

NIBUTANI DECLARATION OF THE 2008 INDIGENOUS PEOPLES SUMMIT IN AINU MOSIR

INTRODUCTION

Iramkarapte – “Let me touch your heart softly in greeting” in the Ainu language.

We, Indigenous Peoples from Japan and around the world have gathered in Ainu Mosir, known as Hokkaido, Japan, in the traditional land of the Ainu people, for the 2008 Indigenous Peoples Summit in Ainu Mosir in advance of the G8 Summit in 2008. We represent over 600 participants from Ainu Mosir (Hokkaido), Uchinanchu (Okinawa), the United States, Canada, Hawai'i, Guam, Australia, Bangladesh, the Philippines, Norway, Mexico, Guatemala, Nicaragua, Taiwan, and Aotearoa (New Zealand).

We are united as Indigenous Peoples because we share each other's fundamental values and understandings of our place in the world which includes our reciprocal relationship with nature. The theme of our summit is Mawkopirka which means in Ainu “Good Luck” or “Be Happy,” and which underscores our Indigenous values and notions of well-being, and illustrates the good faith in which we approach this Summit and all the peoples gathered.

This is the first time that we, Indigenous Peoples, have gathered around a G8 Summit, to reflect on the issues addressed by the G8 and analyze how these relate to us. This Summit was made possible by the Ainu through the Indigenous Peoples Summit Steering Committee and we thank and congratulate them for their commitment and work to make this happen.

With our collective wisdom and knowledge we discerned and agreed on the key messages we would like to relay to the G8. We learned more about the situation of the Ainu and about each others situation and aspirations. We are also gathered to celebrate the adoption of the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) on September 13, 2007 by the United Nations General Assembly. This is a historic landmark and a collective achievement of Indigenous Peoples movements from the local to the global.

We welcome the “Resolution calling for the Recognition of the Ainu as Indigenous Peoples of Japan” passed by the Japanese House of Councilors and the House of Representatives on June 6, 2008, and accepted by the Prime Minister's office also on June 6, 2008. We celebrate this gain with the Ainu people which results from their centuries' old struggle.

OUR ISSUES AND CONCERNS

We want to express our profound concern over the state of the planet. Mother Nature nurtures us. We believe that the economic growth model and modernization promoted by the G8, which suggests that we can control and dominate nature, is flawed. This dominant thinking and practice is responsible for climate change, the global food crisis, high oil prices, increasing poverty and disparity between the rich and the poor, and the elusive search for peace, the themes which the G8 nations precisely want to address in this Hokkaido Toyako Summit. Some of our issues and concerns are the following:

- Continuing egregious violations of our civil, political, economic, cultural and social rights.
 - Militarization of our communities, arbitrary arrests, extrajudicial killings of indigenous activists and use of national security and anti-terrorism laws to criminalize legitimate resistance actions against destructive projects leading to increasing conflicts in our territories
 - Grabbing of our lands by the state, corporations and landlords
 - Continuing racism and discrimination against us and against our use of our own languages and practice of our cultures
 - Non-recognition of our collective identities as indigenous peoples
 - Theft of our intellectual property rights over our cultural heritage, traditional cultural expressions and traditional knowledge, including biopiracy of genetic resources and related knowledge.
 - Desecration and destruction of sacred and religious sites.
- Adverse impacts of climate change and actual and potential negative effects of climate change mitigation measures which include:
 - Displacement from our lands because of expansion of biofuel monocrop production, establishment of carbon sinks in our forests, building of more large scale hydro-electric dams.
 - Market-based mechanisms such as emissions trading leading to more centralized, top down management of our forests under the reduced emissions from deforestation and degradation (REDD) scheme.
- Food crisis and increasing hunger due to:
 - Decreased control and access to sources of subsistence (forests, hunting grounds, agricultural lands, waters, grazing lands, etc.) and basis of traditional livelihoods.
 - Dumping of highly subsidized, cheap agricultural products from the rich countries to the poor countries.
 - The shift away from production of food crops to crops for biofuels
 - Hoarding and speculation on food commodity prices

- Aggressive promotion of chemically intensive industrial agriculture and use of genetically-modified seeds
- Increased extraction of oil, gas and minerals from our territories, in violation of our free, prior and informed consent, leading to more environmental degradation, forced displacements and poverty in our midst.
- Increasing loss of indigenous languages and cultures decreasing further the cultural and linguistic diversity of the world.

OUR PROPOSALS TO THE G8

It is in our values of reciprocity, mutual respect, regard for the earth as our mother and all creation as our relatives, collectivity and solidarity; in our indigenous cosmologies and philosophies; in our traditional livelihoods, lifestyles and sustainable consumption practices that we can find the most effective paths to a sustainable world. We sadly note that these values and practices are being marginalized in a highly commercialized, consumerist, atomized and individualistic world when they could instead be a guide not only for Indigenous Peoples but for the rest of humanity.

We therefore call on the G8 to do the following:

1. Effectively implement the United Nations Declaration on the Rights of Indigenous Peoples and use this as the main framework to guide the development of all official development assistance (ODA), investments and policies and programs affecting Indigenous Peoples.
2. That the Governments of Canada, the United States and Russia, respect the demands of the Indigenous Peoples in their countries that they adopt the UN Declaration on the Rights of Indigenous Peoples, and press the Governments of New Zealand and Australia to do likewise.
3. Ensure and facilitate the effective participation of Indigenous Peoples in all the processes of the UN Framework Convention on Climate Change (UNFCCC) and establish a Working Group on Local Adaptation and Mitigation Measures of Indigenous Peoples.
4. Jointly assess and evaluate with Indigenous Peoples the adverse impacts of climate mitigation measures on them and their communities and undertake actions to address these.

5. Remove, as part of renewable energy sources, large hydro-electric dams and stop all funding for these. Reject proposals to include nuclear energy as clean energy.

6. Promote and support the development of small-scale, locally-controlled, renewable energy projects using the sun, wind, water and ocean tides in our communities through technical and financial assistance.

7. Reform migration laws to allow for the migration of Indigenous Peoples who are forced to leave their countries because of the impacts of climate change, such as the submersion of small-island states and low-lying coastal areas, the erosion and destruction of their lands due to melting of permafrost, strong typhoons and hurricanes, and desertification due to droughts.

8. Provide financial support for our campaigns to get corporations and national governments to compensate us, through financial and other means, for the environment services (clean air, clean water, fertile soils, etc.) we are providing to the world because of our sustainable management and use of our forests, watersheds, and our conservation of biological resources to ensure maintenance of biodiversity.

9. Protect, respect and ensure our rights to food, to subsistence, to practice of our traditional livelihoods, and to self-determined development. This means the following;

- Ensure our control and access to our sources of subsistence and traditional livelihoods such as rotational agriculture, pastoralism, hunting, gathering and trapping, high mountain agriculture, marine and coastal livelihoods, handicraft development, etc.
- Stop the dumping of cheap, highly subsidized agricultural products in our communities.
- Implement a moratorium on the expansion of biofuel production on our territories unless our free, prior and informed consent is obtained.
- Strictly regulate speculation on food commodity prices.
- Criminalize hoarding of food by food cartels and syndicates.

10. Stop the promotion of chemical-intensive industrial agriculture in our communities and the dissemination of genetically modified seeds in our territories. The continuing use and export of banned toxic chemicals, fertilizers and pesticides to Indigenous communities, especially in the developing countries should be banned and criminalized.

11. Stop facilitating the entry of transnational corporations involved in extraction of minerals, oil, gas, coal, etc. in our communities without

ensuring that the free, prior and informed consent of the affected communities are obtained. Corporations from G8 countries which have been involved in environmental destruction of our territories and who have committed human rights violations against us should be brought to justice and should be required to compensate the communities where they have polluted or otherwise caused damage.

12. Support our campaigns against the militarization of our communities, extrajudicial killings and stop the labeling of Indigenous activists as terrorists and the use of laws such as national security acts and anti-terrorism to curtail our legitimate resistance against destructive projects and policies.

13. Support, through technical and financial assistance, our efforts to bring our complaints against States, who are violating our rights, before the Treaty Bodies of the United Nations, the regional commissions or courts on human rights such as the Inter-American Court of Human Rights, the African Commission on Peoples and Human Rights, and the European Commission on Human Rights.

14. Support the inclusion of UN Declaration on the Rights of Indigenous Peoples in the ASEAN (Association of South East Asian Nations) Charter on Human Rights and ensure that this becomes an integral part of the newly established ASEAN Commission on Human Rights.

15. Provide support for establishing more cultural centers and museums in our communities, and for educational institutions and programs promoting intercultural and bilingual education, use of Indigenous learning and teaching methods – including education through the traditional oral mediums of Indigenous Peoples and through honoring local ways of learning and knowing – as well as language courses to teach Indigenous languages.

16. Give effect to the protection of Indigenous Peoples' sacred sites in recognition of their human rights and intergenerational responsibilities to practice, teach, and maintain their spirituality and indigeneity through their traditional languages, customs, ceremonies, and rituals to ensure the continuity of the sacred in the futures of those yet to be born.

17. Stop the theft and piracy of our traditional Indigenous knowledge, traditional cultural expressions (which include indigenous designs, arts, crafts, song and music), bio-genetic resources including our human genetic resources, by biotechnology corporations, cultural industry, and even by States and individual scientists and researchers.

18. Reform national intellectual property laws and global Intellectual Property Rights regimes including the TRIPS (Trade Related Aspects of Intellectual Property Rights) Agreement of the World Trade Organization (WTO), the Substantive Patent Law of the World Intellectual Property Organization (WIPO), among others, to respect and protect the collective traditional knowledge and cultural expressions of Indigenous Peoples.

19. Stop nuclear proliferation and the use of depleted uranium as a weapon. Stop the dumping of radioactive nuclear wastes as well as other toxic waste in Indigenous Peoples' territories.

20. To strongly support the implementation of the Convention on the Elimination of Discrimination against Women in each nation, and to ensure that the marginalization of and violence against Indigenous women, minority women, and all other women will be stopped.

21. Remove US military bases located in Indigenous Peoples territories and bring to justice the military personnel who have been charged with rape and sexual assault of Indigenous women. The forced drafting and recruitment of Indigenous youth to the military should also be stopped.

22. To strongly encourage the Japanese Government, jointly with the Ainu community, to interpret the UN Declaration on the Rights of Indigenous Peoples for implementation in Japan as national law, and to further develop concrete actions and policy reforms to amplify and clarify the Resolution recognizing Ainu as Indigenous Peoples. We protest the fact that there is only one Ainu out of 8 persons included in the panel to discuss further the implementation of this resolution. We call on the Government to increase the number of Ainu representatives in the Panel.

PROPOSALS TO OURSELVES, INDIGENOUS PEOPLES

We also discussed what we should do as, Indigenous Peoples, to implement the UN Declaration on the Rights of Indigenous Peoples and to strengthen our solidarity with each other and with support groups and NGOs.

1. Establish a network of Indigenous Peoples to continue the task of organizing summits in connection with the G8 Summits in the future. Indigenous Peoples in Canada are encouraged to organize themselves so that they can host an Indigenous Peoples' Summit during the 2010 G8 Summit in Canada. We will also encourage the advocates of Indigenous Peoples rights in Italy to try to organize a summit for Indigenous Peoples at the 2009 G8 Summit in Italy.

2. Ensure that we, Indigenous Peoples all over the world, take up the responsibility to implement the UN Declaration on the Rights of Indigenous Peoples, themselves, and enter into constructive dialogue with States, the UN System and the other intergovernmental bodies to discuss how they can effectively implement the Declaration at the local, national, regional and international levels.
3. Use the UN Permanent Forum on Indigenous Issues, the Expert Mechanism on Indigenous Peoples' Rights, the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people, as mechanisms to monitor and ensure the implementation of the UNDRIP by the aforementioned actors.
4. Ensure widespread dissemination of the UNDRIP through the use of multimedia, the translation of this into languages understood by Indigenous Peoples, and the preparation of popular versions which can easily communicate the substance of the UNDRIP.
5. Work towards getting the UNDRIP integrated as part of the education curriculum of schools starting from pre-school to higher learning institutions.
6. Establish and replicate the experiences of the Maori and others in setting up language nests where Indigenous Peoples can learn how to speak fluently their languages to arrest the loss of indigenous languages in the world.
7. Organize and sponsor more education and training-workshops for our peoples where they can learn more about the UNDRIP, how to implement it and learn more about the existing instruments and mechanisms within the United Nations, the regional human rights bodies and courts on human rights where they may bring their concerns if the UNDRIP is not adequately implemented by States.
8. Establish international tribunals to hear and address Indigenous Peoples' issues and adjudicate issues which are not adequately addressed under domestic and international law.
9. Establishment of an Indigenous Peoples Green Fund to support the initiatives of

Indigenous Peoples to establish and strengthen their traditional livelihoods, their arts and crafts and other forms of development which are consistent with their visions of their self determined development.

10. Support the fundamental rights of Indigenous Peoples to practice and to enjoy their cultural history and the right to protect and to teach their cultural heritage through the establishment of Indigenous-owned and controlled cultural centres within states and local jurisdictions.

11. Support the struggle by Indigenous peoples for land justice and for the return of forests and traditional lands to the ownership and control of Indigenous peoples.

The implementation of the Declaration will not only benefit Indigenous Peoples but will also benefit the earth and the rest of the world. If we are allowed to continue practicing our sustainable ways of caring for the earth and caring for our relatives, not only human beings, but also plants, animals and all other living things, these practices will redound for the benefit of everybody. If we are able to continue speaking our languages and practicing our diverse cultures, then the world's cultural heritage will be enriched. If our diverse economic, cultural, spiritual, social and political systems are allowed to co-exist with other dominant systems then we can bequeath to our children and our children's children a more diverse and viable world.

Agreed upon on July 4, 2008 by the following representatives:

Asia:

Ainu (Japan): Ukaji Shizue, Kayano Shirô, Hideo Akibe, Shimazaki Naomi, Yûki Kôji, Sakai Mina,
Kibata Kamuisanihi, Kibata Hirofumi, Hitoresi (Kawakami Hiroko), Sakai Atsushi

Ami (Taiwan): Sing 'Olam

Igorot (the Philippines): Victoria Tauli-Corpuz, Chairperson of the United Nations Permanent

Forum on Indigenous Issues

Kanakana'ey (the Philippines): Joan Carling

Juma (Bangladesh): Dipty

The Pacific:

Chamoru (Guam): Fanai Castro

Hawai'i: Puanani Burgess, Puaena Burgess

Ngati Maniapoto (Maori, Aotearoa): Hohepa Rauputu

Ngati Ranginui, Ngati Tutwharetoa (Maori, Aotearoa): Zack Bishara

Nga Puhi, Ngati Kahu, Te Rarawa (Maori, Aotearoa): Eddie Walker
Ngai Tahu (Maori, Aotearoa): Steven Kent
Taranaki, Te Ati Awa, Ngati Maniapoto, Te Ati Haunui A Paparangi
(Maori, Aotearoa): Liana
Poutu
Uchinanchû (Japan): Nakaima Kenta
Yorta Yorta (Australia): Wayne Atkinson

Europe:
Saami Nation: Magne Ove Varsi

The Americas:
Maya Kachikel (Guatemala): Rosalina Tuyuc
Miskito (Nicaragua): Rose Cunningham
Nauha (Mexico): Marcos Matias Alonso
Cherokee (USA): Jacqueline Wasilewski
Comanche (USA): Ladonna Harris and Laura Harris (Americans for Indian
Opportunities)
Isleta and Taos Pueblo (USA): Ron Looking Elk
Jemez Pubelo (USA): Paul Tosa
Mohawk Nation (Canada): Ben Powless
Lakota Sioux (USA)
Sutikal'h Nation (Canada): Attila Nelson