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U.N. Report Chastises U.S. for Status of Native Population

By Carey L. Biron

WASHINGTON, Sep 20 2012 (IPS) - A top United Nations official has presented the first ever international investigation into the situation of indigenous peoples in the United States, urging the adoption of new policies and mechanisms to “address persistent deep-seeded problems related to historical wrongs, failed policies of the past and continuing systemic barriers”.

Based on research in the United States this past spring, James Anaya, the U.N.’s special rapporteur on the rights of indigenous peoples, presented his [final report](#) to the U.N. Human Rights Council (UNHRC) in Geneva on Tuesday. The process marks the first time that the United States has allowed an external body to formally investigate and comment on the situation of its indigenous communities, a notably sensitive issue.

Speaking before the council, Anaya stated that indigenous communities in the United States (also referred to as American Indians) continue to “face significant challenges that are related to widespread historical wrongs, including broken treaties and acts of oppression, and misguided government policies, that today manifest themselves in various indicators of disadvantage and impediments to the exercise of their individual and collective rights.”

The U.S. mission to the UNHRC has offered a formal response to the concerns raised, highlighting several new and recent government initiatives and policy changes.

These include a three-percent increase – to 19.4 billion dollars – in President Barack Obama’s budget request for 2013 in funding earmarked for indigenous communities, as well as changes under the country’s newly expanded health insurance legislation that would include a 29-percent increase to the budget of the Indian Health Service over 2009 figures.

(By deadline, the U.S. Bureau of Indian Affairs did not respond to requests for comment on the report.)

Yet the special rapporteur cautioned that “existing federal programmes need to be improved upon and their execution made more effective.”

Indeed, the 310 tribal-overseen “reservations” in the United States, on which about half of the 4.5 million-strong Native American population lives today, are sites of some of the country’s most grinding poverty. Some reservations see 66-percent unemployment figures, while rates of alcoholism are five times that of the rest of the U.S. population.

According to the most recent U.S. census statistics, a quarter of all Native Americans live in poverty and nearly a third lack health insurance, suffering from several health problems at far higher rates than the rest of the country. According to 2003 data, fewer than half of Native American youths were expected to graduate from high school.

Such marginalisation has led to rights abuses that advocates say have yet to be addressed by either the U.S. government – or, some suggest, by Anaya’s report.

“Although the special rapporteur failed to recognise the growing problem of human and civil rights violations among the indigenous people of the United States, I am not surprised,” John Gomez, with the American Indian Rights and Resource Organization, told IPS. “To acknowledge that the problem exists, and that the United States has taken no action to protect the rights of the individuals being persecuted, would expose the hypocrisy of the U.S. government and the current administration.”

Gomez says that U.S. policies in addressing rights violations abroad versus within its own borders are contradictory. “The indigenous people of the United States,” he says, “deserve the same type of action taken by the United States government to deter or quash cruel and unusual punishment ... on foreign soil.”

Centrality of land

Last week marked the fifth anniversary of the U.N.’s adoption of the [Declaration](#) on the Rights of Indigenous Peoples, which recognises a spectrum of indigenous peoples’ rights to self-determination and governments’ concurrent responsibilities. When it was passed, in mid-September 2007, the United States was one of only four countries, out of 143, to refuse to vote for its adoption.

In 2010, however, President Obama announced that the U.S. would reverse its position. At the time, the president stated that “few have been more marginalised and ignored by Washington for as long as Native Americans ... While we cannot erase the scourges or broken promises of our past, we will move ahead together in writing a new, brighter chapter in our joint history.”

Anaya’s report underscores the continued relevance of the declaration, and calls on the United States to use it as “an important impetus and guide for improving on existing measures”.

Further, the special rapporteur appears to take some issue with President Obama’s suggestion that little can be done to address the past. In particular, he calls on the U.S. government to take a new look at how it deals with the issue of traditional lands.

In May, at the end of his research trip to the United States, Anaya create a brief public furore by calling for the U.S. government to hand back traditional lands that now include Mount Rushmore, an iconic national memorial comprised of the faces of four notable U.S. presidents carved out of a massive cliff face.

Anaya revisits the issue in his official report, calling the Black Hills an “emblematic case”. While the federal government has initiated some projects to restore control by indigenous peoples over their traditional lands, “My central recommendation ... will be for there to be more of these kind of initiatives,” Anaya said in a short [video](#) released last week.

The land issue has been fingered as one of the main reasons behind the U.S. government’s initial reluctance to back the Declaration on the Rights of Indigenous Peoples, which recognises indigenous peoples’ rights to traditional lands and resources and urges states to give indigenous communities “legal recognition and protection to these lands”.

Public’s responsibility

While much of Anaya’s report focuses on U.S. government actions, there has also been a significant cultural marginalisation of indigenous communities within U.S. society as well, a lesser-discussed factor that nonetheless has broad impact.

“Two of the biggest obstacles to change are the stereotypes and misconceptions that exist about history and why things are the way they are today,” Helen Oliff, with National Relief Charities, a group that focuses on poverty among U.S. indigenous communities, told IPS.

“The people are simply looking for a level playing field – they’re not looking for an easy life but for equitable opportunity. Importantly, the report echoes the voice of the American Indian people, and is representative of what we hear and see through our work in Indian country.”

Anaya, too, highlights the need for a broader understanding in the U.S. of the realities, both positive and negative, of its indigenous communities.

“What really is needed is greater awareness by the broader American public of the vibrancy and continuity of these peoples within the American social political fabric, and the contribution that indigenous peoples make,” he says. “The larger public, from what I’m seeing, is by and large ignorant about the presence of indigenous peoples ... (and that) they face severe challenges.”

He continues: “With that awareness, people can take actions that are appropriate to their local circumstances.”

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