

Towards Pax-Africana

How the United Nations Deal with Indigenous Nations

An Ezza-Ezekuna doctrinal transitional justice perspective.

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Abstract

Indigenous nations matter in continental peacebuilding. *Pax-Africana* is a sacred quest for African peace and security. In the long search for justice and freedom, Africa cannot forget its past. The continent's 54 nations are nations in recovery. And post-conflict nations in recovery are still in transition from the collective memory of a morally unacceptable past. What the indigenous nations need most is *justice* in form of recognition and representation at the United Nations. In 2020, the United Nations Permanent Forum on Indigenous Issues (UNPFII) was established. The objective of this study, therefore, is to re-examine the mandates of the UNPFII and its capacity to deal with the core issues of the indigenous nations. Since dominant theories and ideologies have failed to minimize conflicts or end wars in our lifetime, the quest for a more durable peace and sustainable security in Africa will likely start with the cathartic relief which the indigenous transitional justice provides. The Ezza Ezekuna transitional justice model is not just another doctrinal and theoretical construct but a call for participation in the epochal transitions and future of Africa and the global community.

Key Themes

- *UNPFII*¹
- *Pax-Africana*²

¹ United Nations Permanent Forum on Indigenous Issues. It is doubtful whether the Forum, as an advisory body has the mandate or power to emancipate the long colonized indigenous nations worldwide.

² As used in this study, Pax-Africana means the quest for a more peaceful Africa as the foundation for both regional and global peace. My definition recognizes that the continent is the original home of humanity. With this ubuntu (peaceful co-existence) philosophy, therefore, we are all Africans. However, this is not a far departure from the Mazruian definition. Ali Mazrui presented the idea of a "Pax Africana" in a seminal 1967 study, arguing that Africans

- *Transitional Justice*³
- *Ikeketaoria*⁴ *Survival of the fittest where only the strong survives.*

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Introduction

Within most countries, there exist other ethnic nationalities such as the Hutu, Tutsi, Basques, Bretons, Tamils, Catalans, Corsicans, Kurds, Ibos (Biafrans), Azeris, Hausa, Yoruba, Fulani, Grebo, Gio, Welsh, Scots, and Native Americans – each with its own unique history and identity. The concept of an indigenous people has been a very controversial issue. As such, no definition has been adopted by the United Nations. However, no universal definition is necessary for the *recognition* of the indigenous peoples' rights to truth, justice, freedom, self-rule, and peace. While the indigenous nations have basically a common religion, common language, common race, common ethnicity, common past and common territory, the modern (but) artificially created nation-states do not have such common elements.

Africa has made several transitions toward democracy, peace and consolidation. From *Pan-Africanism*, *Garveyism*, *Organization of African Unity* to *African Union*, the indigenous quest for peace remains elusive. Despite these transitional hiccups, one of the most external threats to peace and security today remains the undemocratic power pattern at the United Nations based on *Ikeketaoria* – an indigenous warrior mantra where the strong and dominant nations do what they have the power to do while the weak and powerless indigenous nations endure what they must endure – what *Thucydides*, the Greek philosopher and storyteller calls the *Peloponnesian dictum*.⁵

should muster the will to create and consolidate peace on their own continent. Mazrui wrote in the aftermath of the Congo crisis of 1960–64 when the United Nations was struggling to keep peace amid a traumatic civil war. The fact that the world body still struggles with peacekeeping in Africa, six decades later, is an eloquent metaphor for the continent's continued quest for a Pax Africana.

³ The doctrinal and theoretical frameworks of this study is transitional justice. The theme of transitional justice speaks to how individuals, societies and governments deal with the injustices of the past. For example, should the perpetrators of the trans-Atlantic slave trade be punished or pardoned? How should society reckon with the human rights violations of the ethnic nations and people? These questions become especially more important for societies making the transition from dictatorship to democracy; Germany after Nazism, South Africa after Apartheid, Argentina after Augusto Pinochet, Liberia and Sierra Leone after Samuel K. Doe, Rwanda after the Hutu Tutsi Genocide, Democratization in Latin America and East-Central Europe, and Biafra's right to self-governance after defeat and forced annexation by Nigeria's military government.

⁴ An ethnic Ezza nation's warrior mantra used to describe authoritarian rule. The dominant, power politics theorists call it realpolitik or realism.

⁵ <https://www.britannica.com/summary/Peloponnesian-War>

Like the Greek storyteller, this is a study of the evolution and future of the indigenous peace and people. Seven decades after the *Nuremberg Trials (1948-2022)*, the United Nations has seemingly done a phenomenal job in preventing WW111, and in fostering world peace and security, especially in Africa.



United Nations Permanent Forum on Indigenous Issues

Image 1: Courtesy of UNPFII Website

However, it is not likely that the establishment of the *United Nations Permanent Forum on Indigenous Issues* can change the veto power and global apathy toward granting political recognition to the indigenous nations as members of the United Nations.

Indigenous World

There are between 370 and 500 million Indigenous Peoples worldwide, in over 90 countries. Although they make up just 5 percent of the global population, they account for about 15 percent of the extreme poor.⁶

Indigenous peoples possess unique knowledge systems, which are recognized as crucial for regional and global peace and sustainable development. However, the social, economic, and political marginalization of indigenous peoples is pervasive in all the regions of the world with Africa as the most threatened.

Africa

The African continent is a multireligious society with 54 recognized nation-states (artificially created) also known as countries. The continent has the ancient roots of the three basic religions – Christianity, Judaism and Islamism with over 700 million people of diverse ethnicity. Africa, therefore, has a very high degree of heterogeneity. All the above attributes constitute the potential power of Africa. This great potential power of the continent regrettably could not guarantee peace, security, economic development, and happiness. For example, Africa's most populous nation-state Nigeria, with all its human and natural resources has not transformed the post-colonial nation from a juridical (legal) state to an empirical (economically viable) state. The future of the African state and world peace ought to be founded on the strategic vision of not only national security but on indigenous right to self-determination and freedom because of their vulnerability.

The African State: Nigeria

As I argued in my little book, *Bloodlessly*, the African state system is in a state of flux. It has no stability and needs reconfiguration. The challenge for the African State like Nigeria is how to make the transition from a juridical state status to an empirical state status. A *juridical state* is one that exists by law and by right, while the *empirical state* is a political entity capable of carrying out its minimal functions. For example, it must have power or force, and also a general welfare for its population. In this state, there is national integration and a set of viable political and economic institutions. Source: Ewa Unoke, *Bloodlessly*: Henry Louis Center, 2020, p.45.

States are in relentless search for external resources to maintain their internal dominance of a regime. If the people are discontent, the state's authority will be shaken. Sometimes, in cases of collapsed states, leaders put the state in a precarious position in its quest to maintain power. For example, Somalia's president Siaad Barre changed alliances to obtain resources in order to maintain his regime in power, and this contributed to the collapse of his government.

The so-called *Nigeria's Manifest Destiny*, potential power, and vision of a great nation will likely continue in a state of flux until the political future of the ethnic Igbo, Hausa, Fulani, Ijaw and Yoruba nations are recognized by the members of the artificially created nation states at the United Nations.

⁶ www.worldbank.org/en/topic/indigenouspeoples

UN Charter On Self-Government

What does international law say about Non-Self-Governing Territories like the Indigenous nations? Under Chapter XI of the United Nations' Charter, the Non-Self-Governing Territories are defined as "territories whose people have not yet attained a full measure of self-government." The General Assembly, by its resolution 66 (I) of 14 December 1946, noted a list of 72 Territories to which Chapter XI of the Charter applied. The 17 Non-Self-Governing Territories remain on the agenda of the C-24. Member States which have or assume responsibilities for the administration of such territories are called Administering Powers. Since the UN Charter XI grants self-determination to all non-governing and colonized peoples of the world, why has the UN members failed to recognize the legitimate rights of the indigenous nations as independent ethnic nations.

Woodrow Wilson On Self-Determination

According to Thomas Frey, at the end of WW1, USA President Woodrow Wilson promoted the concept of self-determination, a powerful idea in the 19th century, particularly for Europe. The message from President Wilson on Jan 8, 1918, stated:

"...every peace-loving nation which, like our own, wishes to live its own life, determine its own institutions, be assured of justice and fair dealing by the other peoples of the world as against force and selfish aggression. All the peoples of the world are in effect partners in

this interest, and for our own part we see very clearly that unless justice be done to others it will not be done to us."

Wilson's efforts led to the formation of the League of Nations, the forerunner to our present United Nations. Although it did not formally recognize the principle of self-determination, it did promote the concept, going so far as to introduce a new legal framework for allowing colonies to determine their own fate.

Later, in the United Nations Charter, the acquisition of territory by force is prohibited to ensure that existing right of self-determination will not be extinguished by military conquest.

But the Charter also emphasizes the principles of territorial integrity and of non-interference in the internal affairs of member states, provisions that may have encouraged leaders to think that self-determination would be applied only to colonial dependencies. The incompatibility between the principles of self-determination and territorial integrity was overlooked, and both were reemphasized in the Declaration on the Granting of Independence to Colonial Countries and Peoples.

Modern International Law grants a basic right to people, its own survival as a social group. "All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development."

Source: Thomas Frey, Juan F "Kiko" Suarez and Eduardo Suárez

The Montevideo Convention (1933)⁷

Under the Montevideo Convention recognition is granted to any political entity which has the following four criteria:

- a defined territory
- a permanent population
- a government, and
- capacity to enter into relations with other countries

Most indigenous nations in Africa and worldwide have the above four requirements. Why has the UN refused to recognize indigenous nations as full sovereign states to exist side-by-side with the more dominant, artificially created member states of the UN? Effects of non-recognition include political exclusion and marginalization which lead to poverty and fertile ground for the recruitment of terrorists.

UN Human Rights Resolution

On 29 September 2011, the Human Rights Council adopted resolution 18/7, in which it decided to appoint, for a period of three years, a Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence. In 2017, the Human Rights Council adopted resolution 45/10, which extended the mandate of the Special Rapporteur for a further period of three years. Research findings show that these crucial ideas on human rights violations and recovery excluded the indigenous nations and people.

Indigenous People Today

At its first session, the United Nations Permanent Forum on Indigenous Issues (UNPFII) requested the United Nations System to produce an annual report on the state of the world's indigenous peoples (SOWIP). According to the conference, it was also suggested that the report should be used as an advocacy tool for raising awareness on indigenous peoples' issues at the UN Security Council, UN General Assembly, and other departments of the UN system. Records show that the first edition of The State of the World's Indigenous Peoples was published in 2009 with the primary focus was on Poverty and Well-being; Culture; Environment; Contemporary Education; Health; Human Rights and Emerging Issues. The report revealed alarming statistics on indigenous peoples' poverty, health, education, employment, human rights, and environment. This was the first time the United Nations provided detailed information on the status of indigenous peoples throughout the world.

Indigenous Peoples' Rights to Land And Territories

At the core of indigenous peoples' struggles are their rights to lands, territories and resources. "Ancestral lands are the source of indigenous peoples' cultural, spiritual, social and political

⁷ Montevideo Convention | international agreement [1933] | Britannica

identity and the foundation of traditional knowledge systems.” José Martínez Cobo¹,ⁱ In his capacity as Special Rapporteur of the Sub-Commission on Prevention of Discrimination Protection of Minorities, stated the following: “It is essential to know and understand the deeply spiritual special relationship between indigenous peoples and their land as basic to their existence as such and to all their beliefs, customs, traditions and culture. For such peoples, the land is not merely a possession and a means of production. The entire relationship between the spiritual life of indigenous peoples and *Mother Earth*, and their land, has a great many deep-seated implications. Their land is not a commodity which can be acquired, but a material element to be enjoyed freely. Deep connections endure within this context that are unique to indigenous peoples. There is a profound relationship between indigenous peoples and their lands, territories and resources, and this relationship is characterized by various social, cultural, spiritual connections.

African Indigenous Peoples and Use Education

According to Monica Aleman Cunningham, *Indigenous people* Africa often face enormous challenges. This is mainly due to the reluctance of some African states to acknowledge the existence of indigenous peoples within their territories, with these challenges varying from country to country. This is often related to the goal of nation building and achieving national unity in multi-ethnic societies. Many African Governments argue that all Africans are indigenous. As a result, official records such as the national census do not include the different ethnic groups⁸. While many indigenous peoples in the African region live in geographically isolated self-sustaining communities, many also live in villages and towns alongside and among the majority populations. These pose challenges. There is growing recognition of the need for a form of intercultural bilingual education that is rooted in indigenous peoples’ own cultures, values and systems of knowledge.

Recognition, Respect and Rights

Member States adopted the United Nations Declaration on the Rights of Indigenous Peoples in September 2007, and at the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples, held in September 2014, Member States were unanimous in renewing their commitment to the full and effective implementation of the Declaration. In the many countries in which indigenous peoples are still not officially acknowledged as such, their rights are not explicitly recognized or protected by legislation or policies. The lack of legal protection has contributed to the loss of lands, territories and resources and threats to the cultures, languages, and ways of life of indigenous peoples—to the extent that their very existence has been endangered in some cases. Many in the indigenous communities have been subjected to violent attacks and threats, enforced disappearances, illegal surveillance and travel bans. Women, persons with disabilities, and other vulnerable or marginalized groups within indigenous populations face challenges. The number of indigenous human rights defenders who die every year while attempting to defend their rights under the Declaration is on the rise. There is

⁸ Source: African Commission on Human and Peoples’ Rights, 2009a, p. vi.

a growing trend towards criminalizing indigenous activists, organizations and movements, often engendered by conflicts over investment projects in indigenous territories.⁹

Indigenous Peoples' Access to Health Services

COVID-19 and Indigenous Peoples:

“We urge Member States and the international community to include the specific needs and priorities of indigenous peoples in addressing the global outbreak of COVID-19.”¹⁰ The above statement during the peak of the pandemic shows the fatal status of the Forum during emergency. The UNPFII has no power as an advisory body to take action and save lives.

Dr. Mukta S. Lama¹¹ provides an overview and analysis of the situation of indigenous peoples in the Asian region. The Asian subregions include a multitude of indigenous groups who comprise 70 per cent of the estimated 350 million indigenous peoples worldwide. Indigenous peoples in Asia die younger, have higher rates of malnutrition and child mortality, and carry high burden of “diseases of the poor,” namely undernutrition and infectious diseases. Dr. Lama points out that the health of indigenous peoples is often not considered a priority by national governments and as a result, health care needs remain unheard in health care planning with weak representation of indigenous peoples in the government system. Dr. Lama concludes that the exercise of right to self-determination is important in enabling indigenous peoples to revive and reclaim their cultural traditions and indigenous identity and self-esteem based on positive images that are crucial for their overall health and well-being. Such autonomy would also involve empowering indigenous peoples to preserve and develop their own solutions and plans to improve their health rather than imposing solutions upon them.

*Important Publications:*¹² (See Volumes 1 – 5 for details on the State of the Indigenous Peoples Today).

Transitional Justice theory refers to how governments, societies, and victims deal with the injustices of the past. If the human rights abuses of the original nations by the artificially created countries, is a winnable struggle, what is the place of transitional justice and international law within the micro and macro levels of analyses? How should society reckon with the human rights violations of the ethnic nations and people? These questions become especially more important for societies making the transition from dictatorship to democracy; Germany after Nazism, South

⁹ Source: (100 100 A/HRC/36/56).

¹⁰ Chair of the United Nations Permanent Forum on Indigenous Issues. Anne Nuorgam.

¹¹ José R. Martínez Cobo, Study of the Problem of Discrimination against Indigenous Populations: Conclusions, Proposals and Recommendations, vol. V (United Nations publication, Sales No. E.86.XIV.3 and E/CN.4/Sub.2/1986/7/Add.4). viii Foreword STATE OF THE WORLD'S INDIGENOUS PEOPLES: Rights to Lands, Territories and Resources economic and political dimensions and responsibilities. The collective dimension.

¹² • State of the World's Indigenous Peoples, Volume V, Rights to Lands, Territories and Resources
 • State of the World's Indigenous Peoples, Volume IV, Implementing the United Nations Declaration on the Rights of Indigenous Peoples
 • State of the World's Indigenous Peoples, Volume III, Education
 • State of the World's Indigenous Peoples, Volume II, Health
 • State of the World's Indigenous Peoples, Volume I

Africa after Apartheid, Argentina after Augusto Pinochet, Liberia and Sierra Leone after Samuel K. Doe, Rwanda after the Hutu Tutsi Genocide, Democratization in Latin America and East-Central Europe, Biafra's right to self-governance after defeat and forced annexation by Nigeria's military government. What about the plight of the non-self-governing territories which Ralph J. Bunche fought so hard to protect in Chapter XI of the UN Charter?



Nationalism: “Without a country... you are the bastards of humanity. You are like soldiers without a banner. You will find neither faith nor protection,” says Mazzini to the Italians. See Roy. C. Macridis and Mark L. Hullin in *Contemporary Political Ideologies. Movements and Regimes* p.197¹³

Nigeria: The Oputa Commission

Mandate: The Human Rights Violations Investigation Commission was created to establish the causes, nature, and extent of human rights violations - in particular the assassinations and attempted killings - between January 15, 1966 and May 28, 1999, to identify perpetrators (individuals or institutions, to determine the role of the state in the violations, and to recommend means to pursue justice and prevent future abuses. The commission was initially asked to investigate the period from 1984 to May 1999, covering four military governments, but this period was later extended back to 1966, the year of Nigeria's first military coup following independence.

Findings:

- The Nigerian military was responsible for gross human rights violations.

¹³ Source: Non-Self-Governing Territories | The United Nations and Decolonization

- Apart from the military elite, the commission mentioned the collaboration of powerful and rich civilians in preparation for numerous coups.
- The commission's report also stated that some State Counsels in the Ministries of Justice violated fundamental rights of due process in attempts to protect perpetrators in specific, named cases.

Recommendations

- The commission recommended combating corruption, a drastic reduction of the armed forces, a review of security forces' internal disciplinary procedures, and reform of the military intelligence, police and academic institutions.
- Victims of human rights abuses were recommended to receive compensation.
- The panel also recommended a broad consultation of civil society about Nigeria's constitutional structure, improved human rights education, a moratorium on the creation of further states, more local governments to avoid corruption and the fragmentation of the political system.

Truth Commission: Nigeria | United States Institute of ...¹⁴

On November 29, 2007, Governor Rotimi Amaechi inaugurated a Truth and Reconciliation Commission in Rivers state, mandated to "unearth the remote and immediate causes of cult clashes in Rivers state", and to identify perpetrators and victims with the hope of pursuing prosecutions and granting compensation. *ibid.*

Towards a peaceful Africa, Nigeria's Oputa Truth Commission, though ignored by the military regime has several lessons. First, the Oputa TRC identified the perpetrators of human rights abuses. Second, the TRC prescribed punishment. Third, In the case of Biafra's recognition by a couple of countries, under international law, recognition, once granted is irreversible. (Fredrick L. Schuman, *International Politics, In search of Law* p.118.) Indigenous Igbo people suffered the most during conflicts. There are over 250 indigenous nations in Nigeria.¹⁵

Hayner, Priscilla B. *Unspeakable Truths: Facing the Challenge of Truth Commissions*. New York: Routledge, 2002.

Lamb, Christina. "Truth Panel Will Call Nigeria's Strongmen to Account." *Electronic Telegraph*, August 22, 1999.

Nigerian Democratic Movement. "Press Release: NDM Releases Full Version of Oputa Panel Report." (Accessed June 12, 2008).

"Nigerian Human Rights Commission to Start Hearings." *Reuters*, October 22, 2000.

¹⁴ <https://www.usip.org/publications/1999/06/truth-commission-nigeria>

¹⁵ Sources: Amnesty International. *Nigeria, Time for Justice and Accountability*. London, UK: International Secretariat, 2000. Available at <https://www.amnesty.org/en/documents/afr44/014/2000/en/> (accessed June 12, 2008).

Onyegbula, Sonny. "The Human Rights Situation in Nigeria since the Democratic Dispensation." Development Policy Management Network Bulletin 13, no. 3 (September 2001, 2001): 14.¹⁶

Indigenous Transitional Justice Mechanisms

Makau Mutua, a human rights professor contends that although, well meaning, the human rights corpus as practiced and understood today is a Eurocentric construct for the reconstitution of non-Western societies and peoples with a set of culturally biased norms and practices. Since I have not done much research on Makau's assumptions, I am therefore qualified to comment on the veracity of his assumptions. However, I concur with Mutua, that only a genuinely multicultural peace approach can foster a more durable peace and security in Africa.

"We need new ideas, new methods, new approaches. We call upon young students of political science throughout the nation to help us..." Malcolm X, 1964

Let us examine the African (Ezza Ezekuna) ethnic models - ometaru-vuru, kamenu, nhamuha, oduji, otuonu, and orinte. In the *Orinte* model, disputes are resolved when the two parties involved consent to take an oath invoking their ancestral spirits and *Mother Earth* to intervene. When two ethnic families clash over ownership of a particular piece of land, both families would take their case to the village wise elders for settlement. Traditionally, the people are forbidden from suing their fellow kinsmen in court. After one year, the family that recorded more tragedies within the one-year period is declared guilty. This model has helped to minimize ethnic conflicts within the ethnic Ezza people and their neighbors in Nigeria.

The second is *Kamenu*, which is considered the highest form of truth-telling. When an accused decides to speak from a Kamenuic perspective, the person stands bare footed on the ground to demonstrate their understanding that indigenous people cannot tell lies to *Mother Earth*. Kamenu is feared and silently practiced more than any other law within the rural ethnic communities.

The third model is *Nhamuha* (something that stands straight, not crooked) a metaphor for honesty. Ethnic Ezza people believe that kamenu-le-nhamuha have spiritual redemptive purposes for example, the Truth and Reconciliation Commissions set up to reckon with the historical wrongdoings in Argentina, Chile, Liberia, Nigeria, Rwanda, Uruguay and South Africa – all have the power of spiritual atonement and reconciliation, according to the Ezza-Puritan-like ethnic doctrines. It is believed that truth and honesty shall set the perpetrator free without any further punishment. As the Ezza people believe; *Ntuwho lege takwa nwa Nnaji nwuta iya luwho*, (the father of a dishonest son, is considered as a childless parent) believing that the life of a criminal is violent and therefore short, most times.

Towards a pax-Africana, the UN can assist nations to establish Truth and Reconciliation Commissions in Africa to help governments, societies and victims heal from their collective history of pain and human rights abuse.

¹⁶ <http://unpan1.un.org/intradoc/groups/public/documents/IDEP/UNPAN004219.pdf> (accessed June 12, 2008).

The fourth model is Oduji (open confession) made by a guilty person in order to escape from the claws and fangs of retributive justice from Chineke (the Creation God) and *Mother Earth*. For example, if an indigenous woman is having difficulty during childbirth, she would be encouraged to confess her immoral acts to set herself free from the wrath of *Okpuluwa*.

The fifth is *Ometaru vuru* - a karmic doctrine of cause-and-effect. We reap what we sow (believe it or not). Whatever we do, virtuous or evil – it's all on our heads. All our moral and immoral acts, all our acts of commission and omission are on our head. We are responsible for our past and present actions. While the sixth is *otuonu* – to put a curse on the perpetrator of evil.

Like the Rwandan *gacaca* indigenous model, the virtuous transitional justice mechanisms of the Ezza ethnic nation, can spark-off a pacifist revolution towards pax Africana. The potent healing power of peace can be seen from the doctrinal themes of orinte (oath taking), kamenu (law of cause-and-effect), nhamuha (honesty) and oduji (confession). These 6 ancient doctrines remind us that the indigenous quest for peace traverses across two universes - the physical and the spiritual realms. Future reparations and truth commissions for the indigenous peoples must recognize both issues.

Declaration On the Rights of Indigenous Peoples

The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) was adopted by the General Assembly on Thursday, 13 September 2007, by a majority of 144 states in favor, 4 votes against (Australia, Canada, New Zealand and the United States) and 11 abstentions (Azerbaijan, Bangladesh, Bhutan, Burundi, Colombia, Georgia, Kenya, **Nigeria**, Russian Federation, Samoa and Ukraine). Click [here](#) to view the voting record. Years later the four countries that voted against have reversed their position and now support the UN Declaration. Today the Declaration is the most comprehensive international instrument on the rights of indigenous peoples. It establishes a universal framework of minimum standards for the survival, dignity and well-being of the indigenous peoples of the world and it elaborates on existing human rights standards and fundamental freedoms as they apply to the specific situation of indigenous people.

United Nations Permanent Forum on Indigenous Issues (UNPFII).

This UNPFII is a high-level advisory body to the Economic and Social Council. The Forum was established on 28 July 2000 by Resolution 2000/22, with the mandate to deal with indigenous issues related to economic and social development, culture, the environment, education, health and human rights. (Sources: UNPFII website).

The Permanent Forum more specifically:

- provides expert advice and recommendations on indigenous issues to the Council, as well as to programs, funds, and agencies of the United Nations, through ECOSOC.
- funds and agencies of the United Nations, through ECOSOC.

- raises awareness and promotes the integration and coordination of activities related to indigenous issues within the UN system.
- prepares and disseminates information on indigenous issues.
- promotes respect for and full application of the provisions of the UN Declaration on the Rights of Indigenous Peoples and follow up the effectiveness of this Declaration (Art. 42 UNDRIP).

The first meeting of the Permanent Forum was held in May 2002, with yearly sessions thereafter. The Forum usually meets for 10 days each year, at the UN Headquarters in New York. According to the ECOSOC resolution E/2000/22, the Forum may also meet at the UN Office in Geneva or at such other place that it decides.

In addition to the six mandated areas (economic and social development, culture, the environment, education, health and human rights), each session is thematically focused on a specific issue.

The Permanent Forum is one of three UN bodies mandated to deal specifically with indigenous peoples' issues. The others are the Expert Mechanism on the Rights of Indigenous Peoples and the Special Rapporteur on the rights of indigenous peoples. The Permanent Forum's engagement and role in promoting indigenous peoples' rights are made possible through the Trust Fund on Indigenous Issues, which overall facilitates follow-up to the Forum's recommendations, awareness raising and outreach on indigenous issues as well as representation and participation of Permanent Forum members at international meetings of significance for its mandate. In addition, the trust fund provides support for the implementation of the United Nations Declaration on the Rights of Indigenous Peoples. DESA is charged with the overall management of the Trust Fund, which is placed under the Indigenous Peoples and Development Branch-Secretariat of the Permanent Forum on Indigenous Issues. (Sources: UNPFII website).

The Forum has 6 mandated areas namely:

- economic and social development,
- culture,
- the environment,
- education,
- health and
- human rights,

The UNPFII is very important in documenting indigenous issues. Although great in its purpose, the UNPFII in its advisory role is like a toothless bulldog which can only bark but cannot bite. Under its mandate, the Forum gives good advice to the UN but it lacks the power to take action to implement policy decisions. For example, below is a list of important social issues submitted to the UN which the Forum has no power to implement:

- Aging
- Civil Society

- Cooperatives
- Disability
- Employment and Decent Work
- Family
- Indigenous Peoples
- Inequality
- Poverty Eradication
- Social Inclusion
- Sport for Development and Peace
- Youth

UN Sustainable Developments Goals 2030 Agenda: A Plan of Action for People, Planet and Prosperity

The goals and targets will stimulate action over the next fifteen years in areas of critical importance for humanity and the planet:

People

We are determined to end poverty and hunger, in all their forms and dimensions, and to ensure that all human beings can fulfil their potential in dignity and equality and in a healthy environment.

Planet

We are determined to protect the planet from degradation, including through sustainable consumption and production, sustainably managing its natural resources and taking urgent action on climate change, so that it can support the needs of the present and future generations.

Prosperity

We are determined to ensure that all human beings can enjoy prosperous and fulfilling lives and that economic, social and technological progress occurs in harmony with nature.

Peace

We are determined to foster peaceful, just and inclusive societies which are free from fear and violence. There can be no sustainable development without peace and no peace without sustainable development.

Partnership

We are determined to mobilize the means required to implement this Agenda through a revitalized Global Partnership for Sustainable Development, based on a spirit of strengthened global solidarity, focused in particular on the needs of the poorest and most vulnerable and with the participation of all countries, all stakeholders and all people.

Indigenous peoples' relationship to their lands, territories and resources are at the heart of their identity, well-being and culture. Preservation of the environment transmitted through traditional knowledge passed down through generations is at the center of their existence. The adoption of the 2030 Agenda offers further opportunities to promote the rights of indigenous peoples to lands, territories and resources due to its integrated approach to economic, environment and social

development within a human rights framework – giving space to demonstrate how indigenous stewardship of lands, territories and resources can achieve accelerated action towards implementation of several Sustainable Development Goals.

Summary

According to Socrates, an unexamined life is not worth living. *First*, through the literature review, I discovered that there are over 190 unrecognized countries today. *Second*, Indigenous people account for about 15% of the extreme poor, hence, a breeding ground for the recruitment of terrorists. *Third*, Indigenous people possess unique knowledge systems, which are recognized as crucial for continental, global peace and sustainable development. *Fourth*, there are between 370 and 500 million Indigenous Peoples worldwide. *Fifth*, Africa is a multireligious continent with 54 recognized countries. The continent has the ancient roots of the three basic religions – Christianity, Judaism and Islamism with over 700 million people of diverse ethnicity. *Sixth*, that the review of international laws and human rights declarations show that the unrecognized nation states have the right to self-government. *Seventh*, The State of the World's Indigenous Peoples was published in 2009 with the primary focus was on Poverty and Well-being; Culture; Environment; Contemporary Education; Health; Human Rights and Emerging Issues. The report revealed alarming statistics on indigenous peoples' poverty, health, education, employment, human rights, and environment. *Eighth*, Ancestral lands are the source of indigenous peoples' cultural, *spiritual*, social and political identity and the foundation of traditional knowledge systems. *Ninth*, indigenous land is not a commodity which can be acquired, but a material element to be enjoyed freely. Deep connections endure within this context that are unique to indigenous peoples. There is a profound relationship between indigenous peoples and their lands, territories and resources, and this relationship is characterized by various social, cultural, and *spiritual* connections. *Tenth*, many African governments argue that all Africans are indigenous. Many indigenous peoples in Africa live in isolated villages and towns. However, there is growing recognition for intercultural bilingual education that is rooted in indigenous peoples' own values and system of knowledge. *Eleventh*, many African governments argue that all Africans are indigenous. As a result, official records such as the national census do not include the different ethnic groups. While many indigenous peoples in African live in geographically isolated self-sustaining communities, many also live in villages and towns alongside and among the majority populations. *Twelfth*, Findings of the Oputa Commission: The Nigerian military was responsible for gross human rights violations. Apart from the military elite, the commission mentioned the collaboration of powerful and rich civilians in preparation for numerous coups. *Thirteenth*, towards a peaceful Africa, Nigeria's Oputa Truth Commission, though ignored by the military government, has several important lessons; for example, the Oputa TRC identified the perpetrators of human rights abuses. *Fourteenth*, On November 29, 2007, Governor Rotimi Amaechi inaugurated a Truth and Reconciliation Commission in Rivers state, mandated to "unearth the remote and immediate causes of cult clashes in Rivers State" and to identify perpetrators and victims with to the hope of pursuing prosecutions and granting compensation. *Fifteenth*, the potent healing power of peace can be seen from the doctrinal themes of Orinte (oath taking), kamenu (law of cause-and-effect), nhamuha (honesty) and oduji (confession). *Sixteenth*, the declaration on the rights of indigenous peoples:

The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) was adopted by the General Assembly on Thursday, 13 September 2007, by a majority of 144 states in favor, 4 votes against (Australia, Canada, New Zealand and the United States) and 11 abstentions (Azerbaijan, Bangladesh, Bhutan, Burundi, Colombia, Georgia, Kenya, **Nigeria**, Russian Federation, Samoa and Ukraine). Click here to view the voting records. It is not surprising why the USA voted against the rights of the indigenous peoples' autonomy – the Native American question and why Nigeria abstained from voting – due to Biafra, the ethnic nation which Nigeria invaded, conquered and annexed since January 1970.

The UNPFII in its advisory role is like a toothless bulldog which can bark but cannot bite. Under its six basic mandates, the Forum gives good advice to the UN, but it lacks the power to take action to implement policy decisions. Seventeenth, the UN Sustainable Development Agenda 2030 is a plan of action for people, planet and prosperity. The Goals and targets will stimulate action over the next fifteen years in areas of critical importance for humanity and the planet. The UN is determined to end poverty and hunger, in all their forms and dimensions, and to ensure that all human beings can fulfil their potential in dignity and equality and in a healthy environment. The UN is determined to protect the planet from degradation, including through sustainable consumption and production. These lofty goals exclude the post-conflict indigenous nations in recovery who have no representation at the United Nations.

The UNPFII re-examined: the Forum does not have the mandate to seek truth, justice, reparation and ozoemena (never again) from the UN and perpetrators. The ikeketaoria (raw power, survival of the fittest) power politics at the UN has rendered the pacifist world organization an undemocratic institution which should be dissolved, re-imaged or re-created. African peace is not realizable without restorative justice and freedom founded on indigenous spirituality.

What the indigenous, first nations need most now is political *recognition* at the United Nations. The UNPFII should be upgraded to a branch or department within the UN system. On the contrary, Forum members can also establish the first World Indigenous Nations organization - WIN.

Today, we are witnessing unprecedented waves of prospects and problems, wars and peace, for example the invasion of Ukraine by Russia. As Malcolm X advises, we need new ideas, new theories and new methods in dealing with the wounds of the past. *Transitional justice*, as an indigenous doctrinal path for peace and reconciliation is not just a new theoretical construct, but also a pathway towards indigenous spiritual healing.

Towards Pax-Africana gives us the opportunity to look into the future with hope that Africa will, someday, make the transition from war to peace and from poverty into a state of abundance. According to its Founding Charter, the primary purpose of the United Nations is to maintain international peace and security. I have, therefore, adopted three indigenous transitional justice themes to evaluate the research findings and outcomes, beginning with truth-telling.

Truth: From a doctrinal and theoretical lens, the purpose of indigenous truth-telling is for spiritual cleansing to punish or set the perpetrator free from guilt, free from ancestral curse and free from

punishment. The truth is that the mandate of the Forum is only on advisory capacity. The UN's 2030 mandates on education, health and poverty reflect an agenda drafted by the weak indigenous nations which have no power to enforce any of such policies. This study also finds out that the General Assembly and the UN Security Council are only government representatives. They are not representatives of the people. We discovered also that indigenous nations have suffered grave denial and persecution or demanding their natural rights to self-governance. We found out that under international law, indigenous nations have the right to reclaim their freedom under Article XI of the UN Charter and the Montevideo Convention but lack the political WILL to do so.

Justice: Research findings reaffirm our central hypothesis that justice is the most important concern of the indigenous people in post-conflict recovery. Justice for the indigenous people has two purposes: to punish or to pardon perpetrators. One is to deter and the other is to forgive. Under the Universal Declaration on Human Rights, Articles 3, 4, 5, 6, and 15 and the UN Charter Article XI, the indigenous nations do not need permission from the UN to reclaim their freedom. *Recognition* of ethnic nationalities is a political issue and not a legal issue. The UNPFII can seek full recognition as an organ of the UN and not as an advisory body. This research shows that there is no global indigenous organization like the UN in existence today except occasional global conferences organized by regional indigenous nations. In my opinion, there is an urgent need to establish a *World Indigenous Nations* (WIN) organization where people are represented and not governments. *Representation* at the United Nations is what the indigenous nations need now.

Africa, the original home of humanity, is a multireligious continent in recovery after a long period of political exclusion, conflicts, and wars. What the indigenous African people need most is not only justice and equal rights at the UN, but an awakening founded on transitional justice theory and practice. When things fall apart, (when things get out of kilter or balance) the human rights movements, peace activists and governments will see the need for *aghauche* (intelligent, commonsense, war of ideas, intellect, and diplomatic soldiering) instead of *ogu egbe na ma* (the primitive war of guns and knives and establish Truth and Reconciliation Commissions (TRC) on family, local, state and national levels where people can tell their stories, and governments do justice, so that all can reconcile towards national recovery and durable peace.

Realism: (how is now), stronger European nations invade and occupy weaker African nations (now Ukraine) and nobody calls for justice. Nobody seeks the truth. The hawks, also called *realists*, believe in the use-of-force to settle disputes. They wage wars and create tragedies. They do not know the way of diplomatic soldiering and peace even when civilians, especially women, children and senior citizens become major victims. So far, we have researched the central themes of peace, truth, justice and freedom from the physical universe perspective. However, the spiritual realm is more important to the indigenous, rural people.

Sacred Quest

Robert Keck, an evolutionary theologian, and one of America's leading religious thinkers has identified humanity's three epochal transitions, namely, Epoch 1: which corresponds to the *childhood* of humanity and marked by unity with nature, non-violence, and respect for females. Epoch 11: corresponds to the *adolescence* of humanity, an era of patriarchal power and hierarchical

control and a period of violence. According to Keck, we live in the early period of change between Epoch 11 and Epoch 111: which is considered the *adulthood* of humanity when the human ego, pride and arrogance will surrender to the heart, which I interpret to mean, the triumph of the spirit. The current conflicts, ideological wars, and racism are reflections of the death of humanity's outgrown *adolescent* values as new Epoch 111 values replace the old. The emergent values of Epoch 111 include reconnection to nature, democratization of power, respect for diversity and ubuntu - inclusivity. *Source: L. Robert Keck, Sacred Quest: The Evolution and Future of Soul, Chrysalis Books, 2000 (inner cover).*

Conclusion

Such is the time. African nations are entangled in post-colonial recovery from a morally unacceptable past. The indigenous people are seeking to *re-connect with nature* through their ancestral lands, cultures, and values. They are campaigning for the *democratization of power* at the United Nations and in their host countries. They seek *respect for diversity* and ubuntu (a Zulu philosophy popularized by the Madiba – Nelson Mandela) which translates to: “I am nothing without you, you’re nothing without me, we are nothing without one another.” Simply put, we have entered a new era of inclusivity.
