

---

## [Indigenous Peoples on the road to justice](#)

Indigenous Peoples have achieved a major victory at the United Nations level. After more than 20 years of negotiations, on September 13 the United Nations General Assembly finally adopted the United Nations Declaration on the Rights of Indigenous Peoples.

The vote won with an overwhelming majority of 143, and it is important to name –and shame- the governments of the only four countries that voted against: Australia, Canada, New Zealand and the United States. These governments, that pretend to be promoting human rights worldwide, have thereby shown that they are unwilling to even acknowledge those of indigenous peoples in their own countries.

Although not a legally-binding instrument, the Declaration constitutes a very important step forward, that sets out the individual and collective rights of indigenous peoples –numbering some 370 million people- as well as their rights to culture, identity, language, employment, health, education and other issues.

There are of course major obstacles for the implementation of this instrument and, as UN General Assembly President Sheikha Haya Rashed Al Khalifa herself warned “even with this progress, indigenous peoples still face marginalization, extreme poverty and other human rights violations.”

Which brings us to the second victory that we would like to share: that of the indigenous Tupinikim and Guarani peoples against giant pulp producer Aracruz Cellulose in Brazil. For over 40 years, their lands had been in the hands of Aracruz –a Norwegian-Brazilian company- that destroyed their villages, evicted them from their territories, cut down the forest and converted the land to eucalyptus plantations. After decades of struggle, on August 27 the Minister of Justice finally recognized these lands (14,277 hectares) as belonging to the indigenous peoples.

It is important to underscore that Aracruz’s occupation of those lands had been illegal and in violation of the Brazilian Constitution regarding indigenous peoples’ rights to their territories. However, the economic and political power of the company managed for years to make the state ignore this. Only the long struggle of the Tupinikim and Guarani, supported by a large number of organizations in Brazil and abroad finally forced the state to comply with its own legislation.

The details of their struggle are summarized in the articles below, as a means of sharing their experience with the many other peoples fighting for their rights. At the same time, it is useful to highlight -in the context of the recently approved UN Declaration- that even the most legally-binding instrument –the National Constitution- was in this case only adhered to as a result of the peoples’ struggle.

This means that Indigenous Peoples still face enormous challenges to ensure that their rights are fully respected and that governments comply with the UN Declaration on the Rights of Indigenous Peoples. But these two victories –one at the international and the other at the local level- prove that victory is possible. It is time for celebrating!

---

-- Full text of the United Nations Declaration on the Rights of Indigenous Peoples

[http://www.bmf.ch/files/news/UN\\_Declaration\\_Rights\\_of\\_Indigenous\\_Peoples.pdf](http://www.bmf.ch/files/news/UN_Declaration_Rights_of_Indigenous_Peoples.pdf) --