

# Unesco and the struggle against ethnocide

## DECLARATION OF SAN JOSÉ

December 1981

For the past few years, increasing concern has been expressed at various international forums over the problem of the loss of cultural identity among the Indian populations of Latin America. This complex process, which has historical, social, political and economic roots, has been termed ethnocide.

Ethnocide means that an ethnic group is denied the right to enjoy, develop and transmit its own culture and its own language, whether collectively or individually. This involves an extreme form of massive violation of human rights and, in particular, the right of ethnic groups to respect for their cultural identity, as established by numerous declarations, covenants and agreements of the United Nations and its Specialized Agencies, as well as various regional intergovernmental bodies and numerous non-governmental organizations.

Organizations representing various indigenous groups in Latin America and experts in the field have proclaimed, with growing insistence, the need to counter ethnocide and to set in motion an authentic process of ethno-development, that is, the establishment and application of policies guaranteeing ethnic groups the free enjoyment of their own cultures.

In response to this demand, Unesco organized an international meeting on ethnocide and ethno-development in Latin America, in collaboration with FLACSO, which was held in December 1981 in San José, Costa Rica.

The participants in the meeting, Indian and other experts, made the following Declaration:

1. We declare that ethnocide, that is, cultural genocide, is a violation of international law equivalent to genocide, which was condemned by the United Nations Convention on the Prevention and Punishment of the Crime of Genocide of 1948.
2. We affirm that ethno-development is an inalienable right of Indian groups.
3. By ethno-development we mean the extension and consolidation of the elements of its own culture, through strengthening the independent decision-making capacity of a culturally distinct society to direct its own development and exercise self-determination, at whatever level, which implies an equitable and independent share of power. This means that the ethnic group is a political and administrative unit, with authority over its own territory and decision-making powers within the confines of its development project, in a process of increasing autonomy and self-management.
4. Since the European invasion, the Indian peoples of America have seen their history denied or distorted, despite their great contributions to the

progress of mankind, which has led to the negation of their very existence. We reject this unacceptable misrepresentation.

5. As creators, bearers and propagators of a civilizing dimension of their own, as unique and specific facets of the heritage of mankind, the Indian peoples, nations and ethnic groups of America are entitled, collectively and individually, to all the civil, political, economic, social and cultural rights now threatened. We, the participants in this meeting, demand universal recognition of all these rights.

6. For the Indian peoples, the land is not only an object of possession and production. It forms the basis of their existence, both physical and spiritual, as an independent entity. Territorial space is the foundation and source of their relationship with the universe and the mainstay of their view of the world.

7. The Indian peoples have a natural and inalienable right to the territories they possess as well as the right to recover the land taken away from them. This implies the right to the natural and cultural heritage that this territory contains and the right to determine freely how it will be used and exploited.

8. An essential part of the cultural heritage of these peoples is their philosophy of life and their experience, knowledge and achievements accumulated throughout history in the cultural, social, political, legal, scientific and technological sphere. They therefore have a right to access to and use, dissemination and transmission of this entire heritage.

9. Respect for the forms of autonomy required by the Indian peoples is an essential condition for guaranteeing and implementing these rights.

10. Furthermore, the Indian people's own forms of internal organization are part of their cultural and legal heritage which has contributed to their cohesion and to maintaining their socio-cultural traditions.

11. Disregard for these principles constitutes a gross violation of the right of all individuals and peoples to be different, to consider themselves as different and to be regarded as such, a right recognized in the Declaration on Race and Racial Prejudice adopted by the Unesco General Conference in 1978, and should therefore be condemned, especially when it creates a risk of ethnocide.

12. In addition, disregard for these principles creates disequilibrium and lack of harmony within society and may incite the Indian peoples to the ultimate resort of rebellion against tyranny and oppression, thereby endangering world peace. It therefore contravenes the United Nations Charter and the Constitution of Unesco.

As a result of their reflections, the participants appeal to the United Nations, Unesco, the ILO, WHO and FAO, as well as to the Organization of American States and the Inter-American Indian Institute, to take the necessary steps to apply these principles in full.

The participants address this appeal to Member States of the United Nations and the above-mentioned Specialized Agencies, requesting them to give special attention to the application of these principles, and also to collaborate with international, intergovernmental and non-governmental organizations, both universal and regional including, in particular, Indian organizations, in order to ensure observance of the fundamental rights of the Indian peoples of America.

This appeal is also addressed to officials in the legislative, executive, administrative and legal branches, and to all public servants concerned in the countries of America, with the request that in the course of their daily duties they will always act in conformity with the above principles.

The participants appeal to the conscience of the scientific community, and the individuals comprising it, who have the moral responsibility for ensuring that their research, studies and practices, as well as the conclusions they draw, cannot be used as a pretext for misrepresentation or interpretations which could harm Indian nations, peoples and ethnic groups.

Finally, the participants draw attention to the need to provide for due participation by genuine representatives of Indian nations, peoples and ethnic groups in any activity that might affect their future.

San José, 11 December 1981

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