

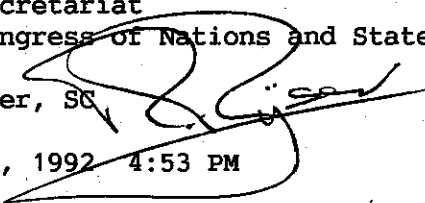
Center for World Indigenous Studies

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FILE. 965.001.02

MEMORANDUM

TO: Secretariat
Congress of Nations and States

FROM: R.C. Rýser, SC 

DATE: August 4, 1992 4:53 PM

SUBJECT: Initial Debrief: UN Working Group on Indigenous Populations Genève, Switz. Consultations - July 28 through July 31, 1992

This is an initial summary of meetings, consultations and communications conducted by A. Trebkov and R. Ryser on behalf of the Congress of Nations and States Preparatory Committee in Genève, Switzerland during the 10th Session of the United Nations Working Group on Indigenous Populations. This summary covers the period from July 28 through July 31, 1992.

The purpose and general outline of goals for meetings in Genève were first detailed in my letter of 16 July to A. Trebkov. These may be summarized as follows:

1. Meet with Undersecretary General for Human Rights and members of the UN Working Group on Indigenous Populations to discuss plans for the CNS and gain Human Rights Center support and assistance in the development of the Congress. As well, this meeting would seek to formally confirm the observer participation of the Working Group, Sub-commission and Commission in the CNS.
2. Deliver a public intervention under UN Working Group Agenda Item #8 informing the Working Group, and states' government and nations' delegations of the Russian government's decision to host the CNS.
3. Arrange and conduct individual meetings with states' delegations and nations' delegations to discuss in greater detail plans for the CNS. Conduct similar meetings with representatives of appropriate specialized agencies of multi-lateral organizations and representatives of NGOs.
4. Conduct a meeting between A. Trebkov and R. Rýser to review potential items on the first Preparatory Committee meeting planned for August, and discuss other matters requiring further clarification.

Meeting Summary:

1. National Delegation Meetings - Jul 28

2. West Papua Delegation, Mr. Viktor Kaisiepo

The delegation was introduced to the Russian proposed Congress of Nations and States to expressions of surprise and cautious satisfaction. The proposal was made that West Papua consider endorsing a plan where the twenty-two-year war with Indonesia be placed within the framework of the Congress of Nations and States for mediation. Initial responses were positive to a plan for mediation, however, doubts were raised that the government of Indonesia would participate. West Papua will consider the initial plan.

1. Jumma Delegation, Ramandu Dewan, Spokesperson

The delegation was introduced to the Russian proposed Congress of Nations and States to expressions of open satisfaction and enthusiasm. Documentation presented was accepted and will be conveyed to the Jumma leadership in the Chittagong Hill Tracts of Bangladesh.

2. Ainu Delegation, Mr. Tokuhei Akibe

The delegation was introduced in summary to the Russian proposed Congress of Nations and States with special emphasis on the notation that the government of Japan was being invited to sit on the CNS Preparatory Committee. Agreement was made to meet for a more thorough briefing.

3. Individual Experts Meetings - Jul 28

1. Glenn Morris, Professor of Political Sciences, U. of Colorado

The CNS plan was outlined in detail and received enthusiastic support. Professor Morris (a member of an Indian Nation in the U.S.) expressed the view that the Russian plan "is the next logical step." Interested in arranging international relations graduate student collaboration to assist.

2. James Anaya, Professor of Law, University of Iowa

The CNS plan was outlined to Anaya who is an Apache. He initially expressed enthusiasm for the CNS plan, but expressed doubts that it could generate "binding agreements." Expressed an interest in continued information about CNS developments.

4. R.C. Rýser and A.A. Trebkov Meeting (Item 4) Jul 28 8:00pm

1. Trebkov: "Nations" will be written as "small groups of people" in the Russian translation of the CNS documents. Russia will invite "250 delegations" with two members each.

2. Rýser: "We must come to closure on the use of terminology. The terminology must be consistent throughout all CNS communications."

3. Trebkov: Abdulahpov was the name given as the person who will head the Russian side of the conference.

4. Trebkov: Two meetings of the full Nationalities Committee have been conducted concerning the CNS since RCR left Moscow in June.

5. Rýser: Does the Russian side contemplate the possibility that the CNS will need to be convened again after the First Session? Trebkov: Russia is going to make a permanent committee from Russian side participants if

unresolved questions remain after December.

6. Trebkov: Will transmit by facsimile a list of recommendations for persons who could sit on [Working Groups] "the people who make speeches."

7. Trebkov/Ryser The working groups and protocol drafting systems was discussed in detail.

8. Trebkov/Ryser The Kommi expressed desire to enter into bi-lateral negotiations with the Russian government concerning oil reserves was discussed as a possible example of CNS mediated negotiations on a nation/state conflict. Trebkov expressed concern about nations complaining only about the Russian government and problems that are left from the USSR. The West Papua/Indonesia conflict was briefly discussed as another potential CNS mediated negotiation.

9. Trebkov/Ryser Consider "three way conflict" resolution within the context of CNS Preparatory Working Groups (i.e. Quechua/Sendero Luminoso/government of Peru, Kalinga-Bontoc/Red Peoples Army/government of the Philippines).

10. Trebkov All CNS meetings should be held in the same building so delegations with fewer than four members can participate in each of the proposed Commissions. Emphasis was placed on good organization and clear focus to achieve a productive Congress.

11. Ryser Question was raised about copies of formal invitation to Yakut-Sakha. Trebkov advised that Sakha was contacted by telephone by Karnilova. They did not receive a letter. Ryser suggested that communications ought to be formally written in future to help document the overall process.

12. Ryser A second letter should go out to Senator Daniel Inouye for his signature directed at Secretary Baker urging his acceptance of the Russian proposal for U.S. participation in the Preparatory Committee and his appointment of Bill Lavelle as the U.S. representative. Trebkov urged that this be done before Baker shifts to the U.S. White House from the State Department. Ryser indicated he will call Pat Zell in Senator Inouye's office and draft a letter for Inouye's signature. A copy of the letter will be sent to the Secretary of the Interior and the Chairman (Miller) of the House Interior and Related Agencies Committee.

13. Trebkov Meetings with the Russian Minister of Foreign Affairs have been conducted: "He was careful but promised help."

14. Trebkov Requested that Ryser think about how Russian President Yeltsin's trip to Japan in September can be used to strengthen Japan's (financial) commitment to the CNS. Possibly a member of the Russian CNS Host Committee will travel as a member of the Russian delegation to Japan. The CNS will be an item on the Russian Delegation's agenda with the Japanese Prime Minister and the Foreign Minister. A message must be placed before Yelstin immediately. Urged that the CNS Secretariat contact the back-door to the Japanese Foreign Ministry and Justice Ministry to promote the idea of CNS.

15. Trebkov/Ryser Germany's prominent role on the CNS Preparatory Committee may give pause to France and England. We must anticipate other state concerns. We ought to be prepared to meet with any nation or state delegation to reduce concerns.

16. Trebkov/Ryser Discussed arranging the intervention at the Working Group Session. Ryser urged that the submission be made from the "state table" on behalf of the Secretariat and the Russian government. It was agreed that a meeting with the Working Group Secretariat must be arranged by the Russian

Mission to ensure appropriate scheduling.

5. National Delegation Meetings - Jul 29

1. Ainu Delegation, Mr. Giichi Nomura & Mr Tokuhei Akibe

The CNS plan was delivered to the delegation with the request for AINU support and cooperation. Mr. Nomura is the elder leader of the Ainu Delegation with ultimate authority. He expressed interest in the Congress, but expressed concern that the Japanese government would oppose Ainu participation in the Congress. Initial agreement to work with the Secretariat in a cooperative way to help facilitate Japanese cooperation.

2. Sami Delegation, Leif Dunfield

The CNS plan was hand delivered to the delegation. Due to two weeks of holidays in Finland, the Nordic Sami Council office has been closed and explains why information about CNS and the Russian invitation had not been received. Expressed enthusiastic support and said "I will give the Council my highest recommendation." Sami will pay for its own expenses as a Preparatory Committee member.

3. Maasai Delegation. Moringe Parkipunny

The CNS plan was hand delivered to the delegation. Due to remoteness and some antipathy of the Tanzanian government toward the Maasai, information was not received. Expressed enthusiasm and strong support, and expressed the view that Maasai authorities will endorse and confirm participation on the Working Group. Will need some financial help to participate on Preparatory Body.

4. West Papua Delegation, Mr. Viktor Kaisiepo

Discussed the CNS plan in greater detail. Delegate expressed concern over possibility that all Papuan nations could be participants in Congress because the Indonesian government may impose strict prohibitions. This has been done before, for "security reasons." Request that the CNS consider methods for protecting national delegations that may be able to attend, since there is a real problem with political delegations from various Papuan nations "disappearing after they return."

6. UN Working Group/Human Rights Center Meeting - Jul 29 2:45pm

1. Jan Martenson, Chairman/Rapporteur Erica-Irene Dais

7. State Delegation Meetings - July 29

1. Australian Delegation
2. Swedish Delegation
3. Norwegian Delegation
4. Chilean Delegation
5. Peruvian Delegation
6. Canadian Delegation

8. National Delegation Meetings - Jul 30

1. Kuna Delegation, Lic. Asanio Morales
2. Algonquin Delegation, Mr. Russell Diabo (Oka)
3. Maasai Delegation, Moringue Porkipunny

9. Specialized Agency/NGO Meetings - Jul 30

1. Dr. Alfonso Miguel Martineze, UNWGIP, Special Rapp
Invited Dr. Martineze to serve as an Expert Advisor to the CNS Preparatory Committee and Working Groups because of his role on the UN Working Group on Indigenous Populations and as the Special Rapporteur for the Study to Treaties between Indigenous Nations and States' Governments, commissioned by the Working Group and the UN General Assembly. He agreed to serve as an Expert Advisor, but indicated he would need funds to support his travel and expenses.

2. Vladimir Sanki, 26 Small Peoples of the North (Rus)

10. State Delegation Meetings - July 30

11. Russian Government Intervention - UNWGIP - Jul 30 6:00pm

12. National Delegation Meetings - Jul 31

1. Blackfoot Nation Delegation, Mr. Floyd T. Heavy Runner

13. Specialized Agency/NGO Meetings - Jul 31

1. Mr. Lee Sweptson, Coordinator Human Rights ILO
Delivered a copy of the CNS plan to which Mr. Sweptson expressed surprised, and enthusiasm. He offered to give what ever assistance the International Labour Organization could at the request of the CNS Secretariat.

2. Dr. Alfonso Miguel Martineze, UNWGIP, Special Rapp

SUPREME SOVIET OF RUSSIA
SOVIET OF NATIONALITIES

House of Soviets, Moscow, Russia

Mrs. E.I. Dais
Chairman
UN Working Group on
Indigenous Populations

July, 1992

Dear Mrs. Dais,

I was most interested to study the third version of the Draft Declaration of the Rights of Indigenous Peoples which had been prepared by the UN Working group headed by you.

I personally would like to participate in the next meeting of the working group but unfortunately my schedule does not allow me to do this.

Despite the many years of great efforts by you and thousands of others, much work remains to be done to establish fairly the rights of the indigenous peoples of the world. To combine the interests of indigenous nations and the aims of the national development, to provide means for living and saving traditional ways of life, to take measures aimed at the protection of their original cultures and languages as an integrated part of the cultural heritage of the mankind are just a few of the problems which face numerous international and non-governmental organizations engaged in general problems of human rights as well as the rights of indigenous nations.

That is why the Presidium of the Supreme Soviet of the Russian Federation supported the idea of holding in Moscow in December, 1992 the International conference "National minorities: legal aspects of their free development". The initiative of the conference belongs to the International non-governmental association "Union of Lawyers" (Moscow, Russia), the Center for World Indigenous Studies (Olympia, USA) and the Foundation for International Cooperation and Development (Seattle, USA).

As much as I am informed the idea of the Conference has been discussed with representatives of indigenous peoples as well as representatives of a number of states and received their full support.

To my opinion, the Conference in Moscow will provide a good opportunity for foreign and our public to get familiar with the work which is being done by the new Russia in order to ensure human right. It is particularly important for us, because on May, 20, 1992 the Soviet of Nationalities of the Parliament of the Russian Federation adopted in the first reading the Law "Fundamentals of the legal status of national minorities in the Russian Federation".

The proposed Conference will hopefully speak firmly in favour of establishing such a new system of relations between indigenous nations and states which would become the constructive alternative to violence.

I also hope that the UN Working group will contribute to the success of the Conference.

Sincerely,

Ramazan Abdulatipov
Chairman

Center for World Indigenous Studies

P.O. Box 82038, Kenmore, Washington 98028 U.S.A.

TO: FILE

FILE: 265.001.02

July 30th, 1992

M. Julian Berger
Center for Human Rights
Genevé, Switzerland

Dear M. Berger,

On behalf of my colleague Andrei A. Trebkov, President of the Union of Lawyers and the Government of the Russian Federation, I wish to extend to you and Madame Erica-Irene Dais our appreciation for the opportunity to meet during the U.N. Working Group on Indigenous Populations Session on July 29th. During our review of current plans for convening a Congress of Nations and States, Madame Dais kindly offered the service of the Center for Human Rights in the form of making documents and other information available as we may need them for organizing and conducting the Congress. We are pleased with this generous offer.

We also discussed the need to consider different dates for convening the Congress of Nations and States in December of this year. Such a change in dates should complement the time presently planned for U.N. General Assembly ceremonies connected to the declaration of the Year of Indigenous Peoples.

Finally, I wish to thank Madame Dais for scheduling a time during the Working Group Session under agenda item 8 for the Russian Government and Mr. Trebkov to announce the plans for the Congress of Nations and States.

Sincerely,


Rudolph U. Ryser