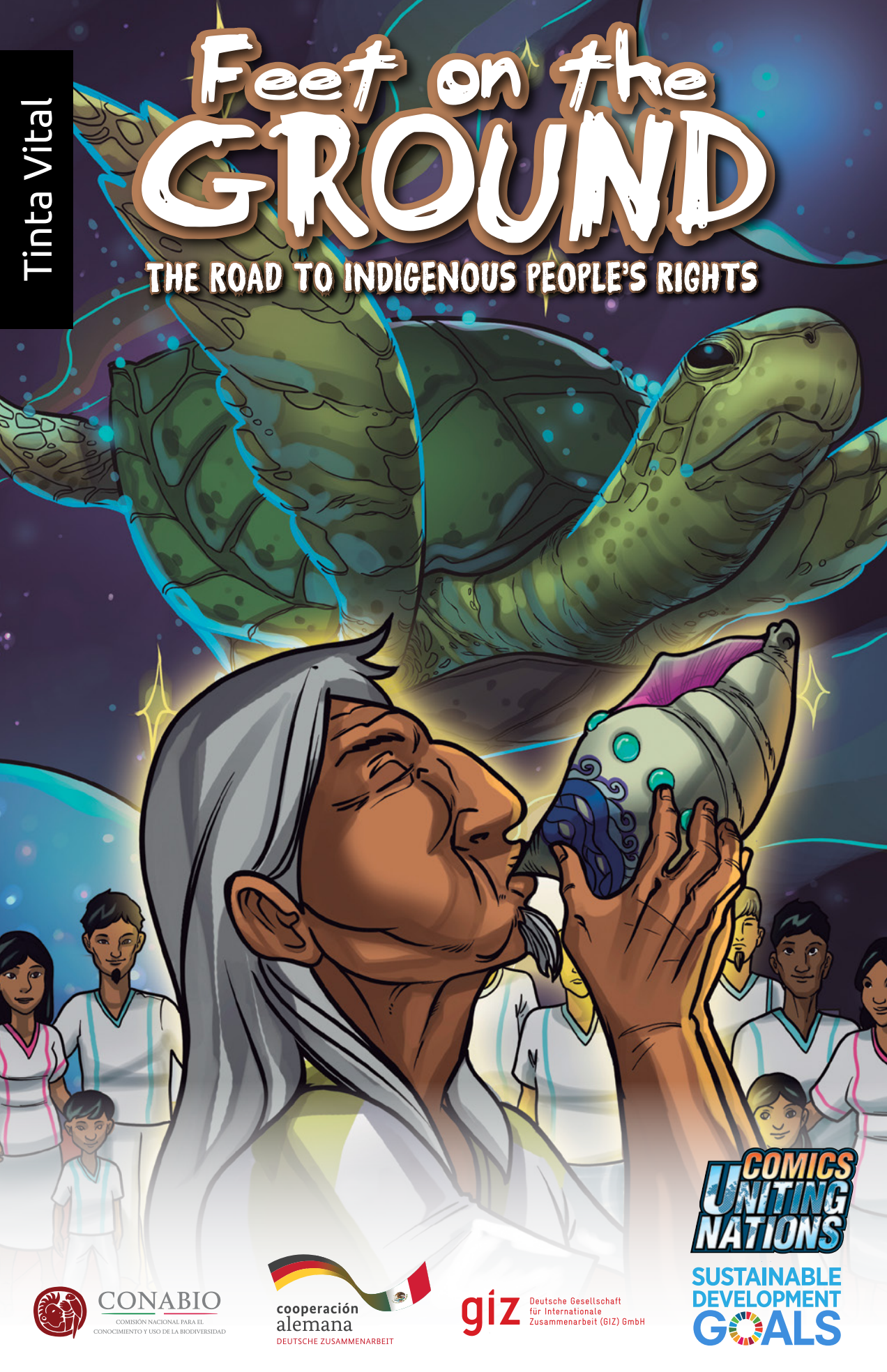


Tinta Vital

Feet on the GROUND

THE ROAD TO INDIGENOUS PEOPLE'S RIGHTS



CONABIO
COMISIÓN NACIONAL PARA EL
CONOCIMIENTO Y USO DE LA BIODIVERSIDAD



cooperación
alemana
DEUTSCHE ZUSAMMENARBEIT

giz Deutsche Gesellschaft
für Internationale
Zusammenarbeit (GIZ) GmbH

**COMICS
UNITING
NATIONS**

**SUSTAINABLE
DEVELOPMENT
GOALS**

We dedicate this publication to the people, communities and indigenous people that have endeavored to consolidate the Rights of Native People, as well as to the native people's movements to defend their culture and territory.

USEFUL WEBSITES FOR INDIGENOUS PEOPLE'S MOVEMENTS

Mexico's National Commission for the Knowledge and Use of Biodiversity (CONABIO):

www.biodiversidad.gob.mx/usos/usos.html

Biodiversity Governance Project: Equitable and Fair Share of the Benefits Derived From the Use and Management of Biological Diversity CONABIO-GIZ:

www.gobernanzabiodiversidad.mx

EQUATOR INITIATIVE

Equatorial Initiative offers information, videos, case studies and publications for native people's movement with organizations dedicated for the defense of their territory and other environmental justice themes:

www.equatorinitiative.org

Case studies:

www.equatorinitiative.org/knowledge-center/e-library/case-studies/

(Above, to the right, select the webpage language; then, below to the left, on the "apply filters" column, chose document language and then click in "apply filters").

TICCA Consortium:

Worldwide institution that works with organizations dedicated to the research, defense and United Nations mechanisms that promote Human Rights, the Rights of Native People and local communities:

www.iccaconsortium.org

ILO Convention 169:

www.cdi.gob.mx/transparencia/convenio169_oit.pdf

Convention on Biological Diversity:

www.cbd.int/doc/legal/cbd-es.pdf

United Nations Declaration on the Rights of Indigenous Peoples:

www.un.org/esa/socdev/unpfii/documents/DRIPS_es.pdf

Nagoya Protocol:

www.cbd.int/abs/doc/protocol/nagoya-protocol-es.pdf

This is the story of an indigenous community and of the trip undertaken by a wise lady elder and her young companion. She had a mission to fulfill. He had a broken heart.





The young man's name is Xun. One morning he left El Saguaro, his hometown, to try to forget his past.



That was two hurricanes ago.

Things have changed in his hometown since.





The last time Xun sat on that rock was right after the burial of Nunihú, the woman who had filled him with such joy.

He has not improved. What remedy can we provide for him?



Only time can heal him.



The Council of Elders has chosen who will represent us in the Native People's Forum. Someone whose words and actions give testament to knowing and living our culture...

...and who has put her heart into defending our Rights. We will be represented by Grandmother Nahawa. Her words carry the strength of our land and our sea.

I'll bring Xun. He knows how to move about the city and that gives me comfort...



But... he has just returned!

She will bring someone with her. Nahawa, you may decide who.

No, not yet. His mind is still far away.



I'm glad that you shall accompany Nahawa on her trip. You'll come back with new inspiration.



I do not know if I'll come back, father. I'm considering staying in the city when the trip is over.



Why? Your people are here. In the city you are alone.

Our community brings back sad memories... When Nunihú passed away, my heart went with her and has not yet found the way back.

TRADITIONAL
GUARD



Your heart could grow cold if you remain afar. If you sever the roots with your ancestors' land, you lose your place in the world.

¡You look really good as a Traditional Coast Guard, Dad!



It seems you want to change the subject.

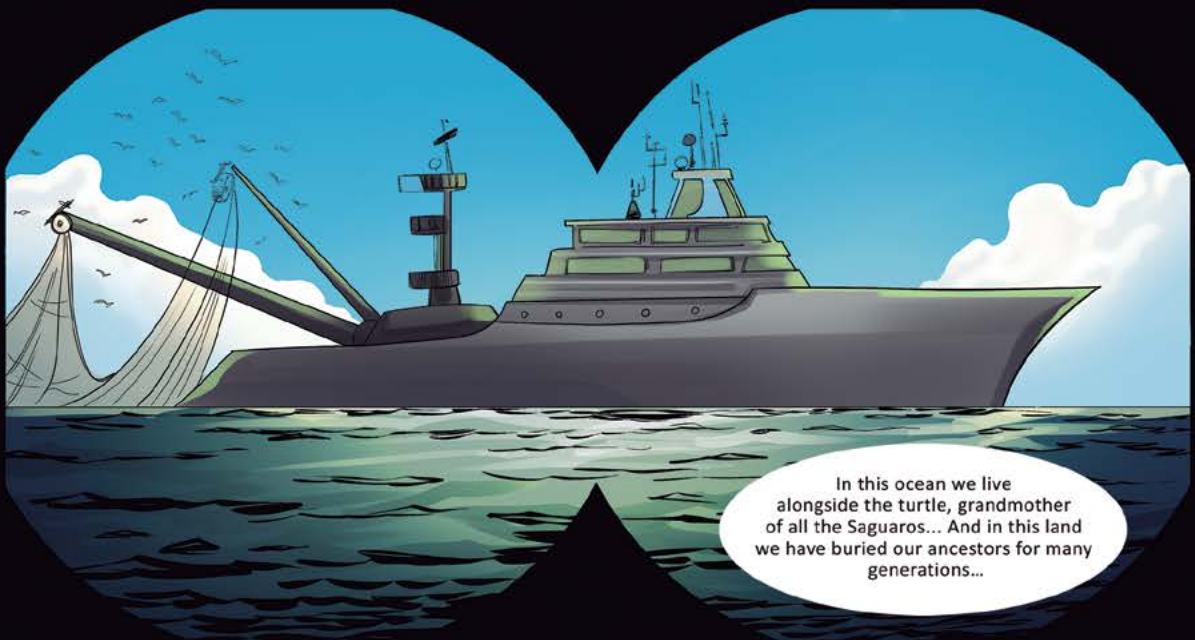
Yes...

I shall respect your decision.

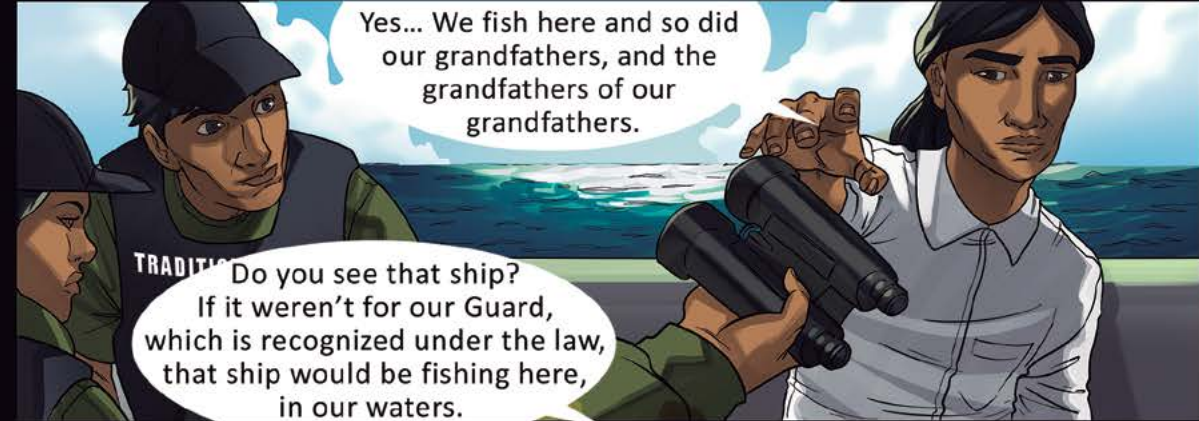


I joined the Traditional Coast Guard to protect our TERRITORY - the earth, the sea and everything that lives in them - where our people have lived since ancestral times.

From here we obtain what we need to eat, to build our homes and handicrafts, and to live according to our customs and traditions.

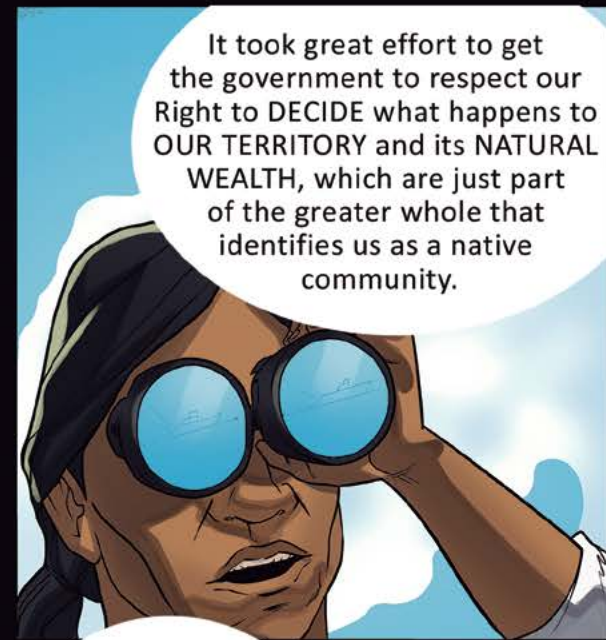


In this ocean we live alongside the turtle, grandmother of all the Saguaros... And in this land we have buried our ancestors for many generations...




Yes... We fish here and so did our grandfathers, and the grandfathers of our grandfathers.

Do you see that ship? If it weren't for our Guard, which is recognized under the law, that ship would be fishing here, in our waters.



It took great effort to get the government to respect our Right to DECIDE what happens to OUR TERRITORY and its NATURAL WEALTH, which are just part of the greater whole that identifies us as a native community.



This fight is worth it. Now the government respects our Right to SELF DETERMINATION, to decide our social, economic, political and cultural organization for ourselves.



And it must also respect our AUTONOMY to choose our own authorities and to have our TRADITIONAL GUARDS.

Now we know that as an indigenous community we have COLLECTIVE RIGHTS that, if violated, affect the entire community.

It seems that our Traditional Guards know the law very well!

TRADITIONAL COAST



HA HA HA HA

One week later, the day to travel arrives. Early in the morning, Nahawa and Grandfather Xepe go to talk with the community's children.



Why are you going on a trip, Grandmother Nahawa?

I am going to talk with representatives of many of the world's native people. They, like us, defend our Indigenous Rights.

What Rights?

We have many, such as the Right to our CULTURE and IDENTITY.

Identity?

Yes. Are you Saguaros?

YEEA

All our community recognizes you as Saguaros. That is IDENTITY, knowing that we belong to a territory and that we share a tongue, traditions and a collective way of life.

Our identity allows us to secure our Rights.

For example, to live according to our own CUSTOMS AND TRADITIONS that we learn in practice throughout our lives and that are different from those in other parts of the world.

Us Native People have a history of continued existence as indigenous folk, because our people inhabited this territory since before the time of colonization.

That means we have roots here!

You got it!



We, native people have the right to the protection of our traditions.



Just like the Council of Elders teaches our history and traditions to you, so shall you teach them to our future generations.



The palm tree,
the palm tree!

Where did
you hide the coconuts,
Palm Tree?

I ate them all!

Nanihi

You will be a
good father and a good
grandfather, Xun.

I think not,
Nahawa. That is
not for me
anymore.

Too soon to tell...
Your path
has yet to
see many
footprints.

This is Samuel, he has come from the city. He is in charge of taking Nahawa and Xun on the trip.

Hello, dear Nahawa. Are you happy about making the trip?

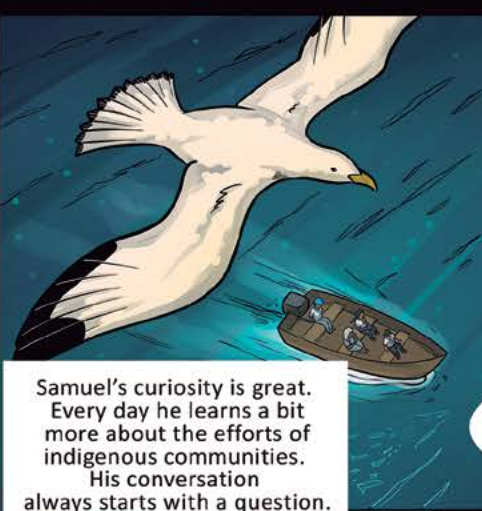
I'm nervous. This will be my first time flying on a steel bird!

The moon is silvery, a sign of good fortune. Take good care of Nahawa. Take good care of yourself.

I promise, Mother.

I said nothing to your mother about your idea of staying in the city. I don't want to worry her. I shall pray for you to return here.





Samuel's curiosity is great. Every day he learns a bit more about the efforts of indigenous communities. His conversation always starts with a question.



How did your people attain the recognition of their Native Rights?

Everything started when the large fishing ships began to come here with their giant drag nets.



They took everything they caught away with them. One day it was a ship from one country and the next day another ship, with a different flag but just as aggressive against marine life.



And against us! They came into our territory without requesting our permission.



But what enraged us the most was that they took the turtles with them in their nets. The turtles are endangered! We protect them!

Many indigenous people have successfully gained their demands by protecting the species that are important to them within their community legislation.



I did not know that!

More and more ships kept coming until we could no longer stand it, so we got organized and exercised our right to decide about our territory.





They sent us back to the beginning, as if we had done nothing at all, as if we had not come and gone here and there and spoken with people for months and months!



They ignored your rights! Didn't anybody care?

Oh, yes! Friends that have visited our community, offered us lodging at their homes and put us in touch with an NGO that focuses on Native Rights.



It means that, if the government or a company want to start a project or activity in our territory, they must first explain to us what they want to do and we have the right to decide whether we accept it or not.



All the efforts you made of going to see all levels of the national government were not in vain, because, only after all those steps have been taken, can the international courts be approached.



That is what our advisors on Native Rights explained. They also helped us express our demands in terms of our national Constitution and in terms of international agreements, so as to present our claims to the International Court.

They taught us that the law states we have the right to be CONSULTED.



By law, only projects approved by our community – which holds the true Rights to the land – can be carried out in our territory.



Xun, do you know what this right means?



Nahawa does not like to talk about her fears because she says they are contagious. But one of them, perhaps her greatest, is...



...fear of flying!





Do not worry Nahawa,
I have traveled in a plane
many times and nothing bad
has ever happened..

This huge chunk
of metal cannot possibly
fly! Can't you see it's
really heavy?



Think of
something
nice,
Nahawa!

The ground, roots,
that is really
very lovely!

!!!Aaaaayyyy!!!





Nahawa, please go on telling me how you attained recognition of your territory. This will relax you.

Well, our country signed international agreements that include Indigenous Human Rights. These agreements are integrated as priorities in the Constitution, which is the highest law in our country.

There were three main international agreements on which we based our claims: the famous ILO AGREEMENT 169*, the CONVENTION ON BIOLOGICAL DIVERSITY, also known as CBD, and the NAGOYA PROTOCOL.



Xun, do you know about ILO AGREEMENT 169?

It is the main international instrument on the Rights of Indigenous People. By 2016 it had been signed by 22 countries, including ours.



No...



CBD's Article 8J states that the government must protect traditional knowledge and practices and that, when these are promoted, indigenous people have the right to approve and participate in the use of them.

The CBD, signed by over 150 countries, was the first agreement to recognize that protecting the various forms of natural life is a concern shared by all humanity and is important for everyone's development.



It also states that, when someone external to the community uses traditional knowledge, the **BENEFITS MUST BE EQUALLY SHARED** with the native community.

CBD's Article 10C says that the State must protect the customary use of biological resources according to the traditional practices of native people, if these practices protect the various forms of life.



The Nagoya Protocol recognizes community norms, protocols and procedures for the use of natural genetic resources, as well as the traditional knowledge associated with these.

Thanks to these international agreements, my country's authorities had to really listen to us.



It also includes the native community's **RIGHT TO PROPERLY INFORMED APPROVAL** prior to the authorization of the use of the resources.



At last legal recognition was given to our Right as Native People to the territory that we have been the stewards of since before this modern country was even established.

Yes, but many trials have been won without having to appeal to international agreements.

Because native communities can have their own normativity, based on their customs and traditions.



Yes, our community authorities uphold our own rules and laws. Only through these have we managed to protect our territory and everything that lives in it.

And what happened with the fishing ships? Did they stop coming?




Yes, they're gone, but now others want to mine the land.





Now that we are well aware of our rights, they will not be able to abuse our territory. We have to keep up the fight.




HOTEL



When I am in our community
I cannot stop thinking of Nunihú.
She lost her life there...

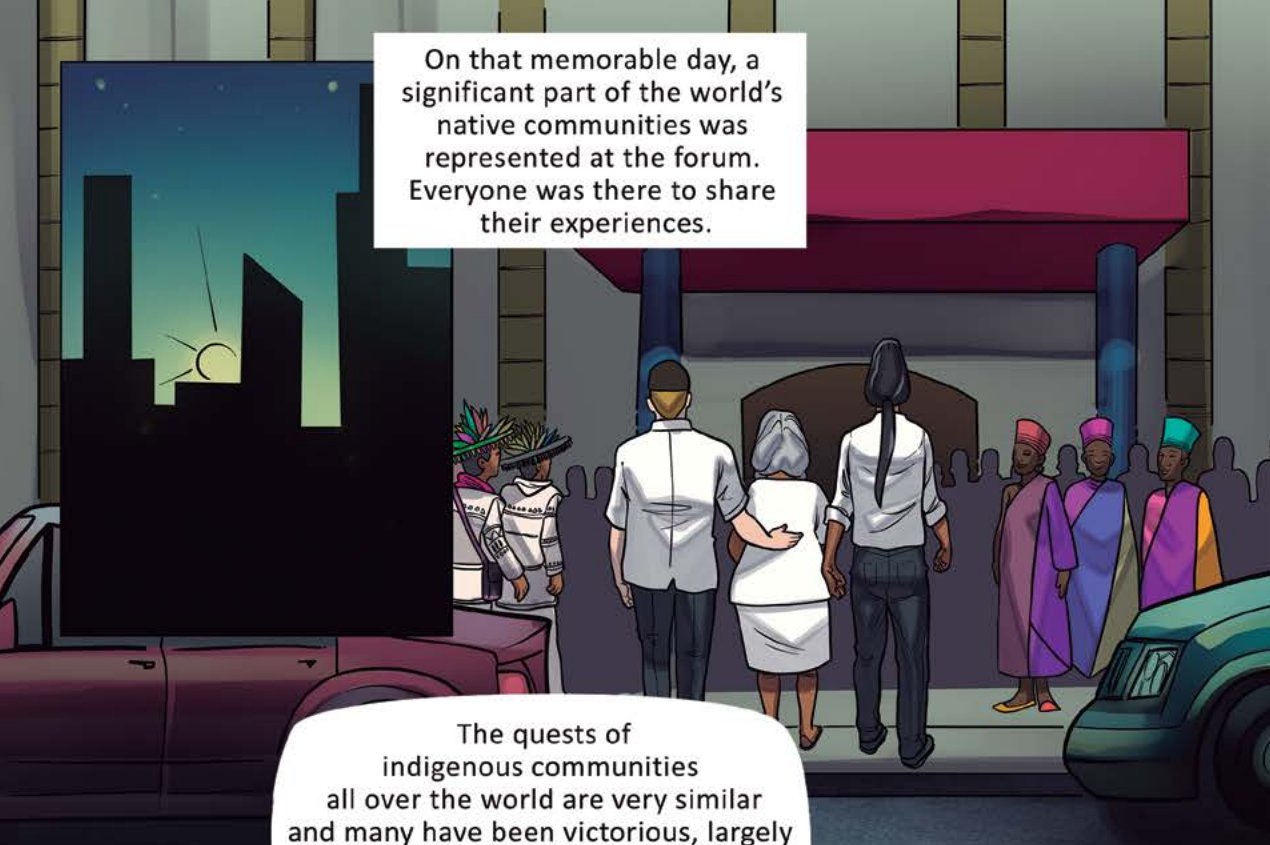


Grandmother, when we return to
our country, I will remain in the capital.
I shall not return to the village
with you.




You're right, but
the memory of
her will not follow
me like my shadow
every day.


Being away from
your people will
not bring your
wife back, Xun.




On that memorable day, a significant part of the world's native communities was represented at the forum. Everyone was there to share their experiences.



The quests of indigenous communities all over the world are very similar and many have been victorious, largely because they are not divided among themselves: they are organized and united as a native community.



Thanks to the Native People that labored to attain our Rights as the world's Indigenous People, we now have the Right to our territory.



Mother Earth is a great living community; all of us live from it and are part of it. That is why all of our territories are sacred.



Indigenous people are not concerned with a few of us getting wealthy, but rather on the collective wellbeing of all, and on caring for our surroundings. This can be seen through the healthy state of our forests.



Progress that destroys Mother Earth is **not** progress!

We reject all forms of subdivision, privatization, concession and pollution of our territories by extractive industries!



My community faced a threat that would ruin the rainforest which, since ancestral times, has provided for us. But we organized ourselves and, together, set on the path toward recognition of our **COLLECTIVE RIGHT** to our territory. And yes, we got it.



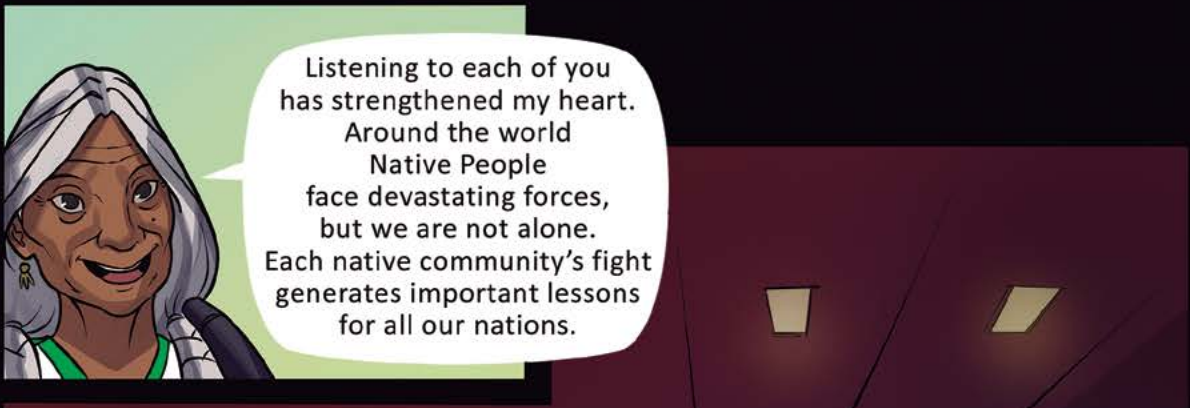
The world's best preserved natural areas are in the hands of indigenous communities. That is why our demands stand to benefit native people and all the planet.



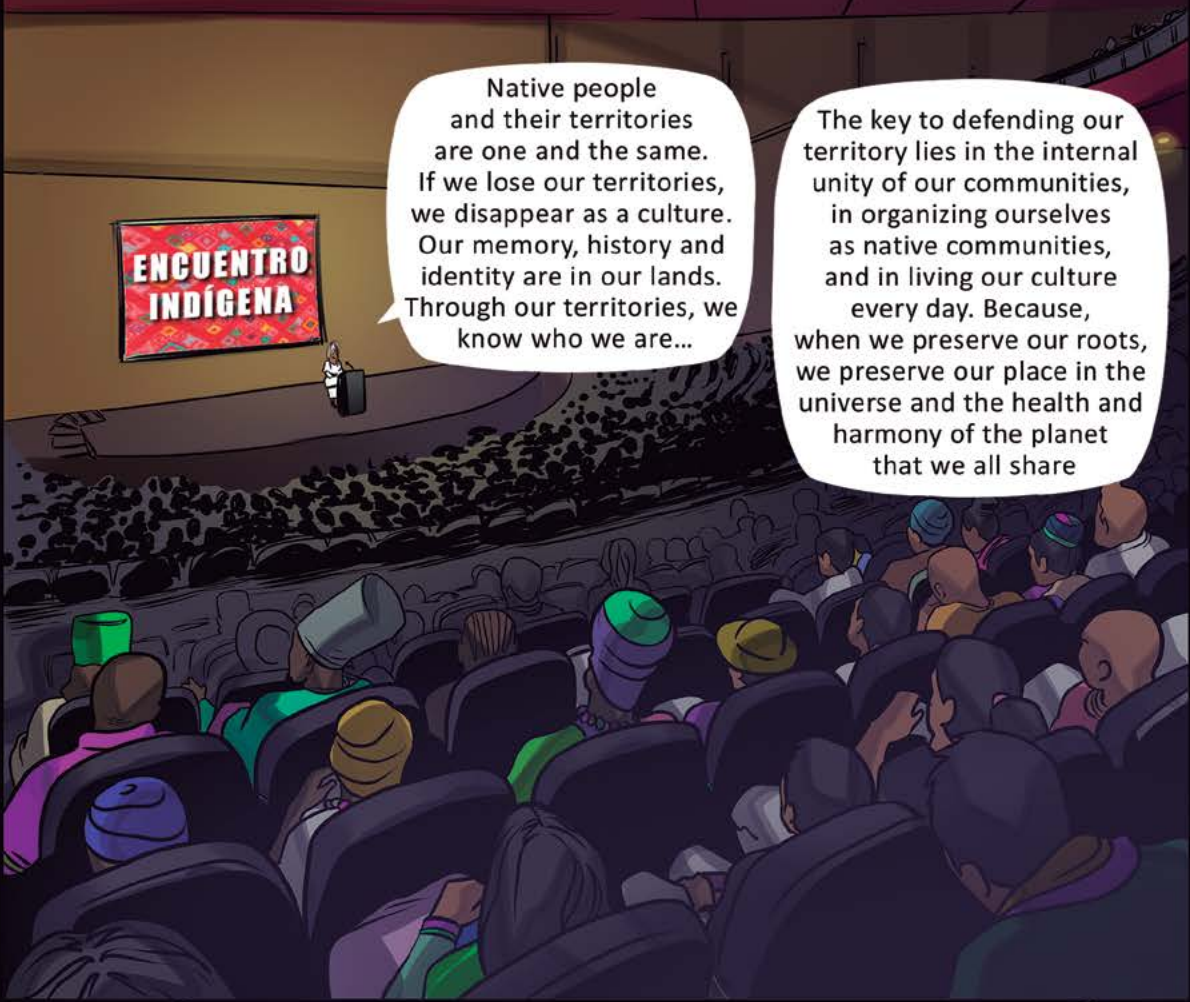
It is now a woman's turn to speak who is a living legend because of the courage she showed in defending her native culture and territory.



It is an honor for me to introduce you to an awesome grandmother from the Saguaro people, **NAHAWA HAST!**



Listening to each of you has strengthened my heart. Around the world Native People face devastating forces, but we are not alone. Each native community's fight generates important lessons for all our nations.



Native people and their territories are one and the same. If we lose our territories, we disappear as a culture. Our memory, history and identity are in our lands. Through our territories, we know who we are...

The key to defending our territory lies in the internal unity of our communities, in organizing ourselves as native communities, and in living our culture every day. Because, when we preserve our roots, we preserve our place in the universe and the health and harmony of the planet that we all share




CLAP CLAP
CLAP CLAP
CLAP CLAP



CLAP CLAP
CLAP CLAP
CLAP CLAP

The Indigenous Forum comes to a close at the end of the fourth day. The joy is tinged by the nostalgia of inevitable farewells.




I enjoyed meeting you, I really did. Let's keep in touch.

It has been a wonderful gathering. I feel emboldened to continue with my community's quest.



YES!!!


The defense of our territories is the greatest and most beautiful adventure we could ask for in our lives.



Alright Nahawa, let's go back to our village!

With you as part of our community, we are stronger.

Two days later, NAHAWA and XUN are back at their community.



Grandmother, did you like flying?

Well... to tell the truth... I much prefer having my feet on the ground – our ground!

Feet on the GROUND

THE ROAD TO INDIGENOUS PEOPLE'S RIGHTS

Production:

**BIODIVERSITY GOVERNANCE PROJECT TEAM: EQUITABLE AND FAIR SHARE
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SUSTAINABLE DEVELOPMENT GOALS

15 LIFE ON LAND



GOAL 15: LIFE ON LAND

Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss.

14 LIFE BELOW WATER



GOAL 14: LIFE BELOW WATER

Conserve and sustainably use the oceans and seas marine resources.

11 SUSTAINABLE CITIES AND COMMUNITIES



GOAL 11: SUSTAINABLE CITIES AND COMMUNITIES

Make cities and human settlements inclusive, safe, resilient and sustainable.

AICHI BIODIVERSITY TARGETS

TARGET 18: By 2020, the traditional knowledge, innovations and practices of indigenous and local communities relevant for the conservation and sustainable use of biodiversity, and their customary use of biological resources, are respected, subject to national legislation and relevant international obligations, and fully integrated and reflected in the implementation of the Convention with the full and effective participation of indigenous and local communities, at all relevant levels.

To find out more, go to:



comicsunitingnations.org

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