norway and Sweden, these institutions have too little power of self-determination. The official representation of the Sámi in Finland, the Sámi Parliament, is threatened by the possibility of opening up voter status in the Sámi Parliament to a large number of ethnic Finns. Should this come true, the Sámi in Finland would be in danger of being assimilated into the majority population. Finally, it is sad to see that so little is being done to stop the recent outburst of racist attacks against Sámi reindeer herders, especially in Sweden.

It is high time to allow Sámi reindeer herders to roam across state borders within Sápmi.

Sápmi was divided by nation state borders, which hindered migration-based reindeer herding. The border agreement between Denmark and Sweden in 1751 included a protocol called Lappekodicill, which safeguarded the continuation of Sámi rights on both sides of the newly adopted border. The principle of allowing the Sámi to use reindeer pasture across all of Sápmi in spite of the nation state borders is one of the legal principles in the proposed Nordic Sámi Convention submitted to the Nordic governments in 2005. Right now the aforementioned Sámi reindeer herding is most threatened in Finland.

¹ <http://www.ohchr.org/Documents/Issues/IPeoples/SR/A-HRC-18-35-Add6.pdf>

² <http://www.ladocumentationfrancaise.fr/var/storage/rapports-publics/154000882.pdf> in French

As former colonial powers, as well as owners of transnational extractive companies and contributors to international development aid, all European states have a responsibility to improve the situation of indigenous people.

In the international community, indigenous people's rights are defined by the United Nations Declaration on the Rights of Indigenous People³ (UNDRIP approved in 2007) and the Indigenous and Tribal People's Convention⁴ of the International Labour Organisation (ILO 169 in force since 1990). However, the UNDRIP is not legally binding and the ILO 169 has not been ratified by enough countries to get the strength it would deserve. Most central and southern American countries have ratified it but only Norway, Denmark, the Netherlands and Spain have done so far in Europe. The ILO 169 may not solve all the problems of the indigenous people but it is important to have it universally ratified and turned into a broad international reference.

In agreement with the Global Greens Charter, which recognises indigenous people's rights, the European Green Party calls on all European countries to ratify the ILO 169 convention and fully supports the green Minister of Sámi Affairs of Sweden, Alice Bah Kuhnke, in doing so.

Aware that the European Union, not being a state, cannot ratify the ILO 169, the European Green Party asks Green MEPs to work on a European charter, similar to the Charter of Fundamental Rights of the European Union or the European Charter for Regional or Minority Languages, dedicated to indigenous people's rights. This new charter should reflect the essence of the ILO 169 and protect all indigenous people living in European countries but also affect European development aid and extractive companies.

The EGP believes that indigenous peoples should speak for themselves, including within the green movement. The EGP encourages its Finnish, Norwegian and Swedish member parties to strengthen their bonds with the Sámi people as well as the French greens with the Ameridian people of Guyane and the Kanak people, and to help them to improve their rights and abilities to survive culturally and economically. More globally, the EGP supports local struggles led by these communities, and encourages the involvement of indigenous people in the climate negotiations.

³ http://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf

⁴ http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C169