Americas

Maurice Bryan

The immense and diverse Americas region contains large populations of mixed ethnicity. These are composed of descendants of immigrants from European, Asian-Pacific and Middle Eastern countries, and tens of millions of distinct indigenous peoples (IP) and African descendant populations (ADP). In some Central and South American states ADP and IP constitute as much as 45 per cent or more of the national total.

A 500-year-old colonial era legacy characterized by dispossession, enslavement and cultural imposition continues to hamper efforts to bring about real and lasting change, especially with respect to the rights of people of indigenous and African descent. In 2008 they remained the most marginalized and disadvantaged populations, constituting a disproportionate percentage of the poorest of the poor in their respective countries.

Among these minorities the main concerns in 2008 continued to be societal and institutional discrimination, chronic poverty, land seizure, socio-economic marginalization and various other forms of exclusion. This included limited political participation, poor infrastructure provision and inadequate access to services such as health and education.

By most measures, therefore, the human rights situation of IP and ADP in the Americas region remains very challenging; however, there were increasing signs during 2008 that some significant positive trends are now gaining momentum.

Education and gradual change

Increasingly over the past two decades IP and ADP rights movements in Latin America have been able to advocate and organize successfully at local, national and transnational levels. Consequently, there is now a general trend towards official state acceptance of the specificity of diverse identities and cultures.

For example, in 2008, after centuries of marginalization and oppression, Andean peoples of Bolivia and Ecuador were finally able to articulate a stronger national indigenous presence by approving new constitutions that provide greater recognition of IP cultural, political and land ownership structures.

In several regional states, including Brazil, Honduras and Nicaragua, there is now special legislation, and government departments are developing policies for African descendant populations.

Most countries have now formally adopted multicultural citizenship structures and rights reforms are occurring within an international regime of Inter-American and international treaties including the International Labour Organization Convention No. 169 and the 2007 UN Declaration on the Rights of Indigenous Peoples.

Legislation and decisions by regional bodies such as the Inter-American Human Rights Court have also bolstered the rights of indigenous peoples and African descendants in their claims for recognition, territory, autonomy and justice.

Moreover, agencies such as the World Bank and the Inter-American Development Bank (IADB), once strongly criticized for ignoring the plight of the region's minorities, now officially recognize their marginal status and routinely enact special guidelines for the inclusion of indigenous and African descendant populations in development initiatives.

This includes commissioning special studies, such as the 2006 World Bank Policy Research paper on the quality of schools and education available to indigenous students in Guatemala, Mexico and Peru.

State of education

It could be said that these changes – though arguably modest – would not have occurred without prior access to primary, secondary and higher education by a critical mass of ADP and IP rights activists, who used their knowledge and training to campaign for fundamental rights and freedoms for their communities

Consequently, during 2008, in addition to having to address pressing issues such as continuing land dispossession, climate change effects and global economic contraction, minority rights advocates in the Americas increasingly directed their attention to bolstering the right of access to a proper education.

Marginalized people in the hemisphere have long seen education as the key to long-term improvement of collective material well-being, and to enabling them to realize their aspirations, worldviews and right to self-determination. This includes the safeguarding of languages, histories and cultures. However for several generations – in Latin America and the Caribbean especially – they have had to depend mainly on the goodwill of faith-based organizations for education, and were served to a much lesser extent by their national governments.

Right: Indigenous children in Pimbaro, Ecuador, playing outside their bilingual school. *Julio Etchart/ Panos.*

Whether state-provided or non-governmental, these educational efforts essentially supported an assimilationist national agenda that devalued indigenous languages, practices, ideals and beliefs. Indigenous students in particular were sometimes subjected to verbal and physical mistreatment, and, in extreme cases such as government residential schools in Canada, also sexual abuse.

At the 2008 World Indigenous People's Conference on Education (WIPC:E) Dr Marie Battiste – the first indigenous Canadian woman to receive a doctorate (1984) – explained that moving beyond the limitations imposed by the dominant cultures towards identity reclamation and self-empowerment often required that survivors of assimilationist education engage in radical self-analysis, reorientation and identity reclamation.

To some extent this contributed to strengthening their resolve to work not just for improved education access but also for policies and reforms based on respect for the rights and values of indigenous and minority populations.

Nevertheless, access to quality education in 2008 remained one of the most difficult rights for African descendant and indigenous populations in the Americas to realize. Although their nations' constitutions and international conventions may guarantee that right, this does not always translate into adequate budget allocations or policy initiatives. As a result, in 2008 a significant majority still had little or no adequate primary or secondary education, much less higher learning.

Student profiles

Regional studies show that a majority of African descendant and indigenous students come from low-income households. They often need to travel long distances to classes, have poor nutrition levels, study in dilapidated rural or overcrowded urban schools with few resources, and have higher rates of non-completion compared to others in their societies.

In 2008, IP and ADP students continued to represent a disproportionate number of school drop-outs and repeaters in their countries, and to have high failure rates. Many are unable to read or write adequately. In Central American countries with large indigenous populations (Guatemala, Mexico) indigenous adults tend to have half the years of schooling of non-indigenous people. Moreover there are few if any special programmes for continuing their education as adults.

UNESCO's Regional Education Office for Latin America and the Caribbean (OREALC) and the United States College Board indicate that IP and ADP students across the Americas are a minority of test-takers and, as a whole, perform significantly worse than their national counterparts on a range of standard exams.

There is a variety of contributing causes, including the fact that some minority students are placed

at a disadvantage very early in their educational lives through the failure of educators to accommodate linguistic and cultural diversity in learning approaches.

Compared to their non-indigenous counterparts, students in Latin America who still speak an indigenous language more often enter school with limited knowledge of the main idiom of educational instruction (Spanish).

Education and income

In 2008 there also continued to be especially compelling links between low educational levels of parents, their reduced income-earning opportunities and the perpetuation of poverty cycles in minority populations. Poorly educated indigenous and African descendant parents earn less and cannot afford to send their children to good schools where they have a better chance of getting a quality education and increasing their income-earning potential.

A World Bank poverty report found that in Guatemala, average hourly wages increased 15 per cent with a primary education, 51 per cent with a secondary education, and 74 per cent with a university education. Moreover, the improvement for women was especially pronounced. Also, according to a 2007 US College Board study, people in the United States with a bachelor's degree earn over 60 per cent more than those with only a high school diploma.

In Brazil, where African descendants make up more than half the population, 78 per cent live below the poverty line and only 2 per cent of university graduates are black Brazilians. According to the World Bank, African Colombians represent approximately 25 per cent of the entire population but nearly 80 per cent of African Colombians live in extreme poverty, and only 13 per cent of adult African Colombians have completed primary education.

The poor, predominantly rural dwelling IP and ADP students in Latin America, are not only underserved where they live, but also are hardly likely to attend a private school or pursue further study in an urban area, and therefore have almost no chance of changing their status.

Even if they could afford private school costs, there are societal factors that come into play. The daily assimilationist pressures, racial stereotyping and historical prejudices of both peers and teachers

Intercultural and bilingual education in Latin America

By *Inge Sichra*

Since 1996, the Training Program in Intercultural and Bilingual Education for Andean Countries (PROEIB), based at the University of San Simón in Cochabamba, Bolivia, has focused on the training of indigenous professors, researchers and professionals of six South American countries (Argentina, Bolivia, Chile, Colombia, Ecuador and Peru). It has produced five graduating classes of the teaching programme and two graduating classes of the relatively new training programme in indigenous leadership. At present a sixth class is being formed, with students from some of these countries alongside seven indigenous professionals from Mexico. The 25 peoples represented in PROEIB's six Master's programmes are: Amuzgo, Awajún, Aymara, Chayahuita, Cofán, Colla, Guambiano, Guaraní, Huasteco, Mapuche, Maya, Mazahua, Mixe, Moxeño, Nahuatl, Nasa, Otomí, Quechua/Quichua/Inga, Shawi, Shwar, Triqui, Tsotsil, Wayuu, Wixarica and Yanacona.

The main goal of PROEIB is to train indigenous intellectuals and professionals capable of making new Intercultural and Bilingual Education (IBE) programmes across the region viable. As well as training of new professors and researchers, it includes academic exchanges, collaborative research and publishing, and participation in workshops.

The programme includes personal reflections, indigenous languages, theoretical texts and the production of teaching materials. An important part of the work is the empirical research of institutions and students who look at the inherent problems of education in multilingual and multicultural contexts, especially in indigenous education, and also provide proposals on how to improve the current situation. PROEIB Andes has also collaborated with many national and international organizations, including UNICEF.

However, the biggest impact of PROEIB is how the new professionals trained by the IBE teaching programme and who have taken up important positions in the IBE network across Latin America, use and pass on their skills (see table). There are now 158 indigenous professionals who graduated over ten years of IBE courses in roles related to education and culture; 63 of these are women (40 per cent). In Chile, a female graduate of PROEIB Andes is Director of the Anthropological Museum of Cañete, Concepción. In Bolivia, graduates of PROEIB Andes have been and continue to be deputy ministers, national directors, governors of normal and higher IBE institutions.

The development of the PROEIB Master's programme takes into account the leading role of indigenous people, and has been formulated in consultation with indigenous leaders from the six associated countries.

Finally, PROEIB's selection process includes compulsory support of an indigenous organization to guarantee an organic link between the student and his or her community, to encourage the student to use their PROEIB skills towards building better opportunities for the people of his or her organization and community.

In a joint project UNICEF, the Spanish Agency for Development Cooperation and the PROEIB Andes Foundation have developed a *Sociolinguistic Atlas of Indigenous Peoples in Latin America*. This is a tool to promote the visibility of the ethnic, cultural and linguistic diversity of the region, diversity whcih needs to be taken into account to address prevailing inequality. It is also a key for planning in the education sector.

The *Atlas* and accompanying DVD cover 522 indigenous peoples; 420 registered indigenous languages are in use in the region, of which nearly a quarter are cross-border. However, what distinguishes Latin America from other world regions si the diversity of linguistic families: the *Atlas* records no less than 99 such linguistic families.

Through is interactive character and use of graphics, the *Atlas* is designed to be used by planners, officials and international organizations, as well as indigenous peoples themselves, students and the media. It should become a key tool for conveying the rich diversity of indigenous peoples in the region and promoting genuine multiculturalism. ■

Placement of graduates of four PROEIB Andes Master's programmes (2001–7) in the education sector

Entity	Argentina	Bolivia	Colombia	Chile	Ecuador	Perú	Total
Governments and ministries	1	8	3	2	4	13	31
Universities and teacher training institutes		29		3		4	36
Schools		2	2	2	4	5	15
Indigenous organizations, NGOs		13	2	3	2	5	25
Independent consultants, doctoral candidates and others		8	1	7	2	7	25
Totals	**1**	**60**	**8**	**17**	**12**	**34**	**132**

in many urban environments can often diminish the quality of the educational experience. World Bank study results for Guatemala have shown that private school attendance is not necessarily as beneficial for indigenous students as it is for their non-indigenous counterparts.

Teacher quality and work requirements

There are also issues related to the quality of instruction. Studies across the Americas show that instructors of IP and ADP students more often tend to be less experienced, less educated and less well paid compared to teachers of mainstream students.

Within the United States, the Urban League has found that teachers with less than three years' experience teach in minority schools at twice the rate of those in predominantly white schools. World Bank studies in Guatemala, Mexico and Peru in 2006 also show that teachers of indigenous groups tend to have half the number of years' experience compared to teachers in non-indigenous schools. UNICEF has been working in the Andes region to train teachers to work in Intercultural and Bilingual Education (IBE) schools.

A combination of often acute financial need as well as cultural factors – such as the encouragement of customary work values in children – means that in every country, minority population students are more likely than their national counterparts to combine schooling with work in and outside the home.

In Guatemala, 24 per cent of indigenous children work, compared to 16 per cent of non-indigenous children. In the many small cooperatively run tin, zinc and silver mines in the high plains of Bolivia, indigenous children constitute up to 10 per cent of the approximately 38,600-strong workforce. In the Dominican Republic, African descendant children 12 years old and younger regularly work alongside their parents in the sugarcane fields. Also in Bolivia young girls often leave school early to work at home or in the informal economy.

Accordingly in 2008, policy makers across the region have been focusing their attention especially on the linkage between high child labour rates and low schooling results for indigenous and African descendant populations.

Cultural and linguistic dimension

There is an absence of culturally appropriate curriculum content. During 2008 rights advocates in the Americas continued to point out that the historical component of IP and ADP education continues to be overlooked. This not only helps to restrict the full academic participation of the specific groups, but also denies opportunities for attitude and perception changes within a larger intercultural national context.

In the majority of countries of the Americas – including the Caribbean states – the history and contributions of indigenous and especially African descended populations is rarely if ever included in state-based school curricula. Critics argue that this distorts the true historical record of each nation and denies students an opportunity to develop a sense of self-worth and pride in their indigenous and African descendant heritage. It also reinforces students' sense of alienation and exclusion from the society in general.

When coupled with societal discrimination and economic necessity, this 'disconnectedness' can sometimes cause minority students to question the benefits and need for any formal education in their lives. They then either fail to enrol or drop out, thus narrowing their income-earning options to legal but low-paid work or involvement in potentially more lucrative but high-risk criminal ventures. UNICEF has been working in Bolivia on a scheme to address this (see Box, p. 131).

According to the Brazilian NGO, Reference Center on Children and Adolescents (CECRIA) the thousands of females and adolescent males exploited in sex and labour trafficking schemes in 2008 typically were 'darker skinned', came from low-income families, usually had not finished high school and were often lured with promises of well-paid local or international work.

Likewise in the USA, the Bureau of Justice Statistics as well as the National Council on Crime and Delinquency, in February 2009 reported that 75 per cent of the inmates in America's state prisons are high school drop-outs, and about 67 per cent are functionally illiterate.

Cultural education and ecology

IP and ADP rights activists point out in that culturally specific instruction and bilingual education are particularly important to social and ecological preservation. This includes halting the outright loss of heritage languages and cultures, which may contain universally useful knowledge.

They cite the example of the philosophies and worldview of the indigenous peoples of the Americas with respect to the relationship of humans to the Earth. These have greatly influenced the development of the international environmental movement and approaches to sustainable global ecological management.

Nonetheless, in most cases public school curricula in the Americas have completely failed to develop new methodologies or cultural content relevant to the contemporary issues and needs of African descendant and indigenous groups.

In Jamaica, the Ministry of Education is launching a major initiative in 2009 to raise the literacy levels in schools. A lack of children's books dealing with Jamaican and Caribbean life, history, culture and values is being addressed through the publication of books for children up to the age of 8 featuring a 6-year-old Rastafarian boy.

Bilingual programmes

Many countries in the region have passed legal guarantees of bilingual education; nevertheless, in all these countries, bilingual education is consistently under-funded, continues to have limited reach among indigenous children and therefore has a limited social multiplier effect.

Bilingualism is also an issue in the Anglophone islands in the Caribbean area, where African descended populations make up the majority, as well as in Central America (Belize, Nicaragua), where there are substantial African Caribbean cultural minorities. In 2008, cultural rights activists continued their call for the recognition of Caribbean Creole (Kriol) as a respected first language, and for its formal introduction into the education system.

Programmes that use Creole as an initial 'start-up' language for primary grades are being piloted in Belize, Nicaragua and Providence-San Andreas Islands (Colombia), and university researchers are involved in standardizing Creole spelling and developing learning materials.

Advocates in places such as St Lucia point out that the overwhelming majority of the population uses Creole, yet there is no government policy on the use of the Creole language. Moreover, people are denied the right to participate in the Saint Lucian parliament if they do not speak standard English.

Statistical invisibility

Many of the problems affecting basic service delivery are difficult to tackle without proper statistics. Latin American African descendant activists have consistently advocated the need to end their group's statistical invisibility as a means of addressing exclusion.

Based on national averages half of the states in Latin America and the Caribbean (LAC) are statistically considered to be middle-income countries. During 2008, however, there was the growing understanding that this often results in a distorted picture of the true conditions of IP and ADP.

Given the great income gap that often prevails within individual LAC countries, the real status of minority and indigenous communities at local and municipal levels is very often hidden behind the broad national averages.

During 2008, organizations such as UNICEF continued to highlight the difficulty in determining whether Millennium Development programming goals are actually being met for these vulnerable populations, especially given the absence of local-level statistics.

Such data provides governments with specific demographic information and allows better use of increasingly limited resources. This helps to ensure that national funds go further and go where they are most needed. In most cases this means the many historically disadvantaged African descendant and indigenous communities.

However, in 2008, despite the best intentions of institutions such as the Economic Commission for Latin America and the Caribbean (ECLAC) and other multilateral agencies – and even when government departments are willing to cooperate – a reliable system to gather statistical data at municipal and provincial levels has not yet been developed.

One factor is the absence of systematic strategies to accurately identify IP and ADP in census or household surveys. The self-identification registration methods currently used are not always fully reliable. In the race- and colour-conscious societies of the Americas the process is often influenced by the highly subjective perceptions and prejudices of both the data collector and the informants with regard to nomenclature and racial/ethnic categorizations.

Often this translates as favouring 'white-oriented' designations and avoiding labels such as 'indigenous' or 'black'. Furthermore, rights researchers indicate that in countries such as Colombia census takers are more likely to avoid entering socially marginalized zones with high indices of violence and to opt for filling out the questionnaires themselves.

Child and adolescent registration

Another key factor linking statistical invisibility of IP and ADP communities to limited service delivery in LAC countries is the issue of child registration. Non-registration restricts children's access to important public services including education.

During 2008 a range of NGOs as well as multilateral agencies have continued to address this in initiatives such as the 'Name and Nationality' programme supported UNICEF and other development organizations. At the first and second regional conferences on the 'Right to an Identity' (2007 and 2008), Latin American governments, international organizations, civil society and representatives of indigenous and African descendant communities agreed to cooperate to achieve free, universal and appropriate birth registration for all children in the region by 2015.

Identity registration also has a cultural dimension. For example, in some areas, indigenous cultures do not believe in officially naming a child until it articulates its first word. Studies in Guatemala also found that, as well as the investment of time and money, the need to travel to unfamiliar urban areas and interact with non-indigenous male government officials tended to discourage indigenous women from registering their children and themselves.

Ultimately this is related to the historical marginalization, official indifference and consistently poor-quality services that IP and ADP communities continue to receive from their governments.

Economic crises and climate change disasters

The end of 2008 produced economic and environmentally related events in the Americas that further threatened the long-term well-being of IP and ADP communities. One was the contraction of the global economy and the other was a succession of natural disasters, both of which risk retarding access to education among minority populations.

Between October and December 2008, heavy rainfall left a trail of destruction across Central and South America. Landslides and substantial flooding affected large areas in Belize, Brazil, Costa Rica, Guatemala, El Salvador, Honduras, Nicaragua and Panama.

Indigenous people and African descendants represented a large part of the affected population. According to relief organizations and disaster management agencies, more than 250,000 people were affected by damage and destruction to houses, infrastructure and crops. Many of the affected lived in marginal hard-to-reach areas that in most cases had little prior access to basic services. Moreover, massive agricultural damage raised the possibility of further increases in already high food prices.

Agencies such as UNICEF have noted that such natural disasters take a great toll on children and their education. There are long-term effects on educational activities: student nutritional levels stay low, damaged schools are slow to be rebuilt and parents sometimes are forced to choose between food and schooling.

Because of their marginal social, political and economic status and historical official neglect, IP and ADP tend to recover much more slowly from the losses incurred and their needs are much greater in the aftermath.

Indigenous and rural ADP communities often have very strong community structures and collective practices, which facilitate recovery. However, educated populations arguably are more likely to be in a stronger financial and political position to engage in disaster preparedness, including having the means to evacuate themselves beforehand from threatened areas.

They are also more likely to independently access information and undertake civic reorganization and rebuilding in the aftermath, even if government programmes are slow to arrive in their areas. This includes knowing how and when to petition authorities and denounce corruption if required, and how to encourage heightened media focus to publicize concerns.

It is in such circumstances that appropriate human rights instruments that can guarantee the delivery of services such as health and education become even more useful to IP and ADP; especially given the regional history of social exclusion and official indifference.

Draft American Declaration on the Rights of Indigenous Peoples

The draft of the American Declaration on the Rights of Indigenous Peoples (ADRIP), geared specifically to the legal needs of the indigenous and original peoples of the Americas, moved closer to completion in December 2008.

During the special sessions at the OAS (Organization of American States) headquarters in Washington DC, the group working on final text revisions debated issues and identified the regional particularities that should be reflected in the final draft document. These included the regularity with which states fail to comply with treaties signed with IP; the long-running internal armed conflict in Colombia that is imposing blatant human rights violations on IP and ADP; as well as autonomy issues, such as IP who choose to remain in isolation (in Colombia, Ecuador, Peru and the Amazon region), and those with their own judicial systems, governments and traditional legislative organizations.

While there is consensus among the working group's indigenous representatives, a major ongoing challenge has been the attitude of the US to new human rights standards. The USA has not yet ratified the UN Convention on the Rights of the Child. Moreover, along with Australia, Canada and New Zealand, the US voted against the 2007 adoption of the UN Declaration on the Rights of Indigenous Peoples. Currently US representatives attend ADRIP drafting sessions only as non-active observers.

Nonetheless, indigenous rights activists see ADRIP as providing strong regional standards for justice administration and the promotion and protection of human rights, especially in light of the existence of autonomous organs such as the Inter-American Court of Human Rights (IACHR) and the Inter-American Commission on Human Rights.

ADRIP is therefore viewed as being a more effective instrument for the region than the UN Declaration. The IACHR and domestic courts in Mexico and Central and South America have already used the standards of the draft ADRIP in deciding indigenous cases.

Two more meetings are scheduled for 2009 and, once the final language is approved, the working group will submit the text to the OAS General Assembly for a final vote in 2010.

Argentina

Transnational scholarship programme

During 2008, Argentina, the second largest country in South America, continued to strengthen its international ties with other states in the region, including Brazil, Cuba and Venezuela.

Having been divided by the national frontiers imposed during the post-independence era, Argentina's indigenous minorities proclaim a transnational identity and also endorse greater linkages.

Bilingual intercultural education is an issue which continues to unite members of Aymara, Chiriguano, Mapuche, Mbyá Guarani, Mocoví, Quechua, Toba and Wichi nations that have ethnic links in all the neighbouring countries.

The indigenous population in Argentina is estimated at between 700,000 and 1.5 million. Although the Argentine Constitution recognizes indigenous ethnic, cultural and other rights, implementation is the task of the 23 provinces, of which only 11 recognize indigenous rights in their constitutions.

In 2008, IP poverty rates in Argentina continued to be above average and IP displayed higher levels of illiteracy, unemployment and chronic disease. Access to education remained a problem for indigenous children as well for the small, mainly urban, African Argentine population. African Argentines continued to experience discrimination in employment, housing and education, as well as racial insults while using public transportation.

Indigenous education

Indigenous education in Argentina is the responsibility of the National Institute for Indigenous Affairs (INAI). During 2008 it continued to focus on adding to the 6,000 plus scholarships which enable Argentina's IP to attend secondary and post-secondary institutions, including universities.

The country's interest in forging international links has also been visible in the area of IP and ADP education. Twenty indigenous and African descendants from rural Bolivia, Colombia, Ecuador and Peru are now receiving an education in Argentina at the Universidad Nacional del Litoral (National University of the Coast) in Santa Fe. The transnational programme is financed by the Inter-American Development Bank (IADB).

The five students from each country, totalling eight women and twelve men, are participants in a two-year agribusiness administration degree programme. The students will receive full scholarships and also have an opportunity to build ties with indigenous students from within Argentina. Five indigenous students drawn from Mocoví and Toba communities in Santa Fe will also participate in the programme.

Left: Quechua Indian women marching for equal rights, Cuzco Deparment, Peru. *Jeremy Horner/Panos.*

Food security is increasingly becoming an issue in the region. Along with Uruguay and southern Brazil, Argentina was among the countries most affected by what is arguably the worst drought to hit the region in decades. In early 2009 this began to pose a serious threat to agricultural production.

Land claims

In 2008 land claims and related issues continued, such as the eviction of IP to make way for mining forestry and other projects. In October Argentina's Supreme Court overruled a decision by Salta provincial court, which had previously turned down a land claim appeal by the Eben Ezer indigenous community.

IP of Eben Ezer had asked the Salta provincial court to issue an injunction halting the sale of provincial land previously considered a natural reserve and which they claim as ancestral territory. The Supreme Court indicated that Salta's court decision violated the Constitution and instructed the provincial court to take into consideration the rights of indigenous people to use the resources found on ancestral lands.

In December 2008, in response to a lawsuit filed by 18 indigenous communities, the Supreme Court ordered Salta Province to suspend plans to harvest approximately 2 million acres of forest, pending the outcome of a further hearing.

In 2008 the Inter-American Commission on Human Rights continued to evaluate a petition presented by the Lhaka Honhat indigenous association concerning failure of the Argentine government to implement a titling policy that would return their ancestral lands.

Bolivia

Despite having 70 per cent of the world's iron and magnesium and the second largest natural gas reserves in South America, in 2008 Bolivia continued to be regarded as the poorest county in South America, with two-thirds of its population living in poverty or extreme poverty.

According to the 2001 census, the majority (approximately 62 per cent) of Bolivia's 9.25 million people self-identified as indigenous (Quechua and Aymara). Most were rural subsistence farmers living in remote areas where government services remain unavailable. In 2008, 70 per cent of Bolivia's IP continued to live with little access to basic services such as health, water, sanitation and education.

Discrimination and strong historical prejudices against Bolivia's indigenous groups remained extensive, and the country's human rights ombudsman reported that approximately 70 per cent of the national population considered racism a problem.

Societal and institutional discrimination was also directed against the African Bolivian minority (approx 35,0000), who continued to face severe disadvantages in life expectancy, income, literacy, employment, health and education.

Political representation

Bolivia's IP have continued to be under-represented in government and politics. In 2008 only an estimated 17 per cent of members of Congress were indigenous. One of the nine departmental prefects (governors), Sabina Cuellar, is an indigenous woman.

Since attaining the presidency in 2005, Evo Morales – who is of indigenous Aymara ancestry – has focused on instituting a number of key reforms aimed at addressing the historical exclusion of the indigenous population. Central to this was the introduction of a new constitution that recognizes indigenous cultural, political and ownership systems, and includes clauses aimed at achieving more equitable distribution of land and natural resources, and at opening opportunities for indigenous people to gain more power.

The plan has faced stiff resistance from opposing landowning interests in the eastern departments, at every step. This included strikes, walk-outs and armed conflicts that have led to scores of injuries, human rights abuses and loss of life.

Directly connected to this initiative was the government's April 2008 ratification of its recognition of indigenous autonomies, in accordance with a November 2007 ruling and the UN Declaration on the Rights of Indigenous Peoples, which demonstrated its commitment to enabling self-determination, and self-government for IP and ensuring the management of their own financial resources.

Opposition

The non-indigenous landowning minority in the wealthy eastern departments of Beni, Pando, Santa Cruz and Tarija, who feared their farms would be broken up and handed over to the poor, have mostly opposed the government's efforts and, during 2008 increased their efforts to block reforms, including calling for departmental autonomy and fomenting civil strife.

In May 2008 opposition gangs, encouraged by civic leaders from Sucre, captured and humiliated a pro-government advance party of approximately two dozen indigenous workers and leaders, who had travelled to that city to ensure safe entry during a planned presidential visit.

After being taken prisoner by a hostile mob, several were beaten and subjected to significant abuse, forced to remove their shirts and march several miles to the central plaza, where they were then made to kneel and shout anti-government slogans.

Between May and June 2008, in defiance of legal injunctions, Beni, Pando, Santa Cruz and Tarija departments held autonomy referenda, which the international community declined to monitor and the federal government refused to recognize. Although all four referenda gained easy majorities they were marked by high voter abstention.

In August 2008 the government held a national recall referendum to determine whether President Morales, the Vice President and eight out of nine departmental Prefects should remain in power. This received a 67 per cent national vote of confidence, and six of the eight prefects were returned. Although four of the six were pro-opposition prefects, significant for government supporters was that the plebiscite produced an almost 40 per cent approval vote in the autonomy-seeking eastern states. This demonstrated that the vocal and well-orchestrated anti-government regional opposition did not represent unanimous opinion.

In the face of continuing violence in September in eastern departments such as Pando, Morales called for a week-long 200 km march from the western highland city of Caracollo to the capital La Paz in October 2008, to demand a referendum on the proposed constitution. This drew tens of thousands of mostly indigenous peasants, miners, coca-growers and other government supporters, who marched to demonstrate their resolve and pressure the Bolivian Congress to pass the law sanctioning the twice-postponed constitution referendum.

By the end of the march, the government and opposition had reached a compromise, allowing a final national vote on the proposed constitution. Among the concessions were that the president would not seek a third term in 2014, and that limits on the size of landholdings (5,000 hectares) would not be retroactive.

New constitution

The January 2009 constitution referendum received the required 50 per cent plus national majority but, as expected, was defeated in the eastern opposition strongholds.

Among other clauses, the new document enshrines state control over key economic sectors, and grants greater autonomy, not only to indigenous communities but also for the nine departments. The implementation of the new charter is far from certain, however. Several articles have to be approved in Congress, where President Morales does not have a Senate majority.

Nevertheless, for the indigenous majority who, just some 50 years ago, were not allowed to vote, or even walk in the central square of the capital La Paz, this represented a major turning point in their long-standing efforts to achieve their fundamental rights and freedoms.

There are enormous challenges: indigenous lands are not demarcated fully and traditional prejudices and social conditions remain obstacles in rural areas, including restrictions on land inheritance for women.

In the cooperative-operated mining sector that is responsible for some 32 of the overall 40 per cent of the country's exports that mining produces, mainly indigenous miners continue to work for less than $3.00 for a 12-hour day in dangerous and unhealthy conditions. The fall in global fossil fuel prices has diminished revenues from natural gas sales, which in turn limits the amounts available for social investment, such as the provision of quality health and education services.

Brazil

According to official figures, African descendants represent almost half of Brazil's approximately 190 million population; the true figure is likely to be higher.

During 2008, besides continuing to experience historical societal discrimination African Brazilians continued to be remarkably under-represented in the government, professional positions, and the middle- and upper-income groups. They experienced a higher rate of unemployment and earned average wages approximately half those of a white worker. In part this may be linked to a continuing gap in the area of education.

African Brazilians average just 6.4 years of schooling and the illiteracy rate among African descendants over 15 years of age is 20 per cent compared to just 8 per cent for Euro-descendants. In the area of higher education the US-based *Chronicle of Higher Education* reported that, while 45 per cent of the country's people defined themselves as either black or mixed race (*pardo*) in the 2000 census, only 17 per cent of university graduates are of mixed race and only 2 per cent are black.

Under the government of President Luiz Inácio da Silva (Lula) there is now explicit legal state opposition to racism, and public policies against discrimination. In addition, the increase in social mobility – partly due to the still hotly debated affirmative action policies – continued to promote some improvements in African descendant education during 2008.

Federal universities such as the prestigious Rio Branco training university run by the Brazilian Ministry of Foreign Affairs have continued to implement admissions quotas and affirmative action programmes, and the federal government has mandated the teaching of African and African Brazilian history in high schools and universities.

Favela containment

These initiatives are yet to have a significant multiplier effect in the lives of the majority of the country's African descendants. In the 800 low-income *favelas* (shantytowns) of Rio de Janeiro, which have large African Brazilian populations, human rights observers in 2008 continued to report on the indiscriminate use of force by police. Few killings are independently investigated and perpetrators are seldom prosecuted.

In 2008 Amnesty International and local NGOs claimed that in these marginalized urban areas, which contain over 2 million residents, law enforcement continued to be characterized by large-scale armoured 'invasions' by police units that inevitably result in human rights violations.

Moreover so-called 'militias' have continued to expand and now control over 100 of the city's *favelas*. Made up mainly of off-duty or former law enforcement officers, they take community policing into their own hands but have come to engage in similar illegal activities to the drug traffickers they were formed to confront. Militias tend to enjoy the tacit support of the police, who regularly fail to investigate 'social cleansing' killings and other violations, and often do not conduct operations in the militia-controlled communities.

Indigenous Brazilians

Brazil's National Indigenous Foundation (FUNAI) estimates that there were 460,000 indigenous persons in 225 communities living on demarcated lands, and an additional 100,000 to 190,000 dwelling outside these territories, including in urban areas.

More than half of Brazil's IP live in poverty and under constant threat from expanding agricultural, mining and other development projects. In 2008 indigenous leaders continued to criticize the government for failing to protect their lands

New curricula are making a difference for indigenous children in Bolivia

By *Adán Pari Rodríguez*

The Tacana, Mosetén, Tsimane' and Movima peoples are situated in the Amazonian area, in the provinces of Beni and La Paz. There is a low school registration and high drop-out rate of pupils in these areas.

With government backing, and in collaboration with the Universidad Mayor de San Simón de Cochabamba, UNICEF has formulated four separate curricula for indigenous groups, using the criteria of nationality and indigenous territory. Teachers, students, indigenous organizations and other community members took part in shaping the curricula.

The first stage of the programme worked with indigenous organizations, leaders and experts in their respective cultures to highlight indigenous knowledge and understanding. The second stage took place in schools, incorporating the findings into the current primary curriculum, and teachers were simultaneously trained.

The impetus behind the programme is the historical process by which indigenous and original inhabitants of Bolivia have demanded their own education, first supported by Intercultural Bilingual Education (IBE), and developed over the course of more than ten years. Today, this demand and the influence of IBE is getting stronger and stronger, and indigenous organizations and parents are involved in designing educational models, from defining curricula to classroom implementation and evaluation.

Principal results

The aim of the programme is to improve the quality of learning for children involved and to give them more relevant and improved learning in mathematics and languages. At the end of the first year they know how to read and write tales, tongue twisters and stories in their own language and in Spanish. At the same time they know a great deal about their own cultural context. Specific results include:

- 11 indigenous organizations (local and regional) and parents in the communities actively participate in the educational process of their children, guiding the teaching staff in planning, evaluating and teaching aspects of their culture; and guiding educational management across their territories, municipalities and departments.
- 1,600 teaching staff are now indirectly qualified, of whom 40 participate directly and actively in the process, and have changed their daily routine and curricular development, teaching a fresh curriculum, producing texts, doing bilingual classes, encouraging pupil participation and varying didactic strategies.
- 1,200 children, from 28 educational units, are learning better and in a meaningful way, both established standard contents as well as innovative and relevant contents from their own cultures.

With government support, the programme is set to expand into other schools in each educational district and to other indigenous peoples in the Amazonian area. This time universities of the region will be involved, supporting the investigation of knowledge and culture as well as outlining teaching processes that include educational planning. Universities can also support the permanent training of teaching staff. Going forward, the programme should also be introduced in teacher training colleges, so that new contents that are relevant to the indigenous peoples of each zone are incorporated into the teacher training curriculum. ■

from encroachment, and for not devoting sufficient resources to health care and other basic services such as education.

In Brazil the three levels of formal education are the responsibility of the government and the right of indigenous societies to a 'specific, intercultural and bilingual scholastic education' is constitutionally guaranteed and established in the 'Directives for a National Policy of Indigenous Scholastic Education'.

Indigenous education is currently provided to approximately 165,000 students in 2,332 schools. In 2008 the Brazilian Ministry of Education (MEC) announced the addition of some 400 new schools at a cost of nearly US $8.5 million. This is expected to provide an additional 15,000 places and benefit 90 indigenous groups.

Twenty state and federal universities in Brazil reserve places for indigenous persons and, according to the MEC in 2008, there were nearly 5,000 indigenous university students, or approximately 1 per cent of the national university student body.

FUNAI also has an Education Department that supports the training/development of teachers and technicians in a culture- and identity-preserving intercultural education programme. There is also a programme which supports indigenous students to continue their studies at urban-based schools.

In an effort to ensure cultural content in indigenous education, FUNAI has organized seminars and meetings between teachers and indigenous leaders, including the 3rd Meeting of Oral and Written Languages of Indigenous Societies, and the 2nd Seminar on Indigenous School Education.

Indigenous schools in Brazil differ from their mainstream counterparts by having more culturally related content. Classes may be given in more than one language and they are usually geared to the demands of each indigenous community.

For example, environmentally sensitive agriculture, or *agroecology*, is included in the village secondary school curricula of some municipalities. This is aimed at bolstering local production and drawing on the resources of traditional knowledge.

MEC also has a directorate of Education for Diversity and Citizenship that is responsible for ensuring that schools are located in indigenous villages as a way to revitalize the local culture and to maintain young people in their communities.

Left: A Xavante child within the Xavante protected area in Mato Grosso, Brazil. *Eduardo Martino/Panos.*

Community initiatives

The establishment of indigenous schools in Brazil has come about after decades of independent effort by rights activists and groups to promote indigenous education. Moreover the issue of indigenous education in some areas is closely tied to ethnicity and land rights, especially because many teachers take on leadership roles in their villages.

On the Brazil-Paraguay border, in the State of Mato Grosso do Sul, where indigenous Guaraní ancestral lands were taken over by big cattle ranchers, the search for better education is closely linked to the struggle for *Ñanderú Marangatú* (Great Sacred Father): a term for 'land' used by the Kaiowá branch of the Guaraní. The Kaiowá, a nomadic people, constitute half of the over 60,000 indigenous people who live in northern coastal state of Mato Grosso do Sul.

In 2005 the government recognized indigenous rights to 9,317 hectares of territory; actual possession has been delayed, however, pending a decision by the Supreme Court and negotiations on landowner compensation. Since then relations between indigenous people and settlers have remained tense with local high-level elected officials being among the foremost opponents of demarcation.

Many Guaraní/Kaiowá continue to live in poor conditions in roadside tents and the Indigenist Missionary Council (CIMI) noted that 40 of the 53 murders of indigenous people in Brazil during 2008 were of Guaraní/Kaiowá in the state of Mato Grosso do Sul. One such murder in 2003 led directly to the establishment of one of the first Guaraní community-based bilingual schools. Following her father's murder for leading an occupation of a large estate, the current 28-year-old Kaiowá head teacher at Panambizinho village dropped out of her law school course and trained to run a bilingual school programme.

Community-based bilingual schools in Mato Grosso offer an example of the positive aspects, as well as some of the challenges involved in community involvement in the indigenous education process.

According to one of the early school organizers, they had to overcome significant resistance to the idea of children being taught entirely in the Guaraní language during the first two years at school, before gradually switching to Portuguese. Ironically, the resistance came from Guaraní parents, who were afraid that their children would not learn Portuguese, thereby limiting their chances to 'get out of the village'.

In addition to the Guaraní language, there are also interdisciplinary classes that include Guaraní regional geography discussions with community elders, and participation in community action such as land occupations to recover indigenous territory.

In 2006 a special five-year training course called *Teko Arandú* ('living in wisdom') was established for Guaraní students at the Don Bosco Catholic University (UCDB) (in nearby Dourados), which provides technical assistance through the efforts of female Professor Adir Casaro Nascimento, a campaigner for indigenous education for the past 20 years. Most of the 114 students are adults, including a few elderly people; the majority are women.

The experience in Matto Grosso has show that ethnically sensitive education within indigenous communities provides an education better suited to the preservation of indigenous identity and culture, and can also have a significant multiplier effect. The expansion of indigenous education is especially empowering Guaraní women, who are now more confident about expressing their opinions publicly at school meetings.

Community involvement has also stimulated a new desire for education in general, leading to increased Guaraní enrolment in standard state schools: 500 indigenous children currently attend these institutions, with the long-term potential of significantly changing Guaraní attitudes towards further pursuit of higher education.

Long-time supporter and facilitator of indigenous education, UCDB professor Antonio Brand explained that, while going to university was once seen as a way of losing indigenous identity and becoming assimilated into mainstream society, with the new sense of self-esteem that is no longer the case.

In 2008 the Kaiowá reached an agreement with local landowners to provisionally move onto two areas totalling 127 hectares pending the legal outcome.

Raposa Serra do Sol

In December 2008 Brazil's Supreme Court voted to uphold President Lula da Silva's creation of the Raposa Serra do Sol reserve, along the Venezuela-Guyana border in the northern Brazilian state of Roraima.

The over 4 million acre territory encompassing about 42 per cent of Roraima State is the ancestral land of a combined total of 19,000 indigenous Ingaricó, Macuxi, Patamona, Taurepang and Wapichana. It will be one of the largest protected indigenous areas in the world. The territory was demarcated in 2005 following a 20-year plus battle that involved significant pressure from the Indigenous Council of Roraima and the UN Committee on the Elimination of Racial Discrimination.

However, the proposed area contains hundreds of cattle ranches and, as in other demarcated areas in Brazil, a tense, sometimes violent frontier conflict has smouldered between Euro-Brazilian farmers and the indigenous people since its initial proposal in 1993.

In early 2008 there were armed skirmishes with farmers using Molotov cocktails, blocking roads and burning bridges to hamper police eviction actions against them. Rice farmers who moved into the territory two decades ago petitioned the court to create non-indigenous 'islands' within the reserve so they could remain. However in an 8–11 vote, the judges decided in favour of restarting their eviction.

The court also ruled that the indigenous people could not stop the national government from sending military forces into the territory to protect the national borders, or from establishing hospitals, schools and other service delivery infrastructure. All the same, indigenous rights advocates hailed the court's action as historic with regard to the rights of Brazil's indigenous people to their original lands.

Sustainable Amazon Plan

In early May 2008 President Lula unveiled what was titled a 'Sustainable Amazon Plan', which will grant farmers US $600 million in loans at 4 per cent annual interest (compared to the 11.75 per cent national rate) to adopt supposedly eco-friendly farming methods and encourage reforestation. However, the plan also aims to broaden access to electricity, expand ports and improve Amazon highways and river transport. All of these are intended to boost economic activity and will inevitably place greater strain on the environment and the Amazon people who have traditionally depended on fishing and hunting in the rainforest for their livelihood.

In an effort to raise global awareness, in January 2009 indigenous people and African descendants staged a display before the opening of the 2009 World Social Forum (WSF) in the northern city of Belém – the north-eastern gateway to the Amazon. The demonstration took the form of a human banner made up of more than 1,000 people, that could be seen and photographed from the air, and that spelled out 'SOS Amazon'.

In addition to indigenous groups from Brazil, other original peoples included indigenous representatives from neighbouring countries and African descendant Quilombolas from the African Brazilian 'maroon' communities created during the colonial era by Africans escaping enslavement.

The message was particularly designed to draw the attention of presidents of Amazon region countries (Bolivia, Brazil, Paraguay, Venezuela) to the issue of climate change and its effects on the indigenous peoples; most especially the immediate and long-term effects of projects such as the construction of hydro-electric power stations in Brazil that flood vast areas of Amazon rainforest and displace riverbank dwellers.

The unusual weather patterns at the end of 2008 and early 2009, which brought extreme temperatures and unprecedented drought conditions to Argentina, southern Brazil and Uruguay, also served to strengthen their message.

Right: A girl in the fourth grade class from the Afro-Honduran community of Bajamar Garífuna studying at the Francisco Marozan school. *Giacomo Pirozzi/Panos.*

Belize

Transnational cooperation

Belize is the most culturally diverse nation in Central America and the approximately 300,000 person population considers itself to be both Caribbean and Central American. There are four main indigenous groups in Belize, namely the Kekchi Maya, Mopan, Yucatec, and the African descendant Garífuna (Garinagu), who retain their own language and indigenous African Carib culture.

One of the main constraints to indigenous self-realization in Belize has been the critical lack of trained indigenous Belizeans to participate in the development of joint ventures and projects. This prompted the establishment of a centre to meet the specific training requirements of indigenous peoples.

Belize Indigenous Training Institute (BITI), which began operations in 2008, is a ground- breaking indigenous cooperative educational project that marks the first time that the country's indigenous peoples (Mayan and Kalinago-Garífuna) have cooperated on a project as 'indigenous Belizeans'. It is also an example of the strong transnational nature of the indigenous rights movement in the Americas.

BITI is a unique alliance between the indigenous peoples of Belize and the Inuit of Canada, represented by the Inuit Circumpolar Conference (ICC) and Unaaq, an Inuit-owned firm. Over the course of two years the Inuit provided planning and facilitation services, and helped to implement a comprehensive project plan and communication strategy for BITI.

The experience in indigenous community-based practical training gained in the Arctic was used in the Belize education project. This included organizing consultation meetings in Maya and Garífuna village community centres and government offices throughout Belize to obtain information on training needs and indigenous community priorities, and to demonstrate that the institute would rely on the communities for governance and direction.

BITI will deliver programmes in Kekchi, Mopan and Garífuna (African Indigenous) communities. This includes a range of services, among them the design and production of culturally appropriate training materials and the administration of local and remote training programmes and facilities.

Canada

Indigenous residential schools

According to the 2006 census, indigenous people represent about 4 per cent of Canada's 33 million population and constitute sizeable minorities in northern areas such as Yukon (25 per cent), Northwest Territories (50 per cent) and Nunavut (85 per cent).

Although Canada was one of the four nations that voted against adoption of the 2007 UN Declaration on the Rights of Indigenous Peoples, over several decades it has acquired the reputation of being in the forefront of demonstrating a strong and

practical commitment towards state recognition of indigenous rights in the Americas. During 2008 this commitment was extended also to officially addressing induced 'wrongs' in the area of indigenous education.

In June 2008 Canadian Prime Minister Stephen Harper issued a public apology to 80,000 First Nation residential school survivors. On behalf of all Canadians, he expressed strong regret for the psychological trauma and social damage the schools had done to individuals and to indigenous culture and heritage for over a century until 1996.

The prime minister admitted that the original objectives of the residential schools were based on an incorrect assumption that aboriginal cultures and spiritual beliefs were inferior and unequal. Moreover the institutions were inadequately controlled and had given rise to significant physical and sexual abuse and neglect.

Besides separating children from their cultures and traditions the process had disrupted community life and undermined the ability of many to adequately parent their own children. Furthermore, its effects had continued to negatively affect subsequent generations.

Indigenous leaders, including Phil Fontaine, National Chief of the Canadian Assembly of First Nations, and Clem Chartier, Metis National Council – themselves residential school survivors – as well as Mary Simon, president of Inuit Tapiriit Kanatam, were among those who responded from the floor of the parliament.

While stating that the memories of the years of racism and abuse were hard to forget, the leaders, along with the country's indigenous elders, said they respected what they considered to be a sincere apology and the commitment to reconciliation and building of a new relationship with Canada's indigenous Inuit, Metis (mixed indigenous-European) and First Nations.

The public apology followed an approximately US $1.8 billion settlement (2006) between the federal government and former students. A Residential Schools Truth and Reconciliation Commission began holding hearings across the country in 2009.

Indigenous conditions

Despite the gesture, tensions between the government and indigenous groups continued in 2008 over other key issues such as land claims, autonomy, treaty rights, revenue and taxation, and fishing and hunting limitations. Indigenous people remained under-represented in the workforce, over-represented in prison populations, and more vulnerable to suicide, poverty and police harassment compared to other groups.

Indigenous women are particularly affected. In a 2008 report Amnesty International highlighted the continuing high levels of discrimination and violence against indigenous women, including internal trafficking, and criticized officials for failing to put forward a functional national strategy.

In 2008 IP accounted for 18.5 per cent of the total Canadian federal prison population, with indigenous women especially accounting for 32 per cent of the inmates in female federal penitentiaries. A disproportionate number of IP prisoners were in maximum-security prisons and in isolation, and indigenous inmates spent longer periods in jail than non-indigenous prisoners.

Land claims

In 2008 the government continued the process of claim settlements and self-government negotiations with more than 350 First Nations communities. In February 2008 parliament voted into law the Nunavik Inuit Land Claims Agreement Act, which provides for the establishment of an Inuit-controlled regional government (accountable to Quebec's National Assembly) to administer the large region of Quebec north of the 55th parallel.

In June 2008 the federal government passed legislation implementing the Tsawwassen First Nation Final Agreement, which grants control over approximately 1,790 acres of coastal British Columbia to the Tsawwassen First Nation. This includes control over governance, tax policy, land management, fisheries, wildlife as well as culture and heritage.

Indigenous communications technologies and education

As a result of its immense geographical area, Canada is one of the pioneers in developing satellite communications technology. Canadian indigenous populations are now among the leaders in the use of information technologies (IT) for long-distance tele-health and tele-education service delivery.

In 2008 Canada's indigenous Kuhkenah Network (K-Net) enhanced its efforts to obtain transnational partners in the rest of the Americas who are interested in connecting underserved indigenous and African descendant populations through greater use of IT. K-Net is a programme of the Keewaytinook Okimakanak (KO), Tribal Council, and is directed by the chiefs of six indigenous communities. It began in 1994 as a simple electronic bulletin board (BBS) to fill the education gap created by the high student drop-out rate from the now officially discredited indigenous residential boarding schools. It has since grown into the world's largest indigenous broadband network and a global model for indigenous telecommunications and IT-based tele-education. Consisting of a terrestrial network with satellite links, K-Net connects about 70 Canadian indigenous communities and a number of non-indigenous locations to each other and to the world.

The indigenous communities – some reachable only by aircraft – coordinate with service agencies and universities to deliver Internet high school programmes, tele-health, tele-justice, and webcasts of education and training events to residents via K-Net.

The network provides Internet broadband services to homes and public sites (community centres and libraries). The online high school programme consists of general content for middle grades (9–10) as well as compulsory courses for grades 11 and 12. It also shares teachers among communities, allowing students to remain at home longer and maintain their cultural support system.

Other services include video conferencing, which allows health care providers at distant locations to listen to a patient's heart and breathing. This serves a crucial need as First Nations and Inuit tuberculosis rates nationwide were 29 and 90 times higher respectively than among the Canadian-born non-indigenous population.

Canadian indigenous communities that developed K-Net are strong supporters of the Indigenous Commission for Communications Technologies in the Americas (ICCTA), which was created by indigenous peoples of North, Central and South America following the 2003 Geneva World Summit on the Information Society. They have therefore been active in sharing their experiences with others.

At the 2008 World Indigenous People's Conference on Education (WIPC:E), Canadian indigenous rights activist Dr Marie Battiste criticized the idea of residential schools particularly for violating the cultural rights of members of the affected language communities. Indigenous peoples in Canada have seen nearly 10 languages become extinct.

Ottawa-based ICCTA President Tony Belcourt has noted that simple indigenous communications technologies – educational information on digital discs or electronic indigenous language dictionaries – can greatly help in the preservation of indigenous language.

In October 2008 interested Brazilian delegates at a tele-health conference in Ottawa met with indigenous representatives via K-Net video conferencing and ICCTA has received a $100,000 grant from the Canadian International Aid Agency (CIDA) to support its development.

Colombia

Education policy

African Colombians and indigenous peoples together constitute a sizeable minority of Colombia's nearly 44 million total population. Approximately 27 per cent of Colombia's population self-identifies as African Colombian and 2 per cent as indigenous.

Article 67 of Colombia's Constitution (1991) deviates from inter-American and international treaty obligations regarding the right to universal free primary education, by requiring payment by those who can afford to pay. This has a direct negative impact on Colombia's African descendant and indigenous populations. Being unable to afford matriculation fees and the costs of uniforms, school supplies and transportation, they are the least educated in the country. In 2008 they continued to make up a disproportionate number of the poorest of the poor.

In a country where the (former) UN Commission on Human Rights once noted that the wealthiest 10 per cent is responsible for 46.9 per cent of all consumer spending, nearly half of Colombia's total population lives below the poverty line. Fully 80 per cent of African Colombians live in extreme poverty.

African Colombians annually earn the equivalent of US $500 per person compared to the average non-African Colombian annual income of US $1,900. The majority of African Colombians are rural subsistence farmers and live in the Choco, the region of Colombia with the absolute lowest levels of health and education service delivery. Most indigenous people live in territorial entities or reservations which are defined as autonomous units in the Colombian Constitution, but their administrative integration has not yet been achieved.

Colombia's national education policies also limit the control the government can exercise in ensuring the quality of schools and teachers that serve these populations. This has led to the mushrooming of so-called 'garage schools' – poor-quality fee-charging private schools which generally lack quality teachers, curricula, learning materials or adequate infrastructure. Often such schools are all that is within the economic reach of African descendant and indigenous populations.

In 2008 African Colombian and indigenous populations had an illiteracy rate of 33 per cent and 31 per cent respectively – nearly three times that of the rest of the population.

Seventy-two per cent of Colombia's indigenous people and 87 per cent of African Colombians over 18 years of age have not completed primary education. At the postgraduate levels, less than 1 per cent (0.71) of enrolled students are indigenous and just 7.07 per cent are African Colombian.

Apart from issues related to adequate access, there were ongoing concerns over education content. In a December 2008 report the Observatory on Racial Discrimination pointed out that, although the Colombian government has adopted measures to implement ethno-education policies and guarantee the right to cultural diversity in education, so far this is limited to hiring teachers with ethno-education training.

There are no institutional measures allowing for the implementation of ethno-education and, in a country where the myth of egalitarian social relations between ethno-racial groups (social democracy) is deeply rooted, the state is yet to adopt measures to eradicate racist stereotypes that persist in the general education system. There are still no tools to educate against racism or promote values of acceptance, tolerance, diversity and respect for indigenous and African descendant cultures. Consequently long-standing practices of racial discrimination remain an integral part of the social, economic and educational structure.

Endless conflict

Despite negotiated ceasefire agreements, violence and territorial dispossession in Colombia continued during 2008.

The long-running internal conflict has killed hundreds of thousands and displaced nearly 3 million people.

Some paramilitaries have refused to demobilize and others have returned to violence, including selected and systematic threats and killings of leaders and rights advocates, and illegal usurpation of community lands.

In 1993, under Federal Law 40, African Colombian communities were granted legal right to over 15 million acres of land (nearly 5 per cent of Colombia's territory). Much of it is now greatly desired by expansionists making all rural ADP a targeted population. Among African Colombians, the probability of being displaced is 84 per cent higher than for the majority *mestizo* population and African Colombians now represent 30 per cent of all Colombia's IDPs.

The Inter-American Commission on Human Rights has noted that forced displacement has become a 'tool of dispossession' aimed at acquiring land for the benefit of large landowners, narcotraffickers, and private enterprise initiatives.

In 2008, female African Colombian Senator and rights campaigner Piedad Córdoba, who campaigned strongly for Law 40 and was herself once taken hostage, continued to play mediating role, helping broker the release of hostages and to advocate for a commitment by all factions involved to develop a political settlement.

War and education

The conflict continues to have a devastatingly disproportional effect on minorities and is another factor seriously hampering ADP and IP access to quality education. African Colombian and indigenous peoples have been forced into extreme poverty and driven into displaced person camps, and are now part of the highest number of internally displaced persons (IDP) in any country in the Western Hemisphere. The Colombian NGO Consultancy for Human Rights and Displacement (CODHES) estimated that during the first six months of 2008 alone, 270,675 persons were displaced – a 41 per cent increase compared to 2007.

Although collectively constituting under 30 per cent of Colombia's total population, African Colombians and indigenous people together make up 46 per cent of all IDPs. Significantly, indigenous people, who make up just 2 per cent of the national total, account for 16 per cent of all IDPs.

The government Social Solidarity Network found that housing quality, sanitation access, education levels and employment levels of IDPs are always lower than for poor people who are not displaced. Half of all displaced persons live in shantytown homes made of cloth, cardboard or wood scraps. Education is both economically and physically difficult.

Indigenous and African descendant children's schooling is disrupted or permanently abandoned by displacement. In addition, paramilitary groups enter low-income areas and refugee camps with cash offers and/or threats with the aim of recruiting children.

Minors are forced to drop out of school and thereafter fighting becomes their principal 'educational' experience. Minors now make up at least 15 per cent of paramilitary group members and in some areas as many as 50 per cent.

Dominican Republic

The situation affecting the Haitian minority in the Dominican Republic (DR) is a notable example of how ethnicity, colour, history and economics interact to disadvantage indigenous and African descendant populations in the Americas, including with respect to their right to education.

An estimated 70 per cent of the 9.5 million population of the DR is of mixed African descent and define themselves as 'Hispanics' while identifying Haitians as 'blacks'.

In 2008 local NGOs continued to report on discrimination against people with dark skin, including being denied birth registration in hospitals, enrolment in private schools and right of access to some public places.

Despite a November 2007 report by the UN Special Rapporteur against racism and the Independent Expert on Minority Issues, as of early 2009 there was still no official effort to recognize the existence of anti-black racism and discrimination in the DR, or to adopt a national action plan to address the problem, especially given its effects on citizenship rights, including education.

The Dominican Constitution recognizes all people born in the territory as Dominican citizens, except children born to diplomats or those 'in transit'. This means that hundreds of thousands of Dominican-born people of Haitian descent, who are the product of a century-long history of substantial economic migration between the DR and Haiti, legally qualify to be registered as citizens.

In 2008, however, DR government policies continued to marginalize and cast Haitian-Dominicans as irregular or illegal immigrants, and to regularly use the 'in transit' clause to deny national registration to Dominican-born children whose parents are of Haitian descent.

This occurs even though Haitian-born parents and grandparents may have resided in the country for decades, and even when the child may be as much as third-generation Haitian-Dominican, with grandparents who were also born and raised in the DR.

For their part, Haitian consulates indicated they were legally authorized to register only those births declared within the child's first year. Parents are required to submit valid identification forms to support the claim, but many persons of Haitian descent in the DR lack any documents. Consequently, in 2008 an estimated 600,000 to 1 million Dominican-born persons of Haitian descent remained not just merely undocumented but functionally stateless and destined to a life of marginalization and uncertainty.

They face difficulties when travelling within as well as outside of the DR, and cannot obtain national identification cards (*cedula*) or passports. Persons without a *cedula* have limited access to formal sector jobs, higher education, marriage and birth registration, or financial services such as banks and loans. They especially have no access to courts and judicial procedures, cannot own land or property, and cannot vote.

In 2008 the largely undocumented Haitian-Dominican population continued to live with a 70 per cent poverty rate and in perpetual fear of ethnically motivated assault, arrest and forced expatriation. This makes them particularly vulnerable to sub-minimum wage exploitation by employers and prone to attacks by anti-Haitian mobs.

In a May 2008 document, the Jesuit Service for Refugees and Migrants (SJRM) in Santo Domingo reported that as many as 62.5 per cent of Haitian construction workers receive no overtime pay, even though 21.4 per cent of them work between 9 and 11 hours per day and 38 per cent work seven days a week.

In October 2008 a mob in the town of Neiba killed two Haitians and injured 12 in reprisal for the alleged killing of a Dominican national by a Haitian, and migrant rights defenders remain at risk.

As a result of their uncertain status, some Haitian immigrants continue to live in shantytowns or work

camps known as '*bateyes*', with limited or no utilities and inadequate schooling. Despite the conditions, for some undocumented residents *bateyes* may have come to represent relatively safe retreats.

These *bateye* communities have virtually no access to primary education. This also eliminates all chances of secondary and higher education. Available schools are deficient in infrastructure, poorly equipped and staffed by minimally trained voluntary instructors. Students are very often under-nourished and unable to afford basic clothing.

A survey conducted by the NGO Health Justice Collaborative in 28 Haitian settlements in the DR found that the average illiteracy rate was 35 per cent and in some cases as high as 64 per cent; the overall national illiteracy rate is 13 per cent. In one Haitian settlement near the Dominican-Haitian border, the survey found that 48 per cent of the adult residents over 15 years of age could not read in Spanish.

Over the past five years the process for registering births in the DR has been structured to make it almost impossible for Haitian-Dominicans to obtain the identification cards needed for attaining citizenship, and/or access to services such as education. More information on this can be found online in MRG's *World Directory of Minorities and Indigenous Peoples.*

Documentation and education

Besides the issue of nationality, these policies have an immediate effect on children's education, with long-term consequences.

The Dominican Constitution guarantees the right to free and compulsory primary and secondary education to all those legally within its borders; since Dominican children of Haitian descent do not receive proper birth certificates or the identification cards needed for school enrolment, this effectively excludes them from obtaining education and restricts further opportunity.

Moreover, although previous DR administrations had allowed undocumented Haitian descendants educational access through to eighth grade, following an IACHR ruling the Secretary of Education limited access to just primary schooling (fourth grade) and made enrolment the discretionary responsibility of local and regional education administrators.

The result is that some Dominican-born children of Haitian descent have been expelled from school and in 2008 tens of thousands of black children continue to be denied initial enrolment and their right to an education; even more so if their parents lack legal documentation.

Guatemala

Colonially derived social and economic relationships have remained particularly deeply entrenched in Guatemala. Despite attempts at reconciliation at the end of the civil war, in 2008 these historical patterns continued to affect access to education for indigenous and African descendant populations. The departments in Guatemala with the highest concentration of indigenous and African descendants have the highest poverty indicators and the lowest levels of educational achievement.

The almost 12.5 million Guatemalan population is particularly diverse. Indigenous Mayan and African descendant peoples together comprise over 40 per cent according to the 2001 census, although over half the population has some Mayan ancestry. The Mayan population is made up of at least 21 sub-ethnic groups, each with their own distinct language. African descendants consist of Atlantic Coast Garífuna and African Caribbean Creoles, and rural ethnically assimilated African mestizos.

Sixty-five per cent of the Guatemala population is rural and three-quarters of the indigenous population live in the rural departments. Basic service delivery is poor.

Income distribution in the country is particularly unequal: 20 per cent control two-thirds of the country's wealth, with the topmost 10 per cent dominating fully 50 per cent. This leaves 80 per cent of the population to get by on about 35 per cent of the national wealth. According to a 2006 study by the Universidad de San Carlos de Guatemala, 86 per cent of Guatemala's indigenous population lives below the poverty line.

Legal framework

The Guatemalan Constitution guarantees the right to free compulsory primary education to all without discrimination. The National Education Law also recognizes bilingual education as being important for strengthening indigenous Mayan communities.

Moreover, in the 1996 Peace Accords that followed the protracted civil war, the government agreed to improve indigenous education through scholarships, literacy projects and increased spending on indigenous-focused programmes, including rural bilingualism and the creation of a Mayan university.

However, one huge impediment to indigenous and minority access to quality better education is the country's low level of social investment. In 2007 Guatemala spent just 1.8 per cent of its GDP (US $611 million) on education – well below the Latin American and Caribbean average of 4.7 per cent, as well as the UNESCO-recommended 6 per cent of GDP.

This policy helps to preserve the highly unequal socio-economic structure and weighs most heavily on indigenous populations. It also guarantees the continuation of their historical socio-economic exclusion, including the denial of their educational rights.

Minimal social investment rates, coupled with Guatemala's largely rural demography and the historical marginalization of ethnically diverse populations, have helped to produce among the lowest literacy and education levels in all of the Americas – and these levels are lower among indigenous and African descendant populations.

In urban areas, 91 per cent of non-indigenous males are literate versus 75 per cent of the indigenous males; 86 per cent of urban non-indigenous females are literate, compared to just 55 per cent of urban indigenous women.

However the largest percentage of the indigenous population lives in the rural departments, where 42 per cent of indigenous males cannot read or write, compared to 30 per cent for the rest of the rural male population. Among women, 65 per cent of indigenous women in the rural areas lack literacy skills, compared to 38 per cent of non-indigenous women.

Low government expenditure means there are not enough schools to serve the country's student population. In 2006, Guatemala had 14,207 primary schools for 2,116,385 primary level students. Eighty-five per cent of schools have inadequate space, classrooms and services such as electricity, drinking water and sanitation. Classes are overcrowded, with high student/teacher ratios (31:1). Significantly more than half (7,832) of all schools are in departments with substantial indigenous populations.

Given the low income levels in rural indigenous communities, a lack of financial resources means that indigenous children are less likely to be enrolled in school and more likely to be over-age if they do enrol.

According to the Guatemalan Ministry of Education (MINED), the highest concentration (64 per cent) of school-aged children (7–12) who are not enrolled live in the rural mainly indigenous regions of Alta Verapaz, Huehuetenango and Quiche.

Once in school, indigenous children are also more likely to repeat grades and drop out without attaining literacy or completing primary school. In 2005, 25 per cent of all enrolled students in Guatemala repeated first grade. This increases the chances of non-completion. Most drop-outs occur between the fifth and sixth grades. According to a 2008 World Bank study, over 45 per cent of children enrolled in grade 5 in 2005 did not return the next year.

Consequently, only 33 per cent of all students in Guatemala aged 13 to 15 were enrolled in lower secondary school (grades 7 through 9), and indigenous people as a whole end up with half the number of years of schooling of non-indigenous people.

There is also a problem with teacher quality: there is a chronic shortage of teachers and it is difficult to attract new staff. Guatemala's teachers are trained only up to secondary level (grades 10–12); those who teach indigenous children have even less experience and education.

Pay scales are linked to years of service so once teachers reach the highest pay grade they often retire to work as independent contractors or in the private sector.

Language

The failure of the state to take account of the language barrier faced by many indigenous students is also a major factor. Twenty-seven per cent of indigenous Guatemalans speak no Spanish, and there are 23 distinct indigenous languages officially recognized by the state including those used by African descendant populations (Garífuna). Forty per cent of the population speaks one of the 20 Mayan languages and the majority (75 per cent) of these are rural dwellers.

The lack of adequate bilingual schools is another deterrent to enrolment. In 2005, of the 7,832 schools in departments with significant indigenous Maya populations only 1,869 provided bilingual education.

Furthermore the bilingual education that is provided does not necessarily translate into skills that enable graduates to progress socially and economically. About half of employed indigenous people work in agriculture, but the education programme is not adapted to the unique needs of the rural farming population.

A 2003 study undertaken by the Guatemalan General Directorate of Bilingual Intercultural Education reported that 58 per cent of bilingual education graduates still worked in the poorly paid agriculture sector. With little to gain through staying in school, indigenous people often choose to remain close to their traditional values.

In the year 2000, indigenous children were most commonly employed in household work or elsewhere (approximately 23 per cent and 28 per cent, respectively). In comparison, only 16 per cent of non-indigenous children work.

Traditional values are passed on orally; often they are at odds with the nationally endorsed Western value system. According to a UNESCO, five out of the eight Mayan communities studied perceived a conflict between formal education and traditional oral teaching.

With indigenous science and philosophical principles not being valued in the curriculum and remaining in school being of limited economic value, drop-outs and non-completion continue and the education rates among the indigenous population will almost certainly remain low in 2009.

Flooding

During 2008 Guatemala experienced an intense rainy season. By December 180,000 people were affected and there were government appeals to donors for assistance.

Torrential rains destroyed 67,000 hectares of land; underground water sources were contaminated; and serious damage was inflicted on infrastructure. The weather seriously affected the mainly indigenous rural departments of Alta Verapaz, El Peten, Izabal and Quiche, causing some 27 municipalities in these departments to come under a state of emergency.

The affected area is the principal producer of the country's staples: corn, rice and beans. According to the Ministry of Agriculture, more than 65 per cent of the crop was damaged by flooding in May 2008 and Tropical Depression No. 16, destroyed more than 80 per cent of the second crop. The affected indigenous populations are likely to experience a food shortfall, hunger and rising prices in 2009, further jeopardizing education activity.

Nicaragua

During 2008 efforts increased to end the statistical invisibility of minority populations in Nicaragua as an essential step towards achieving their basic human rights, and especially their right to education. This involved a programme to document some 250,000 indigenous children and adolescents who did not figure in national demographic data. Among other rights restrictions, public schools would not accept them without birth documents.

The initiative is the fruit of a five-year effort by human rights groups and universities on the Caribbean Coast of Nicaragua who became concerned that around 500,000 youngsters in indigenous communities in the North Atlantic Autonomous Region (RAAN) and the South Atlantic Autonomous Region (RAAS) had no birth certificates.

According to their research, nearly 40 per cent of all children in Nicaragua are unregistered. In the indigenous areas on the Caribbean Coast, and in central and northern Nicaragua, researchers found communities where none of the children and adolescents had ever been inscribed in the civil register. Many parents also lacked documents, requiring that the entire community become involved in helping relatives to remember information.

During the past four and a half years, the mission has inscribed 97,000 out of 100,000 children and teenagers in the RAAN, and in 2008 these efforts expanded to the RAAS, and the nearby province of Nueva Guinea, where the goal is to register a total of 150,000 minors. At the end of the first stage in late August 2008 several municipalities in the RAAS had already been declared free of unregistered children.

The socially complex process of on-site data collection, registration and issuing of birth certificates was carried out by the Centre for Human, Civil and Autonomous Rights (CEDEHCA) as part of the 'Right to a Name and Nationality' programme supported by Save the Children, Plan International, UNICEF, Nicaragua's Supreme Electoral Council (CSE) and regional and municipal authorities.

Low registration rates are linked to the extreme poverty affecting the country's indigenous people. Parents find it difficult to take time off from their subsistence fishing and farming activities and leave often-remote villages to register their children.

According to the University of the Autonomous Regions of Nicaragua's Caribbean Coast, indigenous people make up 8.6 per cent of the country's 5.4 million people, with Garífuna, Mayangna, Miskito, and Rama ethnic groups of the Autonomous Atlantic coastal region representing 5.3 per cent of the national total.

In addition to enabling greater access to health care and education, registration would also help to guarantee the political autonomy rights of the indigenous peoples of the region.

The Autonomous Caribbean Coast region is one of the poorest and most neglected parts of the country. There are almost no paved roads and communities are widely dispersed. For some, it was a five-day river journey to a child registration point.

The programme has already had an impact, helping to expand voter lists in some RAAN municipalities by as much as 33 to 45 per cent, as well as providing data that will help prevent people trafficking.

United States

Presidential elections

The size, complexity and global influence of the United States make it unique in the Americas. The population profile includes African descendants, indigenous peoples and minorities from within the country and the rest of the Americas, as well as from around the world.

In November 2008, Democratic senator Barack Hussein Obama, an African American (partly of Kenyan heritage) became the first person from a minority to be elected president. Media estimates are that about 20 per cent (5.8 million) more ethnic minorities voted in the November 2008 election compared to 2004. Obama received 96 per cent of the African American vote, 67 per cent of the Latino/Hispanic vote and 63 per cent of the Asian American vote. The ethnic minority voters overwhelmingly favoured the campaign's focus on social and economic issues: access to employment, health and quality education.

Obama graduated from Harvard Law School and worked as a grassroots community organizer before becoming a senator. He provides strong evidence for the role access to good-quality education can play in promoting change and helping minorities achieve political, economic and other human rights.

In March 2009 the new president unveiled a comprehensive education reform plan at the US Hispanic Chamber of Commerce, stressing the need to reach those who have been historically excluded. The plan includes investing in early childhood education; encouraging better standards; recruiting, training and rewarding good teachers; and promoting excellence.

US educators in recent years have been increasingly concerned about the apparent decline of the US education system. The country has fallen from second to eleventh place globally in the portion of students completing college, and this situation has disproportionately affected African American, Native Americans and Hispanic Latino Americans. Inner-city schools, which generally have large minority populations, have drop-out rates of over 50 per cent.

The 2000 US census found that 27.7 per cent of African Americans had less than high school education, and only 14 per cent had an undergraduate or higher degree, compared with 19.6 and 24 per cent, respectively, of the total US population. Moreover, in 2007 more than 9 per cent of all black adults were incarcerated or on probation or parole, as opposed to about 4 per cent of Hispanics and 2 per cent of Euro-Americans.

In February 2009 the US College Board reported that African-Americans are notably under-represented in the Advance Placement (AP) programme, which offers students college-level courses and exams while still in high school, thereby enabling them to receive college credits acceptable at many universities.

While 14 per cent of last year's 3 million high school graduates were African American, African Americans represented only 8 per cent of the 460,000 taking AP exams, and just 4 per cent of those who passed. Hispanics, at 15 per cent of all graduates, were proportionally represented in the AP exams.

Asian students made up 10 per cent of all those who took AP exams, despite being just 5 per cent of the overall US high school graduating population. However, a March 2008 report prepared by New York University, the US College Board and a commission of mostly Asian-American educators and community leaders, challenged the stereotype of the high-achieving Asian-Pacific American student.

The report stresses that the test scores of Asian

Americans tend to match the income and educational level of their parents, and that there are real educational disparities within this very diverse population group.

AP credits are seen as being particularly useful for minority families with limited budgets, since they can cut college time by an average of two years (approx. $18,000) and also introduce students early to college-level disciplines.

Historically Black Colleges and Universities (HBCUs)

The majority of African American college students (76 per cent) now attend standard universities, but some choose to attend one of the 103 so-called Historically Black Colleges and Universities (HBCUs), which are a legacy of the pre-civil rights era.

HBCUs, which constitute only 3 per cent of America's 4,084 higher learning institutions, enrol 14 per cent of all African American students and play a valuable role in providing a culturally supportive environment. In 2008 the all-female Spelman College had 6,000 applicants for the 525 places offered.

A majority of students at black colleges come from low- or middle-income families, and nearly 98 per cent require loans and scholarships, which became much less accessible between 2007 and 2008, in some cases causing nearly 10 per cent of the students to drop out before completion.

In the government's reform plan, HBCUs will have access to more than $800 million for infrastructure projects on HBCU campuses, and $500 million for technological and federal grants for students from low-income families.

Latinos

Latinos are the fastest-growing minority group in the country, having increased more than 60 per cent since 1990; they now form 4.5 per cent of the total US population and are the second largest minority in the US.

Many Latino immigrants to the US are of mixed (*mestizo*) or indigenous descent. In 2000, about 59.3 per cent of Latinos were Mexican Americans with the rest being from Central and South America, The number of Mexican migrants to the United States over the past 28 years is 26 million.

In 2008, Latinos in the USA continued to suffer high levels of poverty, ill-health, discrimination, arrest and incarceration, and low-quality education. One in five lives below the poverty line, and one in three has no health insurance coverage. More than twice as many young Latino men are in prison as young white men.

According to a study released in February 2009 by the Pew Research Center, Latino convicts also now represent the largest ethnic population in the federal prison system, accounting for 40 per cent of those convicted of federal crimes. Nearly 48 per cent were convicted of immigration crimes, with drug offences being the second most prevalent charge.

According to figures from the US Department of Justice, the United States has the highest incarceration rate and the biggest prison population of any country in the world in recorded history. The Pew Center study found that in 2008 state spending on prisons had increased 300 per cent over the last 20 years. Critics say that the privatization of the US penal system has contributed to the sharply increased rates of incarceration and has encouraged corrupt practices, such as bribes to judges to help fill the institutions. In February 2009 two judges in the state of Pennsylvania pleaded guilty to accepting more than $2.6 million from a private youth detention centre in return for handing out long sentences to youths and teenagers.

Educators have compared the costs of incarceration to education, arguing that the money would be much better spent on early education programmes for at-risk minorities. Children in these programmes are less likely to drop out and much more likely to graduate from high school, attend college and earn more in their jobs.

The average tuition cost for a full-time student at a public four-year institution of higher learning in the US is about $9,000 a year, while incarcerating one inmate for a year costs $29,000, with no obvious positive multiplier effect.

Native Americans

Indigenous Native Americans remain the most educationally disadvantaged of all minorities in their country: they continue to have the lowest high school and university graduation rates of all groups in the country.

Most Native American children attend public schools. Programmes such as bicultural education and Native-run schools established under the Indian Education Act of the early 1970s have improved the situation, but only marginally – in part because of a shortage of qualified Native American teachers.

Alaska Natives who were concerned about the disappearance of their languages have begun to organize their own schools. However, they receive little financial support and serve only a small minority of the students interested in attending such schools. Consequently, parents were left with no choice but to send their children to English-speaking public schools designed for Euro-American children.

Representatives of the Alaska Federation of Natives and the Indigenous Youth have indicated that many Alaska Native peoples are adversely affected by government policies that call for English-language proficiency. Indigenous languages are mostly ignored or are taught as foreign languages. Such policies have helped to sever the ties between indigenous youth and their ancestors, and have been especially detrimental to people's confidence.

Indigenous law

In January 2008 the first female Native American US attorney was formally sworn into office. Diane J. Humetewa of the Hopi nation, who was previously a tribal liaison officer, also sits on the Native American Issues Subcommittee. This is composed of US attorneys who have jurisdiction in Native American territories, and who are responsible for informing the Attorney General about indigenous issues.

For the Navajo Nation, a key legal concern is the continued unwillingness of businesses and the United States government to acknowledge the validity of Navajo judicial system which that nation's Council has institutionalized in its government structures since 2002. The system, which takes into account Navajo values and culture, is the basis of the group's common law and has influenced the very structure of Navajo government.

Navajo concerns about proper recognition of customary law indicate the importance indigenous peoples of the Americas place on ensuring that such specifics are adequately reflected in the final draft of the American Declaration on the Rights of Indigenous Peoples.

Meanwhile, in a gesture of support and solidarity with indigenous people in the rest of the Americas and worldwide, in 2008 the Gila River Indian Community Council passed a resolution ratifying the UN Declaration on the Rights of Indigenous Peoples.

The Gila are the first federally recognized tribal nation within the United States to support the UN Declaration of September 2007, and leaders indicated that their actions were intended to affirm their own inherent right to self-determination as well as to demonstrate transnational solidarity with Ak-Chin, Pee-Posh, Salt River, Thono O'otham and other ethnically related indigenous groups who live on the Mexican side of the border with the United States. ■