

UNITED NATIONS NEW YORK HEADQUATERS

MILLENNIUM DEVELOPMENT GOALS

February 3-7- 2014

Rapa Nui Intervention

Iorana, your Excellencies, co chairs and fellow right-holders,

Presented by: Santi Hitorangi

I am advocating for Moana Nui a network of pacific wide rights-holders focusing on justice issues concerning resources, trade, militarization and indigenous rights. In my capacity as a member of the Hitorangi clan from Rapa Nui, I am here to put forward our mana'u over the eight Millennium Development Goals addressing poverty and hunger, universal education, gender equality, child mortality reduction, maternal health, access to medicines, environmental sustainability and the global partnership for development.

These are all sectors of development that Rapa Nui has been denied, or have not adequately been provided for by Chile. Otherwise known as Easter Island, Rapa Nui is 3,700 kilometers from the coast of Chile, and claimed as a territory in 1888 under fraudulent circumstances. We are a nation struggling for self-determination, and seek to be recognized by the UN to be placed on the list of Non Self Governing Territory for decolonization.^[i] We represent an indigenous struggle, a human rights struggle, and a struggle to protect our traditional resources and ecological biodiversity throughout our Pacific Island Communities.

Chile is one of the original signatories of the Trans Pacific Strategic Economic Partnership, or the TPP, and they are negotiating in the largest free-trade agreement in the world with 12 other countries.ⁱ Together these 12 countries represent nearly 28 trillion dollars, about 40% of global GDP.ⁱⁱ

Rapa Nui is rich in natural capital. We have the land and resources [to establish a](#) sustainable economy while participating in the larger global economy. [We](#) have the practical knowledge to make use of our natural capital and resources efficiently. We Moana Nui have strong social decision making processes, [rooted in](#) our [traditional](#)

knowledge. For these reasons, Rapa Nui possesses the means to have a viable, independent economy. Yet, we are not independent. It is also very difficult under the current circumstances to establish our viability as an independent state because we do not control the statistics by which GDP is calculated. Our economic indicators are subsumed within those of other Chilean provinces in the Valparaiso region. And even if we did have our own GDP, Rapa Nui would be classified as a “low-income economy” according to World Bank economic indicators.ⁱⁱⁱ

Against our consent, transnational corporations have been developing projects, that do not benefit us, and that threaten our very existence, and the integrity of our land and livelihoods.^{iv} Rapa Nui is a world-renown tourist destination, and transnational corporations continue to profit off our cultural resources while the nearest adequate hospitals are in Santiago, hours away by plane. The TPP creates conditions for investors to build ports, expand the already large airport, and privatize our land and resources using Chilean military forces and kangaroo courts to protect their investments. The TPP and other State-driven investment agreements continue to alienate us from our indigenous lands by binding us to transnational corporations through agreements signed by the state of Chile, and not by the Rapa Nui people who are the proper rights-holders.^v

I would like to express our gravest concern that just as the TPP is an agenda for privatization driven by corporations seeking to profit from our indigenous heritage and properties, the MDG Global Partnership for Development is the doorman who greets them, holds the door open and gives them the keys to our house.

This is not to say that every corporate intercourse with a developing nation is exploitative, but history suggest that trade partnerships are not entered into for the purpose of protecting indigenous rights, but for the purposes of guaranteeing access to natural resources and markets. Low- income countries are signing the World Bank Development Partnerships on the hope and belief that some benefit will come to them. Instead, governments are opening the door for privatization of our natural resources without our consent.

Last December, the WTO Bali meeting produced a declaration adopting new global trade agendas: one of them is what is called a “services waiver” to least developed countries.^{vi} The services waiver will expand market access to developing countries benefiting transnational corporations through service sectors like accounting, biotech, finance, insurance, education, intellectual property, climate-related technologies, and information and communication technologies.

As a small island that is seeking to be independent, we are not convinced that privatization initiatives and investment agreements will provide the best options for our food security, education, healthcare, environment and our indigenous resources. In practice, Investor State agreements will take a low-income country to court for trying to nationalize and protect our resources from the demands of the global market. Why should building our infrastructure bind us to transnational corporate investment?^{vii}

Another serious concern is that we do not have access to a court to dispute these kinds of corporate investment rules. What access do low-income countries have to challenge investment agreements in international courts if we are continually blind-sided by obscure, closed-door trade agendas like the TPP and trade -in- services agreements? Signing on to an empty framework like the MDG that does not have investment and trade rules deprives us of a forum to seek redress for injustices.

Indigenous rights-holders and low-income economies need to ensure that there is a mechanism in place to raise the rights of free prior and informed consent, to ensure that the financial and legal means are made available for timely and reasonable due process. We need an independent agency within the U.N. that can work for us to resolve disputes, enforce settlements, and create binding regulatory rules that will hold corporations and investors liable for unwarranted theft or damage to Indigenous cultural, intellectual, and real properties.

The opportunity that the MDG presents should be less about streamlining aid, or for integrating a transparent mainframe that will provide low-income economies with infrastructure. The real opportunity for raising economic health and development is to

simply provide Indigenous communities and low- income countries open-access to the same dispute settlement mechanisms that corporations use to bind States.

The combined nominal GDP for the Pacific Islands, which includes Papua New Guinea, Pacific Small Island States, and the French and American Territories is about \$37 billion—if we count Hawaii, West Papua and the Molukas, it’s about \$105 billion. The combined economies of the countries that Pacific Islands have been tethered to— Australia, New Zealand, Indonesia, Chile, the U.S. and France—is almost \$22 trillion, yet our liquid continent, Oceania or Moana Nui, which accounts for a third of the surface area of the planet—Our combined GDP accounts for less than one-half of 1%. If we include the TPP countries, China, and the EU—we’re talking about one-fifth of 1%.^{viii}

There is something so fundamentally wrong with the [accepted measures of our economy](#). How is it that we who are rich in resources, traditional knowledge, foods and medicines, and have been integral to the biodiversity of our region are [considered](#) poor, while countries that have professional managers who want to build infrastructure for our communities in the Pacific are so rich?

The momentum behind this privatization policy is [building](#) like a tsunami, [with the potential for disaster when it reaches our shore](#). We here today are absolutely in the right place to ensure that [all](#) peoples have the [ability](#) to participate in [the negotiation of](#) these agreements, even if our governments agree to them without the consent of [the governed, the colonized](#).

In closing, the promise of the Millennium Development Goals has to be equitable, involve traditional decision making, democratic processes, and assert normative international recognition of free prior and informed consent, [and provide access to dispute resolution procedures](#) at the highest courts.

ⁱ The TPP is currently a 28-trillion dollar, 12-nation partnership being negotiated by Australia, Brunei, Canada, Chile, Japan, Malaysia, Mexico, New Zealand, Peru, Singapore, Vietnam, and the United States (South Korea on the sidelines waiting to get in).

ⁱⁱ “Japan to Join the Trans-Pacific Partnership—Finally!” March 18, 2013. [http://www.brookings.edu/blogs/up-front/posts/2013/03/18-japan-joins-trans-pacific-partnership-meltzer] *the TPP covers 8.6 percent of global trade and almost 40 percent of global GDP.*

ⁱⁱⁱ <http://data.worldbank.org/about/country-classifications/country-and-lending-groups>

^{iv} “Continuing protests against the Hotel Hanga Roa” [http://saverapanui.org/?p=2071] April 17, 2012, *On April 16, 2012, the Hitorangi Clan again protested in front of the Hotel Hanga Roa for the recovery of their ancestral lands. They did so in response to an international conference organized by Anvisiblesoteric (www.anvisible.com) being held at the Hotel Hanga Roa built on the Hitorangi clan’s land and sacred Ahu Makere (family altar) which had been unlawfully and violently taken. The Hitorangi clan invoked their ancestors (matamúas) asking them to help them in their struggle to regain their land.*

^v Secret TPP treaty: Advanced Intellectual Property chapter for all 12 nations with negotiating positions, (wikileaks release November 13, 2013). Article QQ.E.23 of the TPP draft text entitled: “Proposed joint text for the Intellectual Property Chapter on Traditional Knowledge, Traditional Cultural Expressions and Genetic Resources” “Each Party (State) “*exercises their sovereignty over their biological diversity and resources and shall determine how to access them.*”

(a) obtain prior informed consent to access genetic resources; (noting NO FREE, prior informed consent)

The Parties affirm that they will promote quality patent examination of applications concerning genetic resources and traditional knowledge to ensure that the eligibility criteria for patentability are satisfied.”

^{vi} Bendini, Roberto, “WTO back on track after Bali.” European Parliament, Policy Department. DG EXPO/B/PolDep/Note/2013_27. [http://www.europarl.europa.eu/RegData/etudes/briefing_note/join/2013/522314/EXPO-INTA_SP(2013)522314_EN.pdf] 11 December 2013.

^{vii} Godsoe, Harold. “The Depth of the Trade in Services Agreement” [http://works.bepress.com/harold_godsoe/1] 2014. *Despite being the first and only WTO trade agreement on service trade, GATS contains no explicit definition of a ‘service’. Instead, services have been defined in trade theory as either ‘not-goods’ (“a diverse group of economic activities distinct from manufacturing, mining, and agriculture”) or simply by a list of industries or sectors. Yet the economic functioning of services has the potential to be radically different than that of counterpart goods or even of counterpart industrial sectors. Contrasted with goods, services are intangible; they add value to the client directly (possibly, but not necessarily, by the transfer of rights to a good); they are simultaneously created and consumed in a transaction (meaning they are also non-perishable, non-transferable, and non-storable); they are co-produced by the provider and client; they are unable to be inspected before delivery and therefore priced with more emphasis on client expectations and less on real utility, quality, cost of production, or taxes; they are able to be delivered in dynamic ways; and—most importantly for trade agreements—they are able to generate (potentially unforeseeable) linkages by facilitating the production of other commodities in an economy.*

^{viii} World Bank, 2012 Nominal GDP, or most recent data available. Hawaii 2012 GDP from State of Hawaii.