

'Representing

the Unrepresented'

the Unrepresented Nations
and Peoples Organisation;
a new form of post-national
governance?

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Human Geography

Master thesis

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*“Hier heerst een koning, daar een Satraap. Hier aanbid men prei, elders aanbid men
een opperwezen die met een drietand de zee beheerst. Loopt het links verkeerd omdat
werkelijk iedereen inspraak wil hebben, dan loopt het rechts in het honderd omdat
niemand inspraak krijgt”*

(Dimitri Verhulst, 2008 uit; Godverdomse dagen op een godverdomse bol)

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Abstract

The importance of the nation-state is profoundly contested since we live in times of intensified globalisation. At the same time, many people still feel attached to, and identify with, their nation-state. The nation-state, with its triple alliance of citizenship rights, national identity and territorial sovereignty (Papadopoulos, Stephenson & Tsianos, 2008), still decides who belongs and who does not belong to it and is still the main form of political representation. This thesis, however, focuses on the situation of people falling outside the framework of the nation-state; people who are not represented by the nation-state while they live in the state's territory; and/or people who do not identify themselves with the same nation-state. Hence, this thesis can be seen as an in-depth analysis of unrepresentedness.

It discusses theoretically the problem of unrepresentedness and links this to the problems, claims and strategies of unrepresented nations and peoples in practice. In this context this thesis deals with the strategies of the Unrepresented Nations and Peoples Organisation (UNPO) as well as with the problems and claims of its members. The UNPO was founded to create access to ways of representation transcending the nation-state for groups that are unrepresented on a national level. Since these groups lack a voice within the nation-state, they are almost automatically excluded from the international fora since the nation-state is still the sovereign representing body in these international fora, of which the United Nations (UN) is the best example. The UNPO, as a network organisation, brings together 56 members.

Interestingly enough, as this thesis shows, the UNPO balances between the realities of the state-bounded world and the governance arena that transcends the level of the nation-state. Correspondingly, its members are also balancing between a national/post-national notion and a territorial/post-territorial framework. This tension between the modern nation-state framework and the post-national framework, wherein the UNPO and its members manoeuvre, is the main focus of this research. In other words, this thesis aims to understand how the UNPO contributes to the development of a post-national world order wherein nations and peoples are no longer obliged to have a nation-state in order to be represented within the global society, and it aims to understand how the UNPO confirms the preservation of a state bounded world. This is analysed by means of the

following central research question: Can the strategies of UNPO be perceived as confirming the state bounded world, or do they contribute to the development of post-national ways of representing its nations and peoples?

In order to answer this question, this thesis firstly outlines the problems and claims of all UNPO members in detail. With this analysis the so-called 'patterns of unrepresentedness' are explored. Moreover, three case studies are outlined in order to understand the situation of being unrepresented more in-depth. These studies concern Somaliland (a de-facto state in East Africa), the Ogoni people (Nigeria) and the Oromo people (Ethiopia/Kenya). Secondly, this thesis discusses in detail the tactics and principles of the UNPO as an organisation that aims to 'represent the unrepresented.' These issues are explored by examining the genealogy of becoming a member of the UNPO; who can become a member, and on what basis? With this information in mind, this thesis finally attempts to theoretically reflect on what 'unrepresentedness' means for the UNPO members, and whether the UNPO, as an organisation, is copying a state model or whether it can be seen as a post-state actor?

By discussing the problems and claims of the UNPO members, it is concluded that *unrepresentedness* is not the term that best describes the situation of the members since their problems often go deeper than merely lacking political representation. Rather, the combination of the political *and* social dimension of not being *recognised* is of greater significance. As it is particularly outlined in the three cases of Somaliland, the Ogoni people and the Oromo nation, not being recognised does not only mean a lack of political access, but also a violation of social/collective integrity. Not being recognised is almost equal to non-existence.

Through the analysis of the UNPO members it also becomes clear that there is a tension between the members' regressive claims and progressive strategies. As it is outlined, being a member of the UNPO can be seen as a post-national strategy, since it goes beyond the nation-state bounded system. At the same time, the majority of UNPO members have regressive claims. This means that they struggle for forms of self-determination. In some cases UNPO members even strive for their own nation-state or at least some form of territorial sovereignty. In that sense, the members do not strive for post-national solutions to their problems. Thus, the *means* (e.g. membership of the UNPO) of the

members can be post-national, while their *solutions* are still confirming the nation-state bounded world. It is striking to see that these nations and peoples, with their post-national political means, are still caught in the so-called 'territorial trap'. This trap implies that there is no representation without some reference to a certain territory.

From the analysis of the strategies and tactics of the UNPO as an organisation, some other interesting findings are outlined in this thesis. The 'genealogy of becoming a member' shows some contradictions with regard to the principles of the organisation. The UNPO strives for a better position for unrepresented nations and peoples, while their membership applications require them to have a representing body already. Thus, in fact, the UNPO represents *already represented* nations and peoples. Another striking element of 'the genealogy of becoming a member' is the fact that there is a tension within the UNPO covenant concerning who may become a member of the organisation. This tension can best be described from a theoretical perspective. On the one hand the organisation approaches nations and peoples from an essentialist viewpoint. From this perspective, nations and peoples are approached as 'already out there'; something that exists naturally. On the other hand, the covenant takes into account that groups of people are able to shape their own specific identity which in itself is a ground for existence. This viewpoint can be seen as non-essential. This discrepancy between the essential and non-essential perspective leads to vagueness within the organisation about the membership criteria. However, as it is argued, this discrepancy within the covenant can be seen as room to manoeuvre for the organisation to create their own niche in the international arena. By creating this niche, the UNPO, contrary to its main objective of *inclusion*, is inherently involved with processes of *exclusion*.

Among many others, this insight is helpful in answering the main question whether the UNPO is confirming the nation-state bounded world, or to what extent the organisation is striving for a post-national world system. As it is outlined, the UNPO actively participates in the inter-state governance arena, especially in the framework of the UN. Thereby the UNPO basically attempts to create a linkage between unrepresented nations and peoples and the international arena. Participation, in this context, means a re-confirmation of the state-bounded system, because in this case the organisation follows the structures set up by the nation-state system. This shows that the UNPO, as

well as its unrepresented members, reproduce what they are fighting against; the failing nation-state bounded world. However, it also becomes clear that the UNPO certainly has some post-national characteristics. It certainly seeks for some *new* forms of global governance and world order. This especially becomes clear in the context of self-determination. The UNPO, namely, strives for a 'new' understanding of self-determination. According to the organisation, in a world heavily marked by interdependence, solutions can not be found in the principle of sovereignty alone. Therefore, the organisation attempts to separate self-determination from territorial sovereignty and hence it challenges the principles of the nation-state and territoriality. From this insight it is concluded that the UNPO at least has some post-national aspirations. As a main conclusion, it is stated that the UNPO and its members try to operate within both the state bounded world and the post-national world. This 'endless limbo' could be perceived as a reality which is difficult to escape from. However, as it becomes clear from the analysis of the UNPO's policy, tactics and activities, its policy-split could also be seen as some sort of free space, wherein the organisation has the best of both 'worlds'. In other words, the UNPO and its members adapt to the changes which occur in the framework of the nation-state bounded world as well as the post-national world order for their own benefit. This shifting between frameworks, and its inherent 'taking the best of both worlds', can be seen as important strategies for those nations and peoples whose (political) voices are often nothing more than muffled sounds.

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II A short prefatory note

Initially, I intended to write my thesis on no-mans land nomads crossing the Sahara; an empty, borderless space. The nomad in this respect a synonym for the post-modern being. This post-modern nomad lives without borders or even without any emotional connection to territory. This concept is an interesting one in the context of globalisation, which is perceived to change borders and the sovereignty of nation-state. With this idea in mind, a search for a research internship brought me to the Unrepresented Nations and Peoples Organisation, an organisation that attempts to represent stateless nations and peoples at the international community. Interestingly enough, the members of this organisation could mainly be seen as the opposite of the post-modern nomad since the majority of the members have a stark link with their territory. Nonetheless, this did not make my original interest in the post-modern nomad worthless. Namely, the UNPO aims to represent its members within the international framework of the UN, while, at the same time, the organisation challenges this (modern) framework of sovereign nation-states. Thereby, the concept of the sovereign nation-state as the main unit for representation is put into perspective. Especially this could be seen as connected to the ideological concept of a post-national world order, whereby the conceptual nomad could be seen as the one who is no longer in need of the nation-state as a protective, but also impeding, container.

But, before I send you, as a reader, through the desert of my thoughts, I would like to thank the ones who helped me writing this thesis. First of all I wish to thank my supervisor Dr. Henk van Houtum for his inspiring suggestions, knowledge and profound comments which helped me shaping and fine-tuning this script. Secondly, I render thanks to the UNPO for facilitating my research. I also would like to thank Moeps, Vati, (Je)zus and my friends for their interest, patience and the imperative relaxation. I am especially very grateful for the support of Albert Jan, just for being at the 'institute' and drinking coffee together. Also special thanks to Alexis, for correcting my bad sentences, what a job! And finally, I immensely thank mi Jori, for giving the world to me.

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IV List of abbreviations

AU	African Union
CERD	Committee on the Elimination of Racial Discrimination
DRIP	Declaration on the Rights of Indigenous Peoples
EU	European Union
HRC	Human Rights Council
ICG	International Crisis Group
ICJ	International Court of Justice
NDDC	Niger Delta Development Commission
NGO	Non Governmental Organisation
OHCHR	Office of the High Commissioners for Human Rights
OLF	Oromo Liberation Front
PFII	Permanent Forum on Indigenous Issues
SNM	Somaliland National Movement
UN	United Nations
UNCHR	United Nations Commission on Human Rights
UNHCR	United Nations High Commissioner for Refugees
UNPA	United Nations Parliamentary Assembly
UNPFII	United Nations Permanent Forum on Indigenous Issues
UNPO	Unrepresented Nations and Peoples Organisation
WGIP	Working Group on Indigenous Populations
WHO	World Health Organisation

Chapter 1 Introduction

1.1 The problem of unrepresentedness

Our world is inhabited by many different people. Despite their individual difference, those people always identify themselves with others. In other words, a common identity links people together. In the contemporary world, many people feel, among other identities, attached to a national identity. This national identity is mostly linked to the nation-state which is politically representing its people. Furthermore, international law affirms that the nation-state as a sovereign power can decide on who belongs to the state's territory and who has full rights of citizenship (Sassen, 2002). This makes the modern state able to link together the notions of identity, the right of citizenship and territorial sovereignty. However, there are always people who do not identify themselves with a certain national identity. This makes the triple union of identity, citizenship and territory; the simple fact of belonging and being represented by the framework of the nation-state, although being a non-static social construct, dialectically creating a residue of people who do not belong (Bauman, 2004). Evidently, citizenship understood both as a legal status as well as a normative category is reserved for a select group of people. Thus, the modern invention of the nation-state is not solely democratic in its character meaning that it includes its people, but also undemocratic in the way that it leaves many humans out of its framework. One of the current prominent philosophers examining the issue of inclusion and exclusion in western politics is Giorgio Agamben (2002; 2005). He argues that democracy is always mutually connected with totalitarianism. The sovereign nation-state and the power holding actors define and symbolise the spatial and social limits of membership and create the discourses of inclusion and exclusion (Paasi, 1997). The construction of a certain identity is a key mechanism in the distinction between belonging to a certain group and being excluded from it. More concrete, construction an identity concomitantly distinguishes between 'us' and 'them', because to distinguish is the main intrinsic feature of defining an identity (Paasi, 1997). By defining the features of a 'we' as belonging to a certain group it is also defined who is excluded from belonging to it. The 'we' concomitantly decides the position of the other. Therefore defining an identity, may it be national, indigenous, ethnic or religious, never is a neutral action. It always has consequences for the

others, the 'them'. This makes the construction of national identity narratives to be understood as a political action, linked to classification and the articulation of power (Paasi, 1997).

Within the nation-state's triple alliance of citizenship rights, national identity and territorial sovereignty some social groups are falling outside the framework because they do not identify themselves with the national identity; they are intentionally excluded from it; or they do not have the full rights of citizenship. Remarkably, these groups do not necessarily live outside the geographical borders of the nation-state. As already mentioned, identity is mostly linked to a certain territory; in the case of a national identity this means the nation-state territory. However, some people who do not identify themselves with the identity of the nation-state may nevertheless be inhabitants of that territory. This makes the sovereign state as the main representative entity of its inhabitants problematic, since not all people within a certain territory agree with the sovereign (Papadopoulos, Stephenson & Tsianos, 2008). These people are so-called 'included but excluded'; they live within the geographical borders of the sovereign nation-state, but they do not fully belong to it. Within the borders of the nation-state these non-citizens are for example illegal migrants, national minorities, indigenous peoples, nomads, and displaced persons.

Now we have seen that groups fall out of the framework of the nation-state, it is questioned what these groups lack. The correspondence between the people and the territory of the sovereign nation-state is based on two organising principles. Firstly, representation of the inhabitants is organised in social groups and secondly; the sovereign decides who is allowed to participate as a social group (Papadopoulos, Stephenson & Tsianos, 2008). The keys to access and participation within the nation-state are thus being represented in a social group and having the rights to participate in the entity of that group. Representation here is thus understood as a political mechanism that gives voice and operative agency to social groups (Papadopoulos, Stephenson & Tsianos, 2008). Some groups worldwide are lacking one of these two main conditions, and as a result, they are excluded from the social compromises concerning the national distribution of citizenship rights.

The problems that arise from being unrepresented and being excluded from the framework of the nation-state are diverse. However, unrepresented peoples and nations have often to deal with the fact that they lack legal citizenship. Legal citizenship here is understood as belonging to a nation-state

which is legitimated by law and codified by culture (Sassen, 2002), which is an inevitable condition for access to political and juridical institutions and for obtaining economic, social and cultural rights. Lacking access manifests itself in several forms. For example, stateless people often do not have identity documents of the state they are living in (Collins & Weissbrodt, 2006). Furthermore, in many cases stateless or unrepresented peoples and nations are targets for human rights violations such as imprisonment without a trial, deportation, unequal job opportunities, no right to travel legally and civil, juridical and political discrimination. Finally, it is even more problematic that, together with the deprivation of rights by the society of residence, a place where one's opinion counts is taken (Arendt, 1973). In other words, if a person does not belong to a society he also has no place where he has the right of action and the right of opinion (Collins & Weissbrodt, 2006). Lacking access thus seems to be the main feature, and hence the main problem of being unrepresented.

1.2 Unrepresented nations and peoples

There are many terms that can be applied to groups coping with problems of unrepresentedness; among these are non-citizens, non-persons (Agamben, 2002), minorities, indigenous peoples, stateless nations or stateless people. These terms address the differences between the unrepresented individual within a given territory and unrepresented social groups or communities with an own (national) identity. Although the problem of being unrepresented on an individual level could be quite similar to the problem in case of social collectives, the latter is often more perceptible by the disposal of a common identity and a joint claim.

Therefore, this thesis focuses on the second group; namely the unrepresented social groups and communities. Among these are nations, ethnic minorities, indigenous peoples, defacto states, as well as other minorities with a common identity. Although all these social groups differ in their grievances, they all face problems due to being unrepresented within the framework of the nation-state. Therefore, I here apply the working term 'unrepresented nations and peoples' to indicate the above mentioned social groups. This term also includes those who do have some rights of citizenship, those who claim unacknowledged nation-states, or their own national, territorial, ethnic or other identity, but who are nonetheless facing problems by being unrepresented within the state of residence.

The estimation is that there are about 5000 groups of unrepresented nations and peoples all over the globe (UNPO, 1995). The existence of unrepresented nations and peoples is embedded in a historical and political context which took root during colonisation and the invention of the modern nation-state (Papadopoulos, Stephenson & Tsianos, 2008). Colonial powers at that time used the notion of sovereignty to justify the right to conquest indigenous peoples; understood here as those who were the ethnic inhabitants of the place before the colonialists took over power (Niezen, 2003). Indigenous peoples under colonial rule became excluded from the new born modern nation-state by the denial of citizenship rights, by forced removal to camps and reserves and even genocide (Hayden, 2008). After World War II, the international community acknowledged the harsh position of indigenous peoples and unrepresented nations. This led to the establishment of several human rights institutions and declarations. As a result, unrepresented nations and peoples started to make claims at an international level. Sovereignty developed as a particular discourse used by these repressed groups to gain political and social rights of self-determination under international law (Barker, 2005; Goodale, 2009; Niezen, 2003). Paradoxically, the status of sovereignty can still only be reached when it is acknowledged by other sovereign powers (Agnew in Eudaily & Smith, 2008). In other words, obtaining a sovereign nation-state is only possible when it is recognised by other sovereign powers. Thus, lacking the sovereign status of being a nation-state similarly means being excluded from participation on an international level and thus from the negotiation platform where sovereign claims can be made. Thus, it seems that the unrepresented nations and peoples are trapped in a classical 'catch-22' situation; the struggle for recognition seems to be a vicious problem. Examples of nationalist social group, such as Somaliland, Kosovo and the Basque who struggle for sovereignty, show that the quest for sovereignty is mostly a long trajectory with an uncertain outcome. On a more global scale, being unrepresented and thus automatically lacking a sovereign state concomitantly means not having a voice within the international community.

Here I have globally elaborated on the problem of unrepresentedness. However, this thesis not only aims to examine the problems of being unrepresented, it also questions what alternatives are possible with respect to the 'sovereign trap'; thinking of sovereignty as the only choice for

representation (Richmond, 2002). In other words, what options other than gaining a sovereign status is left for unrepresented nations and peoples?

1.2.1 The constraints of the human rights regime

Although many nations and peoples lack the right of citizenship and are unrepresented within their country of residence, this does not automatically mean that these groups are not able to claim any rights at all, or that they are totally unrepresented. After the Second World War, the international community was convinced of the idea that individuals had to be protected by international institutions and mechanisms, which is based on the Enlightenment principles of equality and human rights. As a result, international commissions and NGOs were involved with the creation of a so-called post-war human rights regime. This 'regime' contains all the covenants, governmental and non-governmental institutions committed to the liberal notion of equality and justice for all individuals. Nowadays, the rights of indigenous peoples and unrepresented nations are partly embedded within this human rights framework. In this respect, international commissions working with nations and peoples and nations and peoples themselves often refer to Article 15 of the Universal Declaration of Human Rights which states that everyone has the right to a nationality. In other words, no one shall be arbitrarily deprived of his nationality through being stateless, or by lacking legal or effective citizenship (Collins & Weissbrodt, 2006). Currently, the UN has several participant commissions working on the rights of minorities like; the UN Commission on Human Rights (UNCHR); its sub-commission, the Working Group on Indigenous Populations (WGIP) and the Permanent Forum on Indigenous Issues (PFII).

However, there are a few constraints in preserving the rights of nations and peoples. To begin with, only a few states have reliable statistics relating to stateless people although the problem seems to be extensive. At the end of 2006, the UN refugee council (UNHCR) reported that 5.8 million stateless people had difficulties establishing a nationality, in a total of 49 states. However, the UNHCR stated that the real total may be closer to 15 million. To name some statistics, Nepal has 3,400,000 stateless people; Myanmar 670,000; the Syrian Arab republic 300,000 and Germany 10,000 (UNHCR, 2007). And these are only a few of many states 'hosting' stateless people (UNHCR, 2007). The missing statistics on statelessness is one of the issues that, according to some critical scholars, indicate the

international community's lack of willingness to plead for the cause of unrepresented nations and peoples. Furthermore, human rights declarations are often still not ratified by many nation-states, which results in a status quo; the situation in which the international community can not, and what may be more important, need not to take action. As a result, no international juridical or military action is taken in case of violation the rights of the unrepresented nations and peoples. Therefore it could be argued that the existing human rights instruments and institutions are not so much about the recognition and the representation of these groups, rather they are about the assertion of the respective nation' status of the more powerful sovereign (Barker, 2005). In other words, as long as the international community does not do as it says its willingness to recognise and represent unrepresented nations and peoples within its framework is doubtful. Furthermore, since the implementation of universal human rights is still dominated by the community of nation-states these sovereign powers just confirm their power monopoly. In this respect, some scholars even argue that the construction, priorities and the scope of the universal human rights are yet another form of imperialist arrogance (Niezen, 2003). This means that those who are in need of protection are not involved with the creation and implementation of human rights law. Similarly, one can state that the international community seems to deal in its own interest, since intervening in case of human rights violations is only takes place when the sovereign power or its ally are at risk.

Another constraint of the human rights regime has to do with the fact that the international community identifies two different sets of human rights (Niezen, 2003). Firstly, there are human rights linked to the individual. Individual human rights are based on the principle of liberalism; all humans have equal rights. Secondly, there are rights against the violation of social groups implying rights for collectives instead of individuals. These group rights concerns, among others, indigenous peoples, stateless peoples and unrecognised nations. It is important to note here that these collective human rights are very difficult to claim since human rights violations against a collective are often hard to prove. When is a collective really threatened? Moreover, recognition of collective human rights can be compared with international recognition of genocide. Recognising the act of genocide is a political sensitive issue in which the international community often chooses the least controversial solution. In this context it means that the international community prefers to acknowledge individual human

rights violations rather than collective human rights violations simply because the latter has far-reaching political consequences (Niezen, 2003). For instance, in the case of the Shan people in Burma (see appendix 1) mass murders are reported but these violations are hardly treated as collective human rights violations. What the Shan people may perceive as genocide is termed 'extra-judicial' killings. In general, claims by peoples and nations concerning collective human rights are hardly heard by the international community.

Thus, although the human rights regime emerged in order to provide the voiceless and the oppressed with the opportunity to claim certain universal human rights, it is often stated that this transnational framework still lacks in its function. Also from a more theoretical perspective some scholars argue that the universal human rights system could never be an alternative for the loss of citizenship rights. As Arendt (in Hayden, 2008) argues, the loss of membership within a political community could be perceived as equal to the loss of all human rights. The reason for this is that nationality and citizenship have become the preconditions for the protection of rights within both the state and for international law. Access to human rights is only possible for those who have the right to have rights; in other words those who have the rights of citizenship. The development of minority treaties and commissions still does not really change this. Worse, still the so called human rights regime puts minorities into a permanent institution (Arendt, 1973); "they have no government representing and protecting them and therefore they are forced to live either under the law of exception of the minorities treaties, which is never recognised as law, or under conditions of absolute lawlessness" (Arendt, 1973:46). To put differently, participation in exceptional and specific institutions separates indigenous peoples and unrepresented nations from regular law. Therefore it could be argued that the human rights regime lacks the capacity or even the agenda to contribute to the establishment of a civil society for the stateless. Agamben (2005) in this respect argues that the non-citizen could be seen as set aside from any regular law, since the sovereign powers put them under laws of exception. This state of exception is a juridical and political state proclaimed by the sovereign power wherein situations of emergency are used to legally withdraw the legal juridical order. It could be stated that unrepresented nations and peoples are legally removed from any law under the cloak of the state of exception. This state of exception is used by the sovereign nation-state to predominate

these groups by pure de-facto rule. In other words, nations and peoples should, from this perspective, be seen as subjected to spurs of mankind. However, it is important to argue here that Agamben rules out any existence of human action from the perspective of the 'non-persons' and 'non-citizens'. In other words, by focussing on the state of exception and the totalitarian unrestrained power of the sovereign applied to these groups, he expels any agency of the excluded. Considered the current widely acknowledged role of agency within the field of social science, expelling any agency from the side of the excluded seems unjust. It is argued here that the excluded nations and peoples are nonetheless using different means to change their being in a state of exception. Moreover, this thesis questions which claims are posed and which means are used by unrepresented nations and peoples in order to change their situation.

In sum, in the context of the nation-state as well as the international community, nation-state structures place unrepresented nations and peoples outside of regular law. Despite some efforts like the development of institutions based on universal human rights, the international community is still primarily recognising the claims of sovereign nation-states. This makes unrepresented nations and peoples not only excluded from the framework of the nation-state, but also from the international community. From this perspective, it is argued that supra-state institutional frameworks, especially the United Nations (UN), but also the World Bank, International Monetary Fund (IMF), and the European Union (EU), have strikingly similar features and overlap with the modern state bounded world. In this context, groups of people are marginalised and fall outside of the international democratic framework since they do not fit in, or separate themselves from, the national structures they live in. The UN attempts to provide unrepresented nations and peoples ways of escaping the totalitarian regime of the 'democratic' nation-state by establishing certain thematic bodies based on group rights such as the permanent forum for indigenous issues. Unfortunately, the UN does not succeed in providing the unrepresented a voice, because the UN system is, similar to the nation-state, based on a state bounded framework. This places the UN in a so-called 'sovereign trap', which means that sovereignty is seen as the only choice for representation (Richmond, 2002). The reason that the UN is caught in this sovereign trap is likely a practical one. Since the world is mainly divided in terms of sovereign nation-states the UN needs an address, a demarcation of a certain territory and a

representative in order to negotiate and act. However, practically approaching the UN's dilemma illustrates how this spatial and geopolitical division between the sovereign and the unrepresented nations and peoples puts the world in a juridical split (Agamben, 2005).

The subsequent section elaborates on the strategies used by unrepresented nations and peoples in order to change their position of exclusion. More specific, the focus is on the Unrepresented Nations and Peoples Organisation (UNPO), since this membership organisation aims to provide 'a voice for the oppressed and voiceless'.

1.3 Representing the Unrepresented; the Unrepresented Nations and Peoples Organisation

One of the NGOs that could be considered part of the human rights regime is the Unrepresented Nations and Peoples Organisation (UNPO). The UNPO was founded in 1991 in order to, as stated in the covenant of the organisation, "provide a voice for the oppressed, captive or ignored peoples of the world, those who cannot otherwise address the international community in its primary international fora, such as UN and the EU" (UNPO, 1995). The UNPO calls itself a democratic membership organisation containing 57 members including indigenous peoples, occupied nations, minorities, de-facto states and former occupied nation-states. Figure 1 shows the geographical position of the members of the UNPO. The organisation claims that its members represent over 150 million people worldwide (UNPO, 1995). The goals sought by the members of UNPO differ depending on their individual situation, ranging from the recognition and protection of basic human rights including cultural and religious rights, to the recognition of their sovereignty or statehood. What they have in common is their claim for recognition. In other words, they all share aspirations to have their cases respected by the national or international community.

The UNPO assists its members in bringing their cases into UN bodies like; the UN Commission of Human Rights (UNCHR); the sub-commission on the prevention of discrimination and the protection of minorities; the Permanent Forum on Indigenous Issues (PFII), the Working Group on Indigenous Populations (WGIP) and the sub-commission on the promotion and the protection of human rights as well as treaties bodies such as the committee on human rights and the committee for the elimination of racial discrimination. Thereby UNPO attempts to create a mechanism for representing those unrepresented nations and peoples. Therefore it is stated that the UNPO could

be seen as it aims to be a substitute nation-state by providing a platform where unrepresented nations and peoples can make their claims.



Figure 1 Members of the UNPO

Retrieved from UNPO website on 26 May 2009: (<http://www.UNPO.org>, 04/17/2009)

Interestingly enough, the members of the UNPO should already be represented by a Representative Body, which includes; “a government, legislative body, liberation movement, or other organ of leadership, whether in the territory of the Nations and Peoples in exile, recognised as such by a substantial section of the people which the Representative Body claims to represent”(UNPO, 1995;155). In other words, the UNPO thus demands for some sort of representative body in order to become a member.

Furthermore, the UNPO provides its members with an international forum enabling them to participate at an *international* level. The UNPO likes to call itself ‘the alternative United Nations’ (UNPO, 1995:2), “because it is composed of representatives of distinct societies and communities instead of governments of international political recognised nation-states. [...] the UNPO provides a

complementary forum for groups that have not yet achieved nation-state status to air their grievances and lobby for change” (UNPO, 1997:xii). However, as stated in the covenant, “it is not the intention to create an alliance or common front of participating Nations and Peoples against established States or against individual State or groups of States” (UNPO, 1997:xii). In other words, the UNPO means not to oppose the international community of nation-states, but aims to operate as a completion. Thereof, from a more theoretical perspective, the UNPO can not be fundamentally opposed to the goals and activities of the international nation-states community since the organisation needs to be recognised by this framework in order to operate (Niezen, 2003). Furthermore, one may argue that in case the UNPO were to oppose the sovereign nation-state, the organisation would simply ruin their right of existence.

1.3.1 UNPO; state bounded representation or post-national representation?

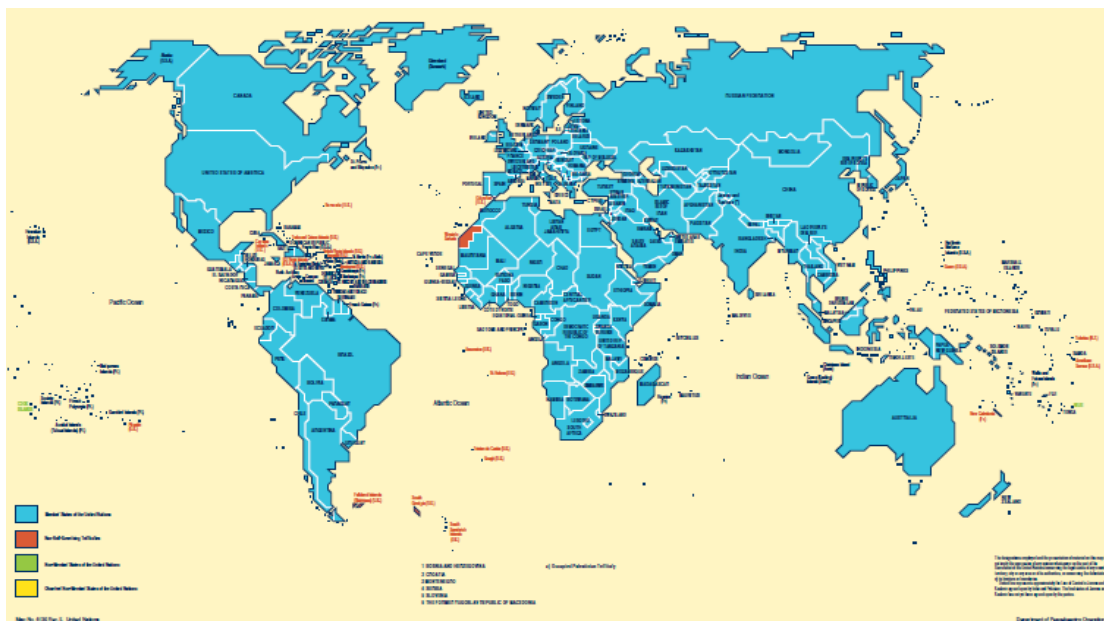


Figure 2 Members of the United Nations

Retrieved from UN website on 26 May 2009: <http://www.un.org/Depts/Cartographic/map/profile/world00.pdf>, 04/17/2009 (The map's caption shows: blue: member states of the UN; red: non-self-governing territories; green: non-member states of the UN; yellow; observer non-member states of the UN)

Comparing figure 1; members of the UNPO with figure 2; members of the UN shows how the notion of political representation is unambiguously linked to the nation-state and hence mainly the whole globe's surface. While figure 2 indicates that mainly all nation-states are being represented within the international institutional framework of the UN, figure 1 indicates that still many nations and peoples fall outside of this international framework. The combination of the UNPO map and the UN map shows the many unrepresented nations and peoples. Although living within a nation-state's territory, these groups can be seen as the residual people, which are produced by the modern state bounded world. As already stated, the UN and other international institutions pretend to represent human rights law while, at the same time, they create a huge amount of non-citizens. As formulated by the UNPO (1995); "Many times the states of which they form a part do not respond to their concerns. Their only recourse is through the international community and access to these organisations is essential". In line with section 1.2.1, it is stated here that the problem precisely is this access to the international community. Access to the international community becomes nearly impossible for unrepresented nations and peoples when they do not have citizenship rights provided by the sovereign powers of the nation-state.

The UNPO, among other NGOs working on the issue of unrepresentedness, attempts to positively influence the position of its members by facilitating the development of a civil society. In order to globally represent the unrepresented people, this civil society intends to transcend the borders of the sovereign nation-states. Therefore, the UNPO, in the framework of the UNPO-UN relation, urges the UN to accept other members than just nation-states within its organisation. Therefore, it is suggested here that, although not claimed as such by the UNPO itself, the organisation contributes to the construction of a post-national framework for representation.

The question remains what the influence of the UNPO could be in this global arena? Clark, Friedman & Hochstetler (1998) in their report on NGO participation in UN world conferences stated that the role of NGOs at the world level increased over the last decades. This may also be so for the UNPO. However, it can also be argued that the development of a civil society is limited, since the world stage is still dominated by sovereign nation-states. In other words, it can be stated that a global civil society might be on the rise, but this does not at all erode the power of nation-state sovereignty.

This observation has consequences for the way UNPO's role within the UN could be perceived. It is suggested here that the UNPO finds itself in a policy split. On the one hand the UNPO challenges the nation-state bounded world by attempting to induce the UN to recognise non-state actors as members and give them access to joint decision making mechanisms. On the other hand, the UNPO can be seen as copying and confirming a state bounded model of representation. By presenting the state model as unjust and problematic the organisation similarly upholds the model. Instead of incriminating the state model as such; the UNPO solely focuses on the problem of being unrepresented within that framework. Moreover, the UNPO engages in nation-state frameworks such as the UN or the EU in order to make its claims. This could again be seen as a validation of the state-like framework.

Thus, it could be stated here that the UNPO and its members seem to seek for representation within the nation-state framework, while at the same time the nation-state system is criticised by the organisation. It is precisely this critique that makes the UNPO's case interesting since this indicates that the organisation operates between the state model and a post-state world. This issue is further discussed in the following section.

1.4 Post-national representation; towards global governance?

The tension between the state bounded and the post-state bounded world and the position of UNPO somewhere within this tension could possibly be explained by the changing world structures. Due to processes of globalisation, the modern state is increasingly subjected to international and transnational processes of governance, justice and economics (Castells, 2004). Hence, the power of governance is no longer solely constrained by the nation-state alone, but is increasingly situated in network sites all over the globe (Castells, 2004; Lévy, 2007). At the same time however, state boundaries and the nation-state are still strongly embedded in sovereign power politics. Although there is less consensus among social scientists on how global processes change the state bounded world, these processes nonetheless have several consequences for the theoretical concepts of representation and the deterritorialisation of politics. Developing processes of inclusion and exclusion on a global scale made scholars argue that the nation-state as the prime sovereign unit for representation becomes morally obsolete (Held, 1995; Cheah & Robbins, 1998; Massey, 1999). In other words, the nation-state is inherently an institution that excludes on the level of the state and decides upon the accompanied issues of citizenship and

representation. By taking into account the processes of transnationalisation beyond the borders of the nation-state and alternative identifications and territorialisations fragmenting the nation-state, one can identify an important discrepancy concerning representation in this state bounded world. This discrepancy has led to a profound critique on the nation-state. As a result, theorists developed a post-national world view. Hereby it is important to note the difference between trans- and post-nationalism. Transnationalism refers to social and political interactions between two or more nation-states. Post-nationalism, on the contrary, seeks for alternative ways of territoriality, representation and governance that are no longer based on the principle of the sovereign nation-state. Thereby it seeks to offer a solution for the ongoing territorial conflict caused by the territorial bounded and restrictive politics of the nation-state. The establishment of the universal human rights system, although still imprisoned by its own mechanisms, played an important role in the strengthening of post-national conceptions of citizenship (Sassen, 2002). The human rights 'regime', as an actor outside the nation-state framework, deals with the citizens inside the state, thereby destabilising the state's sovereignty. In other words, the sovereign loses some power with respect to human rights principles. As it will be outlined in this section, post-nationalism as an alternative world view, may bring significant opportunities for the UNPO since they work in the field of representation in a changing world order. To explain this, some elaboration is needed concerning the post-national ideology.

The idea of post-nationalism is closely linked to the cosmopolitan tradition, which attempts to overcome the territorial trap by creating the cosmopolite as the ideal 'habitant' (dividing 'in' from 'habitare', Latin for reside) of their postmodern world; in other words the cosmopolite is a non-inhabitant; a person who resides, but not specifically in a certain country literally containing 'inhabitants'. Beside territorial identification, the 'habitant' transcends state boundaries and, based on principles of Enlightenment, links different groups of people living geographically distant from each other, but socially very close (Kant in Popke, 2007). From the perspective of the cosmopolitan tradition, the creation of a world citizen makes national communities or territorial bonded social groupings as sites of representation redundant. In practice, cosmopolitanism is already embedded in international society through universal rule systems, the human rights regime and transnational institutions which have transformed the sovereign states system (Held, 2002). However, the mainly

western elite ideal of a borderless community seems unjust while attending the marginal cosmopolitanisms of displaced migrants, refugees and indigenous peoples (Rumford, 2008). In this respect, the human rights regime may have changed the exclusionary sovereign power to citizenship by referring to the right to have human rights, simply because one is a human being (Collins & Weissbrodt, 2006). However, it still offers no alternative legal post-state citizenship rights for those who are excluded from the framework of the nation-state. To conclude, it is argued here that NGOs like the UNPO and unrepresented nations and peoples are increasingly able to bypass state sovereignty although a new form of post- national global governance and post-national citizenship are yet no reality.

1.4.1 The construction of 'indigenism' as a post-national identity

Like the UNPO, its unrepresented members aim to operate within the previous described state bounded/post-state bounded tension. However, in their case, this discrepancy could also be seen as a territorial/post-territorial tension. Due to the rise of the human rights regime working on issues of indigenous peoples and human rights, unrepresented peoples and nations are increasingly able to address their issues at a global level (Niezen, 2003). On the one hand, they often strive for territorial rights in order to represent themselves through the framework of the nation-state. On the other hand they are constructing a post-national identity and are using post- as well as transnational institutions like the UN and the human rights regime to define territorial claims (Castree, 2003). In other words, unrepresented groups are responding to the excluding practices of the nation-state and an increasing transnational framework by constructing a post-national identity and, contradictory, claiming territorial rights. The term 'indigenism' refers to the global identity formation of groups of (indigenous) people with predominantly local claims. A clear example of this indigenism is the case of the Zapatistas in Mexico, which is known as the first case of a globally active indigenous group. The Zapatistas as a resistant identity opposes dominant forces of contemporary globalisation (Castells, 2004). Consequently, indigenism is seen as a sort of anti-globalisation movement. Interestingly enough, indigenism uses universalisms such as the language of the human rights regime (Castree, 2004). Indigenism, in this respect, uppermost fits the requirements of a common identity; first of all, indigenous peoples are the unrepresented people par excellence. And secondly, they have, unlike

ethnic groups, an identity that is shaped around the well known colonial history of oppression and assimilation (Niezen, 2003).

Like with nationalism, territorial claims, based on feelings of authenticity, are often perceived as regressive, while using a transnational framework could be seen as progressive (Paasi, 2003). In the case of the UNPO and its members, one question whether the claims and applied strategies are preserving a state bounded world, or that these groups are attached to a post-national, progressive way of representation. In this thesis it is stated that unrepresented nations and peoples may not be progressive, but nonetheless *use* progressive means in order to obtain their goals. Also a mixture of progressive and regressive claiming is possible, as it is reflected in Castells' analysis of the anti-globalisation movements (Castells, 2004; Paasi, 2003). These movements fight, by constructing a resistance identity, against 'globalisation' as a neo-liberal project; however, they are themselves a perfect example of a constructed global movement. The members of the UNPO display parallels with the anti-globalisation movement by striving for alternative models of governance: they construct a transnational identity (indigenism) while they also have local and territorial (regressive) ambitions.

However, there is one important problem worth mentioning here. 'Indigenism' as a social construct played out on a global stage (Castree, 2004) loses its valuable distinction through the depreciation of a territorial identity. By constructing a common identity based on features of unrepresentedness and a (shared) history marked by oppression, the territorial element in the construction of that identity is pushed to the background. In other words, these movements lose their 'raison d'être'; their specific territorial claims or their ethnic grounded identity. Furthermore, it is striking that post-national identities are no less excluding than nationalism (Castree, 2004). It also distinguishes between 'us' and 'them', although no longer defined along the lines of a certain territory. Altogether, by constructing an identity that is similar to indigenism, the UNPO is also automatically involved with processes of exclusion. This thesis touches upon processes of inclusion and inherent processes of exclusion in the context of the UNPO. By deconstructing the strategies of the UNPO and its members, the meaning of unrepresentedness will be analysed. Thereby this thesis also investigates the issue of *who* is excluded and on the basis of *what* criteria. The next section outlines the series of questions that function as guidelines for these issues.

Chapter 2 Questions on unrepresentedness

In the previous chapter I presented the problem of being unrepresented. Thereby I reflected on the tension between the state bounded and post-state bounded world wherein these unrepresented nations and peoples and the UNPO are operating. In order to set up the research questions the following **research objective** is formulated: *this thesis aims to understand to what extent on the one hand UNPO as part of the human rights regime contributes to the development of a post-national world order wherein nations and peoples are no longer obliged to have a nation-state in order to be represented within the global society, and to what extent on the other hand UNPO confirms the preservation of a state bounded world.* This research objective results in the following, **central question** of this thesis:

Can the representational strategies of UNPO be perceived as confirming the state bounded world, or do they contribute to the development of post-national ways of representing its nations and peoples?

2.1 Research questions

This thesis is constructed around the above-mentioned central question and three sub-questions. These sub-questions, all referring to the case of UNPO and its members should provide answers to the central question. This section specifically outlines what questions contribute to answering the different aspects of the central question. It can be read as a detailed genealogy dealing with the research issues. The first sub-question is;

What is the problem of being unrepresented for members of the UNPO and what do they claim?

In chapter one, the theoretical problems of being unrepresented are already outlined. This sub-question rather seeks for empirical evidence to understand unrepresentedness better. First of all, it refers to the practical problems of nations and peoples who are not represented. Thereby this question aims to explore different patterns of unrepresentedness among the 56 members of the UNPO. What do they lack and what are the consequences of unrepresentedness? I will explore this by an in-depth reading of different UNPO related documents, while focussing on certain discourses regarding human

rights abuses, cultural rights, oppression, self-determination, sovereignty, federalism, ecological problems, sovereignty, occupation and colonialism. As it is outlined in the introduction, it attempts to understand unrepresentedness and exclusion in the context of the nation-state *as well as* that of the international community. Furthermore, this sub-question elaborates on the different claims of the members of the UNPO and how they construct a certain identity in order to lay down their claims.

In order to gain a deeper understanding of the problems and claims of being unrepresented three cases are empirically analysed more in-depth. These cases are; Somaliland, a de-facto state lacking international recognition; the Ogoni people (Nigeria), striving for environmental, social and economic justice after the ecological and financial damage caused by oil production; and the Oromo people (Ethiopia/Kenya), one of the numerous peoples in Africa who are claiming self-determination. These cases reflect situations of three African members of UNPO. This is a well-considered choice since the cases more or less share a history of colonisation and ethnic diversity of the African continent. Notwithstanding, the main aim is not to make a comparison of the three, but rather to show the diversity of unrepresentedness in relatively similar contexts. In line with the claims and problems of the UNPO members, the next sub-question focuses on the role of the UNPO:

What is the UNPO claiming and how is the UNPO representing its members?

This question examines how the UNPO represents its members. This is explored by the genealogy of how one may become a member. *Who* can become a member, and on what basis? Thereby it is questioned what identity the UNPO constructs for itself. Furthermore it is questioned what the UNPO claims and how it operates within supra state mechanisms. This leads to the final, rather analytical question;

Is the UNPO copying a state model or can we see the UNPO as a post-state actor?

By posing this question I will analyse in what ways the UNPO can be seen as an alternative way of representation detached from the nation-state, or, whether the UNPO is copying a state bounded world model. Using theories derived from the cosmopolitan tradition, I aim to perceive representation by the UNPO differently. Therewith, I will investigate in what sense the organisation's tactics can be

perceived as progressive or regressive. The question is attached to the more philosophical debates on alternative ways of representation, raising questions like; are there other models of governance and alternative forms of representation to think of, beyond the framework of the nation-state? With this question this research touches the paradox of globalisation (Behr, 2008) which implies that states should overcome the territorial understanding of statehood and idem, the international political order to reassure their status in global politics. This paradox, applied to unrepresented peoples and nations, means in fact the same; in order to gain status in global politics these groups should find a way to overcome the 'territorial trap' by seeking for alternative forms of representation within, and across, the boundaries of the excluding territorial framework of the state they inhabit. As a representative of a UNPO member puts it; "[the time has come] for the world to realise that indigenous or non-self-governing peoples, minorities and occupied territories [...] are not the problem, instead we can be part of the solution" (Tethong, 1997, cited in UNPO, 1997:17). Posing the question in which ways UNPO is providing a progressive way of representation also links to the more profound question; why do we need organisations like UNPO? And formulated more radically; how can we make organisations like UNPO redundant?

2.2 Methodology and methods

The theoretical reflections above function as a guideline for the empirical parts of this thesis. Thereby theoretical explorations have resulted in several problem setting questions to understand the practice and the 'raison d'être' of UNPO and its members. Therefore the questions not only function as an important guideline for this thesis, more importantly they can be seen as the first results of this theoretical investigation. Hence, this thesis complements these theoretical reflections with in-depth empirical material.

From a methodological perspective, this research latches onto the postmodern tradition by reflecting on the unequal power relations within the current global world order (Kitchin & Tate, 2001). The central issue is the claiming of authority and power; on what basis is the privileged position being claimed, and what strategies are used. Thereby this thesis focuses on minority groups produced by the sovereign powers as the outcome of processes of inclusion and exclusion of unequal power relations (Bauman, 2004). From a postmodern perspective it is argued that a deconstruction of this power

relation opens up new space for dialogue. The focus on the position of the unrepresented nations and peoples in their own terms and critical reflecting on their practices provides insight into how social structures are produced. The purpose is not to criticise the 'true heart' of the UNPO as a network organisation, but to understand its goals and practices in the shifting world order of increased globalisation.

This thesis is largely based on desk research. Diverse sources, such as documents, covenants, public interviews, speeches, member profiles and web sites are used. Much of the research documents are derived by an internship at the UNPO of four months. During this internship I had the opportunity to study and analyse the practices of the organisation and its members in order to write this thesis, for which I am grateful to the UNPO. In addition, I conducted an in-depth interview with the General Secretary of the organisation to identify underlying discourses and broader strategies of the organisation. By choosing the method of deconstruction this research profoundly analyses the UNPO institutional documents. Thereby triangulation of data is an important part of the research strategy. By taking a critical position, the research material is approached differently than is probably intended by the creator. In sum, desk research makes it possible to investigate the case of the UNPO and its members from a distance (Verschuren & Doorewaard, 2007). Thereby it is important to note that the three different research questions focuses on different perspectives; the members of UNPO, the UNPO as an organisation and the perspective of the researcher regarding the question whether the UNPO is copying a state model or not.

As a final methodical reflection; this thesis is based on small samples of data (the UNPO documents). As it is often stated, the problem with small samples of data is obviously their representativeness. Here, I would like to make the comparison between minorities within societies. Being a minority often means that opinions, needs and wishes count less, or are less important, than those of the majority. Although the position of the minorities is not widely supported, it does not automatically mean that minority wishes are unjust. In other words, small samples of data are not less valid; they are just telling their part of the story in a qualitative way.

To provide some guidelines for reading this thesis, a few words have to be spent on the content of the chapters that follow. The subsequent chapter (based on the first sub-question) elaborates on the situation of the UNPO members and outlines their problems and claims. Chapter 4 (based on the second sub-question) starts with the genealogy of becoming a member. It focuses on the preconditions and requirements of becoming a member from the perspective of the UNPO. The third sub-question is very much in line with the central question and is inherently taken into account in the final conclusion (chapter 5).

Chapter 3 Being unrepresented

Many ethnic and indigenous groups are striving for the right to self-determination, because their voices are not heard by governments or the international community. Although the different members of the UNPO have their own specific problems and claims, they all face problems because of their unrepresentedness. This chapter contributes to an in-depth understanding of being unrepresented by outlining the differences between the different members of the UNPO. Furthermore, a distinction is made between firstly, the problems and secondly, the claims posed by the members of the UNPO. Section 3.1 explores patterns of unrepresentedness by analysing the member profiles of all 56 UNPO members (see also appendix 1). Furthermore, unrepresentedness in case of three specific UNPO members will be explored. These cases discuss the problems and claims of respectively: 1) the de-facto republic of Somaliland, 2) the Ogoni people living in the River Delta of Nigeria and 3) the Oromo people having part of Ethiopia as their home area.

3.1 Patterns of unrepresentedness

Before I examine different problems and claims it is first questioned whether the members of the UNPO could be seen as a nation, peoples, an indigenous group, national minority, cultural group, ethnic group, de-facto state or otherwise. Although the UNPO likes to name itself 'an organisation of nations and peoples', it is stated here that these categories should not be taken too narrow. It is remarkably difficult to distinguish between members and to categorise them. Interestingly enough, even the UNPO in its policy documents applies different terms to one and the same member.

However, by comparing the self-claimed problems and requisites, it becomes clear that the largest part of the members mainly should be typified as being 'peoples'. Among these 'peoples' I also recognise indigenous peoples, tribes and all cultural minorities including religious-, ethnic- and linguistic minorities. Thereby it is important to note that indigenous peoples are slightly different from the other 'peoples' since 'indigenous' is not just an analytic term but also an expression of identity (Niezen, 2003). In sum, the commonalities of these 'peoples' are their non-nationalist nature. This means that although these people distinguish themselves from others within their country of residence through an own identity, they do not perceive themselves as a national community with a

distinct national identity. Critically stated, these 'peoples' can be equated with any minority group without nationalist feelings. From a political point of view, the UNPO attempts to avoid this image of their members as being 'just any minority' as will be further explained in chapter 4 (UNPO, 2004b). Although within the UNPO policy documents, many 'peoples' are also termed 'indigenous peoples'. However, the term 'peoples' is, maybe even more than 'indigenous peoples', the clearest expression of human diversity (Niezen, 2003). Hence, this term is used, by both the members of the UNPO and the UNPO itself, to capture all the historical, cultural, political and social differences in one.

Secondly, besides the 'peoples' another category can be distilled. Although there is some overlapping, a smaller group of members can mainly be seen as being a 'nation'. These social groups often experienced regional autonomy or owned a sovereign nation-state in the past. In some cases, the annexation or occupation of their former territory took place in relative recent times. For example, among these 'nations' are some republicans within the Russian federation, whose territories were annexed during the beginning of the last century (UNPO, n.d.(a)). Other nations have already been incorporated by reigning nation-states ages ago, like the Scania in Sweden who lost political independency in 1720. The commonality that characterises these groups is that they claim to be a nation with a distinct national identity. Moreover, these nations often strive for territorial rights, self-determination or regaining sovereignty. The 'nations' furthermore use distinctive features like religion and language to justify their identity claims.

Thirdly, beside the distinction between 'peoples' and 'nations', a small group of other members could be characterised as a de-facto state. De-facto states are, according to the UNPO, 'states' without official recognition, yet who possesses many of the traditional empirical criteria for statehood and who sometimes even function as states in international fora (UNPO, 2008e). The UNPO further states that these de-facto states may have; "their own democratically elected government, political system, laws, judiciary, police force, defence force, currency, foreign representation, or all of the above, independent of any officially recognised state in whose (claimed or sovereign) territory they may lie" (UNPO, 2008e:2). Examples of de-facto states who participate within the UNPO are the Republic of Abkhazia, the Republic of Somaliland and Taiwan. Although all members of the UNPO could be seen as unrepresented (since the organisation is an organisation of unrepresented social

groups) one could ask the question to what extent all groups are unrepresented. For example, a republic is often embedded in a framework of joint decision making. Moreover, de-facto states lack international recognition but nonetheless have often a government representing its citizens.

3.1.1 Problems

In order to understand the problems of the UNPO members, it is important to make a distinction between their problems and their claims. Here the term 'problems' refers to the different problems mentioned by the members, whereas the term 'claims' refers to the claims or requests posed by the members. This distinction is inevitable since in many cases the problems which are mentioned are distinct from the claims. For example, in the case of the Buryatia, environmental problems are mentioned as the main disadvantage of unrepresentedness, but their claims posed are to strengthen local power and to preserve the Buryatia language and culture (UNPO, n.d.(a)). This does not mean that in this case the claims are unjust or illegitimate, but it indicates a discrepancy which could have a concealed reason. This discrepancy will be explored further in section 3.1.1 and 3.1.2. For a general overview, the problems and claims of members of the UNPO are schematically displayed in appendix 1.

Although the problems denominated by the members of the UNPO seem to be very unique and case-specific, still an overall pattern of three main problems can be distilled. These three series of problems are related to: 1) identity rights and the right to sovereignty; 2) the abuse of human rights and 3) problems related to territory. As it is shown below, these three series of problems are all related to the state of unrepresentedness.

Identity rights and the right to sovereignty

The first and most frequently mentioned set of problems of the UNPO members are: discrimination; oppression and denial of their cultural, religious or linguistic identity. For example, in the case of the Kumyk people, former population transfers left them with no single region which is densely populated by this group. These vast distances between Kumyk people nowadays make it increasingly difficult for the Kumyks to maintain their national traditions and language. Since the 1930s, the

Kumyks have been forced to use the Cyrillic script instead of traditional Arabic. Moreover, many schools in these regions no longer teach in the Kumyk language (UNPO, n.d.(a)). These above problems could be condensed as lacking freedom for constructing and expressing an own identity.

I state here that identity related problems of unrepresentedness are the 'raison d'être' for the members of the UNPO. Without a distinct group identity, the UNPO members would not even exist as a social group, be it a nation or peoples. Concomitantly, they could not face problems due to the lack of identity freedom and rights. Thus, in order to legitimise their claims, nations and peoples continuously have to (re)construct their group identity. Drawing attention to the repression of their identity should thus be seen as a manner of validating and confirming this identity.

Closely related to the issue of lacking identity rights and/or acknowledgement is the lack of sovereignty. Without the right to, or the acknowledgement of, an own identity unrepresented nations and peoples often face problems due to political unrepresentedness. For example, in the case of Zanzibar, in January 2001, the police used massive force to disperse a peaceful demonstration by the Zanzibar population against the rigged results of the elections (UNPO, n.d.(a)). These political issues could be seen as a reasonable outcome of the previous mentioned identity related problems; in order to democratically gain certain identity rights, the right to political participation and the possibility to political representation is required.

To conclude, the unacknowledgement of an identity is the linkage between the members of the UNPO. Although not all members are totally unacknowledged as a nation or peoples, most members are nonetheless lack the rights to citizenship and the right to sovereignty.

Human rights abuses

A second set of problems that are categorised are problems due to the violation of human rights. The term 'human rights abuses' is, in the case of the members of the UNPO, frequently used as an umbrella term referring to a broad range of violations. The mentioned problems varies from torture, lack of justice and fair trials, sexual abuse, assimilation politics, military violence to media restrictions (UNPO, n.d.(a)). The abuse of human rights is specifically a problem for the UNPO members since

they lack mechanisms and institutions to put these issues on the table. Indeed, these problems are highly related to the lack of political or juridical representation.

It is remarkable that members mostly refer to violations against individual rights such as torture, lack of justice and other violence. In other words, human rights abuses to individuals are more or less differentiated from the problems unrepresented nations and peoples face as a group, such as assimilation politics and genocide. I would suggest here that this differentiation could be explained by the distinction which is made by the human rights regime; a distinction between universal individual rights and group rights. As already noticed in chapter 1, the human rights regime mainly focuses on the abuse of individual rights, since this often has less consequences for international relations.

Territorial issues

A third range of problems that could be distilled from the member profiles are territory related issues. These are for example; (former colonial) deportation, forced relocation and land allocation. As a consequence, these practices led in some cases to masses of people seeking refugee elsewhere, often without them gaining a refugee status. Other territory related issues mentioned have to do with the threatening of traditional living patterns. Due to the allocation and exploitation of traditional hunting, grazing and holy land, and through environmental damage caused by the winning of natural resources, indigenous peoples proceed to lose their traditional culture and identity. Concomitantly, in case of exploitation of their traditional land, peoples and nations often note that they are excluded from any economic profit. I suggest that the above territorial issues are related to, or even an outcome of, problems of unrepresentedness, since others are taking over their living areas while nations and peoples have no instruments to plead a cause for themselves. Finally, although most the UNPO members lack territorial rights and hence sovereignty, it is remarkable that they mostly do not explicitly refer to the lack of territorial sovereignty as their main hassle. This duality will be further explored in the subsequent section 3.1.2; the claims of the UNPO members regarding territory.

3.1.2 Claims

As varied as their problems are, the UNPO's nations and peoples also have divergent claims. In this section I will nonetheless explore the similarities between the different claims. Again, three main sorts of claims are distinguished; 1) territorial claims and claims to the right of self-determination; 2) claims related to recognition and 3) claims that concern political rights.

Territorial claims and claiming the right to self-determination

The first and foremost sorts of claims that can be distinguished are related to territory. Among these claims are claims to self-determination, territorial autonomy, local self-government and sovereignty. There are 33 UNPO members who, in some way, claim a certain territory. Within the category of territorial claims, three 'levels' of territoriality can be distinguished.

The first level is nations who do not claim rights of self-determination but they often link their cultural, religious or ethnical identity to a certain territory. For example, there are nations who often have a long history of occupation and a long bond with their territory and therefore claim to be a nation based on this past. One of these nations is the Ahwazi, who once existed as Ahwaz, an autonomous Arab territory, which was annexed in 1925 by the Persians, and currently Iran. Ahwaz gradually lost its political, economic and cultural independence following this annexation, and the territory's name was changed to Khuzestan. Nowadays, the Democratic Solidarity Party of Ahwaz is claiming the recognition of Ahwaz in the region and attempts to promote the realisation of a federal Iran on the basis of an ethnic-nationality (UNPO, n.d.(a)).

The second level of territorial claims is the claim of land usage. These claims are mostly posed by UNPO members who were banned from their ancestral territories. This is exemplified by the Mapuche people living in Chile and Argentina who are claiming the restitution of ancestral Mapuche lands (UNPO, n.d.(a)).

A third group of UNPO members openly lay claims concerning the ownership of a certain territory. This means that these actors, often nations, claim some form of sovereignty like autonomous rights or the right to self-determination. Furthermore, it is remarkable that half of the UNPO members claim the right to self-determination. Although the right to self-determination is not equal to claims of

sovereignty, it implicitly links up with territorial ownership. This becomes clear from the fact that self-determination is often termed in the same breath as federal rights, landownership or territorial autonomy. Thus, although their claims are mostly less obliged formulated, a large part of the UNPO members claim territorial sovereignty. Therefore I argue that for most members claiming self-determination, it is similar to claiming territorial rights.

One could ask the question why claiming rights to self-determination is such a strong bias. The answer could probably be found in the policy of the UNPO which is highly influenced by the international possibilities to pose or formulate certain claims more than others. As already stated, the international community and the UN are often reluctant to acknowledge territorial rights since it may harm the sovereignty of one its members (the nation-state). A separation of Tibet from China is inherently 'a harm' for China, the same applies for an eventual separation of the Western Sahara from the nation-state Morocco. The claim to the right of self-determination more or less lacks such political sensitiveness since it is not a territorial case per se. Self-determination might also occur within the borders and the institutional setting of the nation-state system and hence does not necessarily bring profound changes to the system. For these reasons, the right to self-determination more easily gets a response in the international setting, and hence, it is a profound claim for the UNPO and its members.

The fact that many members have territorial claims does not mean that unrepresentedness is automatically related to territory. It is interesting to note that 17 UNPO members have no territorial claims or any reference to territory at all. This is remarkable since the issue of unrepresentedness inherently has to do with collective identities, which are mostly expected to be linked to a certain place, area or land. Thus, for a considerable number of UNPO members territory is not their 'raison d'être' per se. As a consequence, the solution for unrepresentedness should not only be sought in territorial terms and rights. I therefore argue that, from the perspective of the nations and peoples, post-territorial forms of representation should be seen as a serious alternative.

Claiming recognition

Recognition in the context of the UNPO members means that other significant players, which can be international institutions as well as a specific nation-state, do not deny the existence of a certain group

of people *and* the situation this group of people lives in. 30 UNPO members have claims linked to recognition. Examples of these claims are the recognition of minority rights; recognition of being a people, including the right to expressing an own ethnic or cultural identity including language rights; the recognition of (often cruel) histories, the recognition of the status of exiled people, rights to dual citizenship and more broadly formulated securing human rights. Claims related to recognition are mostly founded on universal human rights and addressed to the human rights regime (UNPO, n.d.(a)). It can be argued that being recognised as a group opens up doors to raise claims concerning collective human right. Recognition can therefore be an important step towards representedness.

As it becomes clear from analysing the member profiles, 'recognition' is a key term. It is often used by the UNPO members to indicate the problems of due to being unrecognition in existence and concomitantly the problems due to the loss of human rights. Being unrecognised for the members of the UNPO thus seems to be a problem of non-existence and thus of not being able to express certain demands to the (inter)national community. This is endorsed by Hanna Arendt (in Hayden, 2008) who noted that the loss of membership, or being unrecognised within the political community of residence could be perceived as equal to the loss of all human rights. As it is outlined in section 1.2.1, Arendt states that access to human rights is only possible for those who already have the right to have rights (Arendt 1973). In this context, it is argued that the term 'unrecognition' suits the situation of the UNPO members better than the term 'unrepresentedness'. As it is outlined above, people's collective human rights claims are only heard in case they are *recognised* as a collective. As a result, being recognised comes first before being represented. Moreover, it is argued here that UNPO members do not lack representation as such, since, quite remarkably, having a representing body is one of the requisites for being a member of the UNPO (this will be further outlined in section 4.1.2). The situation of the UNPO members, in fact, illustrates that one can be represented, by their own representing body as well as by the UNPO, without being recognised in the international community. Thus, for nations and peoples representedness alone is not very helpful for their situation; what matters foremost is (the lack of) recognition and hence (the lack of) access to channels in order to raise their human rights claims.

Claiming political representedness

The last set of claims that can be distinguished is linked to political rights and gaining political representation. A relative small number of UNPO members (namely 11) are striving for federalist systems or the democratisation of the nation-state. However, this last set of claims is central to the UNPO's policy and it is therefore remarkable that only 11 out of 57 members demand for political representedness. Apparently, the members are mostly giving priority to other issues. This could indicate a discrepancy between the claims of the members and the organisation's central policy. The main purpose of the UNPO is providing an alternative framework wherein members could be represented. However, one could question whether this is the same for the UNPO members; why do the peoples and nations demand membership if they do not strive for the central goal of the organisation? Although all members had to answer the question why they demanded membership, the UNPO documents generally lack information on the members' intents for and the purpose of collaboration with the UNPO. Just for a few cases it is reported how nations and peoples make use of their UNPO membership. Therefore, the question whether UNPO members attended membership in order to dispose alternative (democratic) ways of representation or not, is left open for interpretation. However, a few members indeed claim political representation at the EU or the UN. For example, the Naga people try to bring their case to the attention of the international community by addressing a number of UN bodies, including the UN Commission on human Rights. Thereby, they are even demanding for separate representation at the UN (UNPO, n.d.(a)). This seems to suggest that some members indeed strive for international representation and that the UNPO's provision of an international framework suits these claims well. However, one should also take into account the other claims mentioned above, and in particular the territorial claims. Since far more members raise claims regarding territorial self-determination, one may question the balance of the organisation's main goals on the one hand, and the goals of the members on the other. It is stated here that, although the UNPO aims to provide a framework for post-national, or at least international representation (rather progressive means), its members have still mainly regressive claims. This seems to be logical because the international community is still primarily recognising claims of sovereign states.

Finally, the fact that political claims are not very 'popular' among the UNPO members, also underlines the notion that unrepresentedness is not really the issue for them. This can be explained as follows. Claims regarding to political representedness do not fulfil the urgent need of peoples and nations of being recognised. Representation is not equivalent to recognition. At the same time, self-determination (the claim that is mentioned the most by the members) and, evidently, claims concerning recognition do cover this need. Thereby, claims to self-determination can be seen as an all-inclusive claim. It inherently means that other parties in the international world order (have to) recognise you. It also automatically makes political representation by the means of UNPO-like organisations redundant.

Now the problems and claims of the UNPO members are discussed in general, the cases of Somaliland, Oromo and Ogoni are explored more in-depth. Thereby it is outlined what their specific problems and claims are. These cases are chosen for reasons of analytical value as well as their characteristics concerning their geo-political situation. It is my conviction that an outline of cases provides more in-depth insight regarding the question of unrepresentedness. The analysis above can therefore best be seen as an overview of the variety of problems and claims of the UNPO members. The subsequent cases, on their turn, are meant to tell the story of unrepresentedness and does more justice to the question what does it *mean* to be unrepresented. They are chosen since they reflect the three patterns of unrepresentedness as outlined in section 3.1. It concerns a de-facto state (Republic of Somaliland), a nation (Oromo people in Ethiopia) and a people (Ogoni in Nigeria).

3.2 Jamhuuriyada Somaliland (Republic of Somaliland): a 'state in waiting'

The Republic of Somaliland is situated within the internationally recognised state of Somalia (Hoyle, 2000). Figure 3 shows the current territory of Somaliland. Since no map is neutral, a map inherently represents a certain perspective on the situation. Therefore, this map is not so much *the* representation of the de-facto state of Somaliland; it is one of many possible maps. To produce a map with political borders that are in the international context generally unacknowledged should therefore be seen as a geopolitical act (Wood, 1992).

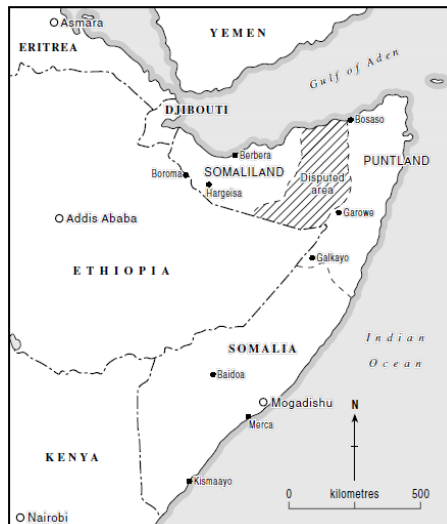


Figure 3 Map of the Republic of Somaliland

Hoyle, P. (2000). *Somaliland: passing the statehood test? Paper presented at the IBRU's conference, IBRU boundary and security bulletin*. Retrieved from http://www.dur.ac.uk/resources/ibru/publications/full/bsb8-3_hoyle.pdf

During colonisation, the Republic of Somaliland was known as the British Somaliland Protectorate which gained independency from the United Kingdom in 1960. In accordance with UN procedures, British Somaliland made the transfer to a sovereign nation-state. The state of Somaliland was immediately recognised by 34 other UN member states, which made Somaliland the first Somali nation recognised by the UN. However, after five days of independency, Somaliland and the southern Italian Somalia united to the Somali Republic. Unfortunately, Somaliland and Somalia were already divided on base of clan, governmental and linguistic differences. And after unequal elections on the constitution, all key political and economic opportunities became concentrated in the southern former Italian part (Hoyle, 2000). Consequently, the act of union, which should have been the basis of the unification of the Somali Republic, was never ratified by the parliaments of the two states. Although the de-facto union thus almost instantly failed, the constitutional arrangement lasted for nine years. In 1969, the regime of Siad Barre overthrew the constitutional system and established a dictatorial rule for 21 years, which resulted in a ten years during civil war. Under the banner of nationalism, Barre attempted to incorporate the Ogadeni Somalis into Somalia by attacking Ethiopia in 1978. Ethiopian

Ogadeni who supported Barre during his struggle into the northern Somali Isaaq region fled into the region. This influx triggered rivalries and competition for scarce resources. In response to this, the Somali National Movement (SNM) was erected to overthrow the Barre regime. On 18 May 1991, the SNM unilaterally declared the former British Somaliland, former administrative component of the Republic of Somalia, to be the independent state of the Somaliland Republic. The south subsequently dissolved into inter-clan anarchy (Hoyle, 2000).

Still, contemporaries Somaliland's unilateral declaration of statehood is not recognised by the international community, which consequently makes Somaliland a de-facto state (Hoyle, 2000). Despite being unrecognised as a sovereign state, Somaliland has, compared to the rest of Somalia, a well structured and rather effective regional government apparatus. For example, the constitution, adopted in May 2001, determines separation of the executive, legislative and juridical powers (Directie Personenverkeer, Migratie en Vreemdelingenzaken, 2009). Furthermore, Somaliland simultaneously encapsulates state characteristics; that means the presence of a military force, an anthem and a flag (UNPO, n.d.(b)). Formulated by the foreign minister of Somaliland, the nation is; "at present building a society founded on peace, justice, and the rule of law" (Republic of Somaliland, 2004:2). In May 2001, an overwhelming majority of Somalilanders re-affirmed their support for the separation of Somaliland from Somalia; "in a Constitutional Referendum consistent with the right to self-determination entrenched in the Charters of the African Union (AU) and the UN" (Republic of Somaliland, 2004:2). The Somaliland minister of foreign affairs replies "No pleas, pressure or promises on the part of the international community can alter these basic facts [the facts that the Somaliland people opted for a sovereign nation-state]" (Republic of Somaliland, 2004:2). In 2002 first local governmental elections were held, followed by presidential elections in 2003. The elections held in 1995, were, according to the ministry, a proof of; "our long and difficult transition from a traditional, clan-based political system to a stable multi-party democracy in Somaliland" (Republic of Somaliland, 2004:2). According to the Somaliland government, the nation should gain sovereign status in the international political community based on the subsequent arguments:

"(a) the provisions of the charters of the OAU and the Constitutive Act of the AU, who provide the Republic of Somaliland the legal rights of its case law; (b) Somaliland has satisfied

all the necessary arguments and precedents for recognition, including the basic criteria for statehood as established in International Law; and (c) the relevant peace and stability, promotion of democratic principles, popular participation, human rights and good governance have all enormously augmented the enhancement of political maturity of this country [...] which are inspired by our constitution and which are concordant with the principles and objectives of the UN and the AU" (Republic of Somaliland, 2004:3).

Therefore the de-facto government of the Somaliland Republic urges the international community to recognise the republic as a sovereign nation-state:

What remains are for the international community to come to terms with that reality and to arrive at the only possible and just conclusion; recognition of Somaliland as a rightful member of the world community of nations in conformity with the provisions of the United Nations and the African Union who stand for the equal rights of people and that of their self-determination" (Republic of Somaliland, 2004:3).

In other words, Somaliland claims an own sovereign territory by referring to international recognised right to self-determination. Unfortunately, since October 2008 proposed elections were postponed several times (Directie Personenverkeer, Migratie en Vreemdelingenzaken, 2009). Also, several violent incidences were reported. This makes the presumed stabile and democratic status of Somaliland doubtful.

After fifteen years of self-proclaimed independency, Somaliland has yet to be formally recognised by any nation-state. This lack of international recognition has several consequences for the de-facto state. For example, Somaliland cannot sign agreements with multilateral donors such as the World Bank or the IMF. Consequently, Somaliland can not profit from bilateral development assistance, insurance companies, technical transfer cooperation or World Bank loans (Hoyle, 2000). Hence, passports issued by the Somaliland authorities are not internationally recognised, with the exception of the Ethiopian government. As a result, most Somaliland people travel with a Somalian passport, which is in turn condoned by the Somaliland authorities (Hoyle, 2000; Directie Personenverkeer, Migratie en Vreemdelingenzaken, 2009). According to the Somaliland minister of

foreign affairs Edna Adan Ismail; “these practices are all contrary to the spirit of international cooperation and principles of the right to development” (Ismail, n.d.:1). Michael Gibb, office consultant of the UNPO, describes the problem as follows; “Somaliland is in effect being forced to develop with one hand tied behind its back” (Gibb, 2007:1). In sum, Somaliland is hindered in its economic development and public trust in the countries future is eroding which could lead to a vicious pattern of total anarchy (Hoyle, 2000).

As already stated, also in the case of the Republic of Somaliland, the main problem is not being unrepresented, but merely being unrecognised or unacknowledged. Being a de-facto state, Somaliland certainly has some representative body, but this is not being recognised by the international community. Governmental documents of the republic mainly report about the economic consequences of its position as a de-facto state. It is remarkable that, although the politically stable situation is worsening, there is almost no information about the current violence in the country. The reason for this could be found in Somaliland’s effort to persuade the international community of its sovereign rights.

3.2.1 Somaliland at the UNPO

Somaliland is a member of the UNPO since 2004. It is remarkable that, although the UNPO stated never to lobby for new members (M. Busdachin, personal communication, April, 28 2009), Somaliland apparently has been invited for membership (Dell’Arciprete, 2004; Ismail, 2004). When the republic applied for membership, Somaliland stated that it would expect the UNPO to provide channels to meet up with European governments. Hence, the representatives of the nation expressed their interest in conferences on de-facto states and they concomitantly criticised the UN policy on democratisation (Dell’Arciprete, 2004). However, like in the cases of other UNPO members, there is a lack of information about Somaliland’s concrete expectations with regard to the goals and practices of the UNPO. The UNPO on the other hand has a clear statement about the Somaliland cause. The organisation urges the international community to provide independent statehood for Somaliland. Michael Gibb, on behalf of the UNPO, states that:

“By traditional criteria, [Somaliland] would appear to satisfy many of the conditions for statehood. It has a permanent and stable population which in fact exceeds that of several existing African states. It has a well defined territory determined by three international treaties [...]. Somaliland has also entered into a number of formal and informal relationships with other states, including agreements aimed at enhancing economic cooperation and addressing migration issues, which includes treaties with members of the EU. Most importantly, Somaliland has a functioning and effective government with undeniable administrative control over its territory” (Gibb, 2007:1).

Unlike the Somaliland government, on the one hand, the UNPO recognises the politically instable and unsafe situation in the country. The organisation states that: “the descent into further instability and hostility in Somalia [...] demonstrates the need for a renewed approach by the UN and the international community as a whole. In particular, the current situation in Somalia should serve as a wakeup call for a reviewed international approach to Somaliland” (IFPRERLOM, 2006:4). Hence, the UNPO argues that by remaining tied to a failed and unstable state, investment in Somaliland’s economy will always remain limited and subject to insecurity. On the other hand, the UNPO emphasises that Somaliland, in stark contrast to the situation in Somalia, “has managed to establish and develop a stable form of government and continues to enjoy stability and progress as a functioning constitutional democracy” (IFPRERLOM, 2006:4). By referring to the relative political stable society, the UNPO concludes that the lack of international recognition is entirely a political problem (UNPO, 2009a).

3.2.2 Conclusions from the Somaliland case

This in-depth analysis of Somaliland outlines the problems and claims that can be recognised in case of the de-facto state Somaliland. This example also shows that the situation of nations and peoples can be highly changeable. In the early 1950s, Somaliland gained independence and was recognised by the UN. However, after five days, the recognised nation-state fell into a situation of de-facto statehood. As it is outlined, this state of unrecognition can be seen as an important cause for the security issues and economic stagnation in this region. To be specific, since Somaliland is represented by governmental

bodies, it is not the unrepresentedness that causes these problems here, as it is claimed by the UNPO, but these problems rather arise from a situation whereby the representative bodies are not heard; are not recognised.

3.3 Ogoni people: the black gold's curse?

The second case here is that of the Ogoni people, living in Nigeria. This country, located in West Africa, contains the largest population in Africa. Nigeria's national boundaries are the result of its colonial history, like in most African countries. And again, as many African countries, Nigeria contains many sub-national identities. According to the Office of the High Commissioner of Human Rights (OHCHR) (2009a) the country has more than 250 ethnic groups and 500 indigenous languages. One of these sub-national identities are the Ogoni people, who live in a relative small area of about 100,000 squared kilometres in the South East of Nigeria, situated in the Niger Delta Region. Although the origins and the territory of the Ogoni are debatable, the ethnic group contains about a half million people, and they claim to have lived in the area for more than 500 years (UNPO, n.d.(c)). Figure 4 shows an indication of the living area of the Ogoni. This map is derived from the UNPO website although the original author is not mentioned.



Figure 4 Map of Nigeria with the green spot indicating the Ogoni territory

UNPO. (n.d.(a)). [the green spot indicates the territory of Ogoniland]. Members profile overview. Retrieved from <http://www.unpo.org/content/view/7901/134/>

Again, since no map is neutral, mapping the living area of the Ogoni people could be seen as a political act since a specific territory is named and claimed, although it is 'just' on paper (Wood, 1993).

The Ogoni used to be mainly an agricultural and fishing society. By 1957, oil was discovered in the Niger Delta Region and in 1978, Shell started to extract oil from Ogoni territory. The discovery of 'the black gold' created a source of potential economic benefit for the country. Unfortunately, land appropriation by oil companies led to the loss of farmlands which reduced the (agricultural) input in the regional economy. This resulted in a vicious process damaging natural environment and worsening the poor social economic situation in Ogoniland (UNPO, n.d.(c)). Consequently, political and ethnic tension emerged due to the unequal distribution of resources between regions (Adalikwu, 2007; OHCHR, 1009b). Human Rights Watch (in OHCHR, 2009b) reported that many local armed gangs are fighting for greater control over the region and the oil reserves, while using criminal means like kidnapping workers from oil companies and bunkering oil. In 1993, after political unrest and ethnic struggles Shell stopped its oil extraction in the delta area. However, this did not mean the end of all problems. From 1993, until the return of the civilian rule in Nigeria in 1999, Ogoniland was under the control of the Rivers State internal Security Task Force which was responsible for hundreds of death in the region (UNPO, n.d.(c)). Furthermore, environmental damaging still continuous since wellheads still spill oil into the farmlands. Oil companies like Shell never established a fair compensation system that reached the infected population (UNPO, n.d.(c)). Although the Niger River Delta area is the richest part of the country, it does not improve the everyday situation of its inhabitants.

3.3.1 What is the problem of being unrepresented?

This section outlines the problems of Ogoni people due to being unrepresented within the government of the Nigerian state. Moreover, it is examined what these peoples claim in order to gain political representation.

Being political unrepresented influences the economic and social prospects of the Ogoni people. Like already stated, power has never been shared equally among the Nigerian ethnic groups. For example, ethnic cleavages within the first Nigerian government disrupted the primary elections of 1964/1965, and widened the inequality between the northern and southern provinces (Adalikwu,

2007). Furthermore, the Land Use Act of 1978 divested inhabitants the rights of ownership of land and resources. Hence, the Petroleum Decrees of 1969 and 1996 stipulate that the property of natural resources is vested on the federal government. In other words, it hinders the local inhabitants of participating in the exploitation. As a result, property rights were reserved for foreign companies in collaboration with the Nigerian government. Concomitantly, the federal government still attempts to impose silence upon the Ogoni people by terrorising them with arrests, rapings, executions, burning and looting (Adalikwu, 2007). Legborsi Saro Pyagbara, member of the Movement for the Survival of Ogoni People (MOSOP), stated in an oral submission to the commission on human rights:

"Since the return to civil rule, we have watched with awe the spiral descent of the country into a Golgotha of repression especially with the Ogoni people who continue to suffer arbitrary detentions, extrajudicial/summary executions and denial of freedom of expression and association for protesting against the resumption of Shell operations in Ogoni and the disenfranchisement and denial of voting rights by the Nigeria government" (MOSOP, 2005).

The Ogoni people thus almost can not address their problems to their government. Although, in 2000, the Niger Delta Development Commission was established to address the physical development of the Niger Delta, the needs of the Ogoni People are still ignored (UNPO, n.d.(c)). Beside their political unrepresentedness, the Ogoni people furthermore experience problems of ethnical discrimination. Although, in 1967, the government of Nigeria ratified the International Convention on the Elimination of All Forms of Racial Discrimination and states in its constitution that; 'discrimination on the grounds of place of origin, sex, religion, status, ethnic or linguistic association or ties shall be prohibited', this law is still desecrated. The repression of minorities in Nigeria could, for instance, be exemplified by the fact that the National Assembly only officially recognises three languages, whereas the population of Nigeria has over 250 languages (OHCHR, 2009b). Furthermore, Nigeria does not include ethnicity and religion as variables in the National Population Census, which the UNPO perceives as a denial of the existence of the Ogoni People and other minorities (OHCHR, 2009b). Thus, one could state that the Ogoni people are consistently excluded from national dialogue.

3.3.2 How the voiceless peoples speak

Despite the repression by the current military regime, several human rights activists and environmental groups continue to resist authoritarian rule. In the case of the Ogoni, the MOSOP was founded in 1990 to unite all Ogoni people and to strive for environmental, political and human rights. The first president of the MOSOP was the well-known Nigerian writer and poet Ken Saro-Wiwa. Unfortunately, Ken Saro-Wiwa and eight of his followers were executed by the federal government in 1995, after Shell withdrew its production (UNPO, n.d.(c)). The MOSOP uses means of non-violent protesting and lobbying to be heard by Shell and the Nigerian government (Legborsi Saro Pyagbara, 2005). Currently, the MOSOP also participates in international commissions on human and environmental rights. The Ogoni Bill of Rights (OBR), signed under the rule of the MOSOP, opposes the Land Use Act and the Petroleum Decree. Although the OBR is in fact a territorial instrument, the MOSOP especially attempts to gain the attention of the international community by referring to the violations of human rights. A representative of the MOSOP stated, in an oral submission to the UN commission on human rights; "Mr. Chairperson, [...] it is in this light that we are appealing to you to redirect your searchlight on Nigeria and monitor the evolving deterioration in the human rights situation in the country especially in areas where vulnerable groups like the Ogoni people co-exist with oil multinationals" (Legborsi Saro Pyagbara, 2005:2). In other words, the Ogoni people are making use of their identity as a minority and hence, the human rights regime in order to improve their situation.

Although there is increasingly international support for Nigerian organisations working on democracy and human rights, attracting foreign aid for Ogoni-land is still difficult. For example, a couple of self-help initiatives were branded 'MOSOP-inspired' and were repressed by the government (UNPO, n.d.(c)). Interestingly enough, on the one hand, the Ogoni people are claiming rights based on a distinct identity as an ethnic minority, on the other hand, they are claiming rights based on their position as Nigerian citizens: "Nigeria has a choice to make. Either it exists to serve and protect the interest of its own citizens or it chooses to protect the corporate interest of multinational oil corporations against its own citizens" (Legborsi Saro Pyagbara, 2005:1).

On the whole, the MOSOP and its followers can be seen as successful since they managed to mobilise the international community to force Shell to make concessions in the interest of the Nigerian people. Also the Nigerian government increasingly recognises the claims of the Ogoni movement. In 2001, the African Commission on Human Rights and Peoples' rights accused the Nigerian government of "giving the green light to private actors, and the oil Companies in particular, to devastatingly affect the well-being of the Ogoni and ordered the government to take immediate action to redress Ogoni grievances including rivers and lands clean-up" (UNPO, n.d.(c):4). In January 2008, a Nigerian federal high court has concluded that gas flaring in the Niger Delta Region violates the right to life, health and dignity to the region's residents, and ordered that the practices ceased immediately (UNPO, n.d.(c)).

3.3.3 Ogoni at the UNPO

As one of the first, the MOSOP, in 1993, became a member of the UNPO (UNPO, n.d.(c)). At that time, Ken Saro-Wiwa had a prominent role within the UNPO (UNPO, 2004:3). The UNPO wrote about Saro-Wiwa: "As an author, local government official, MOSOP president and Nobel Peace Prize nominee he was a model activist. He took the Ogoni cause to the international community, drafting an Ogoni Bill of Rights and issuing a statement at the 10th Session of the UN Working Group on Indigenous Populations" (UNPO, 2004:3). In 2005, the UNPO organised a 'fact-finding' mission to the Niger Delta. Unfortunately, visas were denied and the organisation had to send an informal delegate to report about the situation (personal information, art.2). The UNPO focused on bringing news about injustices to the media's attention. The organisation stressed that their 'fact finding' mission was the only alternative to the one-sided vision of Shell and the Nigerian government (UNPO, 2008:1).

The work of the UNPO on Ogoniland is also internationally recognised by other NGOs. For example, the International Crisis Group (ICG) stated that: "the UNPO's long involvement with Ogoniland has placed it in an ideal situation to help diffuse the ongoing tense situation in the area" (ICG, 2008). Along with the UNPFII (United Nations Permanent Forum on Indigenous Issues), the UNPO has been called on by the ICG to work with the Ogoni in the environmentally devastated Niger Delta region of Nigeria" (ICG, 2008). The UNPO stresses its standpoints on the position of the Ogoni to the international community by using several UN commissions. Furthermore, the UNPO urges the Nigerian state to repeal the Petroleum Decrees and Land Use Act (OHCHR, 2009b; UNPO, 2008f).

Thereby, the UNPO fights against the economic inequality produced by these treaties (UNPO, 2008f). Also environmental problems are issued in the UNPO's statement. From a more political perspective, the UNPO states that the Nigerian government, in the appearance of the Niger Delta Development Commission (NDDC), continually has ignored the needs of the Ogoni people and that the government excluded the Ogoni from participating in decision making organs. The UNPO thus claims for co-operating in decision making:

"[UNPO urges the government] meaningful access to regulatory and decision-making bodies to communities likely to be affected by oil operations. In light of this, UNPO also urges Nigeria to extend an invitation to the Special Representative of the Secretary General on human rights and transnational corporations and other business enterprises to investigate the possible human rights violations resulting from the aforementioned activities in the Niger delta" (UNPO, 2008f:2).

The UNPO furthermore claims equal rights based on universal human rights, especially ethnic and minority rights. For example, in 2005, Nigeria ignored the recommendation of the Committee on the Elimination of Racial Discrimination (CERD) to include ethnicity and religion as variables within the National Population Census. The UNPO perceives this as detrimental for the Ogoni because this exclusion denies the recognition of the Ogoni People and other minorities. The UNPO therefore urges the Nigerian government to "develop a coherent policy on the collection and desegregation of all data to show the ethnic and religious composition of Nigeria on the basis of voluntary self-identification, as has been recommended by the CERD in 2005" (UNPO, 2008f:2).

3.3.4 Conclusions from the Ogoni case

The case of the Ogoni people provides more insight into the situation of what is called 'peoples' in section 3.1. At first sight, the main problem of the Ogoni people seems to be economic inequality and the concentration of environmental distress. The Nigerian government, as well as transnational cooperations (like Shell), take advantage of what Ogoni people perceive as their homeland. Furthermore, the Ogoni people have no power to self-determination. I would argue here that the problem of the Ogoni people is more profound than lacking representation. As it is previously

outlined, the Nigerian authorities do not *recognise* the ancient history of this group of people, either their shared identity or their living area. According to the Nigerian government, the Ogoni may exist as an ethnic group, but not in their full existence. Again, as in the case of Somaliland, recognition seems to be the main problem at stake. Contrary to Somaliland's case, the problem of the Ogoni people is not so much a problem that links to an international scale. Although there certainly is an international dimension to the problem (e.g the involvement of multinationals), the solution to the Ogoni problems has to be found within the framework of the Nigerian nation-state. It can be argued that a political voice within the Nigerian arena may relieve the problems concerning economic distribution and environmental distress. In other words, where Somaliland seeks its place within the international nation-state system, the Ogoni people seeks their place within Nigeria. Interestingly enough, the Ogoni people nonetheless use international means to create that place. They seek access to international NGOs such as the UNPO in the hope that these international channels help them to find solutions to their national problems.

3.4 Biyya Oromo (Oromo country): a suppressed nation

The third case here is Oromo country, also known as Oromiyaa (Oromia). As figure 5 shows, this nation, for the largest part, is situated in Ethiopia.



Figure 5 Map of Oromia

OLF (n.d.). Map of Oromia. Derived from: <http://www.romoliberationfront.org/OromiaBriefs.htm>

Again, like in the case of the Ogoni people, this map has an inherent political meaning (Wood, 1993). The Oromia nation, about 600,000 square kilometres large, contains one of the numerous populations of Africa, estimated to be more than 35 million, which makes up around 40 percent of the total Ethiopian population (UNPO, n.d.(d)). Oromia once was one of the free nations in the horn of Africa before the first colonisation at the end of the nineteenth century (UNPO, n.d.(d)). Nowadays, the Oromos perceive themselves as one of the last colonised nations, although by an African (Ethiopian) coloniser (OLF, n.d). The facts that they make up, although unofficially, a large part of the Ethiopian inhabitants and dispose a very old traditional culture with distinct features, construct the Oromos' reason for existence. It is remarkable that many of the OLF and the UNPO documents are extensively elaborating on the cultural heritage of the Oromos. As it is formulated by the Oromo Liberation Front (OLF):

"In fact, Oromo is one of the most numerous nations in Africa which enjoys a homogeneous culture and shares a common language, history and descent and once shared common political, religious and legal institutions" (OLF, n.d.:1).

As it becomes clear, the Oromos thus have their own language and their own traditional belief system. Moreover, the Zimbabwe famous ancient settlement ruins, build in Rhodesia, are claimed by the OLF as the remains of their ancient culture. Furthermore, the Oromos claim to have invented the first astronomical mechanism in sub-Saharan Africa, existing since 300 B.C (OLF, n.d.; UNPO, n.d.(d)). The subsequent citation shows how the Oromia use the calendar as proving their uniqueness as a nation:

"The Oromo calendar is a great and unique invention and has been recorded only in a very few cultures in history of mankind. The only other known cultures with this type of time-keeping are the Chinese, Mayans and Hindus. [...] the Oromo are unusual in that they seem to be the only people with a reasonably accurate calendar which ignore the sun" (UNPO, n.d.(f):2).

Finally, especially the Oromo democratic system known as 'Gadaa' is presented as a main quality of the Oromo culture and identity. This system is qualified as remarkable democratic and complex (OLF, n.d.). Although it is not known when the Gadaa system developed, the OLF states that it is known and

documented that the Oromo have been practising it for well over 500 years (OLF, n.d.). By citing several scholars, the OLF attempts to underline that the Gadaa system is a unique indigenous way of democratic rule and a precious characteristic of their community:

“Social scientists [...] have studied the Gadaa system. Many of them have testified that it is uniquely democratic. [...] Plowden (1868), stated, among republican systems, Gadaa is superior. Asmarom Legesse (1973) described the Gadaa system: one of the most astonishing and instructive turns the evolution of human society has taken. Indeed it is one of the most fascinating socio-political structures of Africa that even influenced the lives of other peoples” (UNPO, n.d.(f):2).

However, the system weakened by the end of the 18th century due to different factors inside and outside the Oromo society (UNPO, n.d.(d)). Nowadays, the Gadaa system, as well as other Oromo cultural practices, degenerated into rituals since these are prohibited by the Ethiopian government.

3.4.1 Colonial history, present problems?

Like in the cases of Somaliland and the Ogoni people, the colonial history still has its consequences for the present. Albeit the Oromos resisted Ethiopian colonisation for a long time (OLF, n.d.), by the end of the 19th century the Oromos were colonised by the Abyssinia, which brought about the present geographical shape of Ethiopia. The colonial regime banned all social, cultural and political practices of the Oromos and other minorities (UNPO, n.d.(d)). Between 1870 and 1900 the Oromo population was reduced from ten to five million, by being fought by the colonial army, due to famine or by being sold as slaves (OLF, n.d.). Colonisation by a black African nation makes, according to the OLF (n.d.), ‘their case quite special’. In 1935, the Oromo started their struggle for self-determination by erecting a confederation. Furthermore, Oromia urged the British government to establish an independent Oromo republic. They also appealed for membership by the League of Nations, however, this was rejected (Gumii Bilisumma Oromiyaa, 2000). Unfortunately, after the decline of the Abyssinian Empire, the regime of Haile Selassie’s (1930–1974), continued the domination of minorities:

“Haile Selassie consolidated [...] with the use of violence, obstructed the process of natural and historical development of the Oromo society - political, economic and social. In all spheres

of life, discrimination, subjugation, repression and exploitation of all forms were applied. Everything possible was done to destroy Oromo identity - culture, language, custom, tradition, name and origin. In short Haile Selassie maintained the general policy of genocide against the Oromo" (OLF, n.d.:2).

Moreover, during the regime of Haile Selassie, almost all Oromia's political organisations were forbidden; only a few self-help associations were allowed. In 1963, the Macha-Tulama self-help association was raised out of three other organisations, which formed the basis for the subsequent centralised leadership of the Oromo struggle for liberation. At that time, also the OLF emerged (UNPO, n.d.(d)); UNPO, n.d.(f); Gumii Bilisumma Oromiyaa, 2000). In 1974, the regime of Selassie was brought down by Marxists (UNPO, n.d.(d)), who in their turn were conquered in 1991, by the Tigrean Peoples Liberation Front (TPLF) together with the OLF. Unfortunately; "the TPLF consolidated its grip of power and further continued to deny Oromo's political autonomy. Like its predecessors, the government dominated by the TPLF was vicious in its brutality against the Oromo people" (UNPO, n.d.(d):1). This situation is still continues today. In an UNPO member questionnaire, the OLF reported several human rights abuses like mass massacre, extra-judicial killings, arbitrary arrest, torture, disappearances, politically motivated displacement of people and forced conscription of farmers. As a result, the Oromo nation suffers from famine, disease, poverty and high illiteracy rate economic (UNPO, n.d.(e)). Furthermore, an independent judicial system, the right to free association, free press and a transparent democratic system are lacking (UNPO, n.d.(e):2). Finally, it is remarkable that the OLF, like in the case of the Ogoni people, halts between two opinions. Firstly, the Oromos like to perceive themselves as a distinct nation that should have the right to an own nation-state, and secondly, the Oromos refer to the human rights violations conducted by the central Ethiopian government, which, from this second perspective, suddenly is also their government:

"History has documented very rare cases that a ruling body used a combined ground and air attack against its own citizens. However all 'modern' Ethiopian regimes, besides several brutal massacres by the ground force on the Oromos, have used shamelessly warplanes to silence the Oromo resistance. The following points are a few to mention with this respect" (UNPO, n.d.(f):10).

3.4.2 The Oromo struggle, gaining collective sovereignty by claiming individual rights?

Nowadays, the Oromo struggle for self-determination and sovereignty has evolved from a sporadic and fragmented resistance to a secular national struggle (UNPO, n.d.(f)). The OLF, as one of many political organisations representing the needs and demands of the Oromo people, in 2004 joined the UNPO (UNPO, n.d.(d)). Established in 1973, the objective of the OLF is to gain the right to national self-determination and to form a political union with other nations on the base of equality (OLF, n.d.). For the Oromos, their oppressed position and the harms against its people legitimate their right to decide about their interpretation of self-determination (OLF, n.d.). Therefore, the OLF claims to meet the UN requirements for becoming a full-fledged nation based on: firstly; its democratic character and secondly; because only in as a nation-state it can protect its people from oppression and violence. Thereby, the OLF certainly directs its claims partly to the human rights regime:

“The Oromo people are endowed with the right to decide the type of sovereignty they want to live under and the type of political union they want to form with other peoples. [...] The Oromo people’s quest for their right to self-determination is just and legitimate” (OLF, n.d.:1).

However, it seem contradictory that, although the OLF claims to be democratic and non-violent, they simultaneously ask sympathy for the use of violence to break down the dictatorial oppression:

“The OLF shall, as a matter of priority, pursue peaceful means to achieve the self-determination of Oromia and end conflict with the Ethiopian regime. However, the denial of the right of self-determination of successive Ethiopian regimes left the OLF and Oromo people with only one option: armed struggle” (UNPO, n.d.(e):6).

In 2000, several Oromo organisations, including the OLF, founded the umbrella organisation United Liberation Forces of Oromia (ULFO) (OIN, 2000). As already seen, the OLF refers to the Ethiopian government as its own government. In this respect, the OLF aims to show the international community that, although the Oromo people choose to participate in the Ethiopian legal democratic system, they become victims of this system since it imposes silence upon them (Demeska, 2007). Moreover, the OLF addresses the international community by pinpointing to the contraventions of the

Ethiopian constitution and international laws and norms (OLF, 2008). In this respect, Dr. Getachew Jigi Demeska, chairman of Oromo Parliamentary Group stated that: “The people in Ethiopia believed in Western pronouncements about respect for human rights, democracy, good governance, and accountability. But as these ideals are flagrantly violated in broad daylight, the international community remains silent” (Demeska, 2007:2). Even worse, the OLF blames the western countries for economically, politically, and military supporting the Ethiopian regime and they argues that; “support to the TPLF regime is not only saddening; it also contravenes their publicly known policies and stated declarations” (OLF, 2008:1); “The international community that gave us assurances to partake in the election is today not ready to defend us now when we are clearly become victim of so called democracy” (Demeska, 2007:1).

The OLF became a member of the UNPO in 2004. Since then, the UNPO attempts to attend the international community about the human rights violations committed by the Ethiopian government. Thereby the organisation aims to provide a channel for information exchange between European institutions and Oromo groups. The UNPO publishes many international articles about the abuses of the Oromo by the Ethiopian government on its website. Furthermore, the organisation held meetings with senior officials within the Belgian Ministry of Foreign Affairs, European Commission, European Council, European Parliament, and the African, Caribbean, and Pacific Group of States about the Oromo case (UNPO, 2008g). Thereby, the UNPO refers to the desecrating of international conventions on human rights and the political unrepresented position of the Oromos: “The Oromos, number over 30 million people [...] remain largely unrepresented in the major decision-making bodies of the state. Despite a deepening drought and growing food shortages, the abuses against Ethiopia’s citizens have continued unabated and the Ethiopian government remains one of the most serious abusers of international human rights conventions” (UNPO, 2008g:2).

3.4.3 Conclusions from the Oromo nation

This third case about Oromia illustrates the situation of one of the UNPO’s members that can be seen as a nation. Those, who call themselves Oromos, claim to have an ancient, as well as, sovereign history and therefore they claim to be a nation. From this perspective, they state that Oromia is currently colonised by Ethiopia. This is a rather sharp accusation for a nation-state that was freed from its (own)

colonial oppressor just some decades ago. The problems reported by the OLF are mostly linked to violations of human rights. It is important to remind here that there are two sets of human rights claims in the framework of the international human rights regime. As it is outlined in section 1.2.1, there are individual human rights claims and collective human rights claims. It is already discussed that the international community is quite reluctant to acknowledge the latter set of claims. The claims of the Oromo nationalists, related to sovereignty, are closely linked to individual human rights violations. According to the OLF, the Oromos can be best protected from these individual human rights violations by gaining independency; by freeing Oromia from its oppressor. One may argue that this proposed solution goes at least one step than it expected in relation to the violation of individual human rights. Moreover, it can be questioned whether only Oromo human rights are violated, or those of all Ethiopian citizens with other ideas about the political direction of the nation-state. It is therefore argued here that human rights violations seem to be not the main problem the Oromo nation. Namely, it is contradictory that a group that claims to be a nation attempts to raise their claims in the framework of individual human rights violations. It seems that the Oromo representatives use this 'minor' claim (violation of individual human rights) to achieve a bigger goal (sovereignty). In their view, independency is the only, or primary, manner to stop the human rights abuses. Taken this into account, one again could state that the problem of the Oromos as a specific nation is not just the lack of representedness (and therefore the violations of human rights), but again the lack of recognition as a nation.

3.5 Conclusion: the UNPO's nations and peoples; unrepresented or unrecognised?

At the beginning of this empirical chapter I raised the question; what is the problem of being unrepresented for the members of the UNPO? In section 3.1 it was first outlined what is captured by the all-embracing notations of 'nation' and 'peoples'. Broadly speaking, there can be made a distinction based on the differences between identity constructs. Some groups have 'nationalist' aspirations; the UNPO calls them 'nations'. Others do not perceive themselves as a nation with an accompanied national identity; these are the 'peoples'. A third group that has been identified are de-facto states, communities who perceive themselves as a state but who are not internationally recognised as a sovereign nation-state. Besides the distinction of members, this chapter also identified

different sets of problems and claims of the UNPO members. The three problems are: 1) problems related to sovereignty and identity rights, 2) individual or collective human rights abuses and 3) territorial issues. The claims of the members that can be distinguished are: 1) territorial claims and self determination, 2) recognition and 3) political rights.

This concluding section aims to link these findings with the theoretical reflections outlined in the previous chapters. The first issue that is discussed points at the issue of indigenism. Although the UNPO does not consistently apply the term 'indigenous peoples' to certain members ('peoples'), the analysis shows that many of these 'peoples' have similar claims and problems reflected by the theoretical concept 'indigenism'. Like many indigenous groups, the UNPO's 'peoples' express their identity construct as authentic, while they use the global transnational arena to raise their claims. Thus, the term 'peoples' is not so much a signifier for a certain category of human beings, it indissolubly links the category to their claims and the way their claims are expressed. The term 'peoples' itself resonates the combination of regressive claims and progressive strategies. It is thus stated here that the claims of the UNPO's 'peoples' can be seen as part of the 'indigenism' movement. 'Indigenism', to the extent that indigenous peoples centre their claims on a collective distinct identity, can be perceived as an alternative sort of nationalism. In terms of identity construction, it exists within the borders of the nation-state while it transcends these borders at the same time. Such claims are both challenging territorial sovereignty and nationalism fostered by the state's government (Niezen, 2003). From this perspective, the distinction between the UNPO's 'nations' and '(indigenous) peoples' dissolves. Although the UNPO's 'nations' clearly express more territorial claims than its 'peoples', both member groups are opposing the contemporary territorial sovereignty of the nation-state. There is some logic behind this. In this globalising world, statehood and therefore territoriality are still necessary to obtain international acknowledgement and social and political self-determination. This shows that the UNPO, as well as its unrepresented members, reproduce what they are striving against; the failing nation-state bounded world.

The second point discusses the empirical findings in combination with what is called; the constraints of the human rights regime (section 1.2.1). As it becomes clear from the cases of Somaliland, Ogoni

and Oromo; the members of the UNPO attempt to address their issues to the international community. Although this is not directly reported by the UNPO, it is expected that the UNPO creates a linkage to the international community for its members. Despite the fact that members of the UNPO have also other problems to address, the focus is largely on the violation of human rights. As a result, their claims are mostly addressed to the universal human rights regime. Especially in the Oromo and Somaliland cases, an appeal is made to a fundamental global cooperation in the field of human rights. They claim that the nations and peoples living in a country with domestic or regional problems should not be left alone to resolve the issues, but should be accompanied by the international community (Adalikwu, 2007). Interestingly enough, it is shown that UNPO members have many claims pointing at *individual* human rights. As it is discussed in the first chapter, members simply have more chance within this human rights framework. As a result, *collective* rights are ignored by the international community *and* the members themselves. The ignorance of collective rights makes it difficult for the UNPO members to use the human rights regime for their claims regarding collective recognition, social group rights and the right to self-determination. In this respect, collective rights are in conflict with individual human rights (Niezen, 2003). Moreover, claims of the UNPO members might also be in conflict with each other; the demand for individual liberalism is in sharp contrast with the quest for self-determination transcending the rights of the individual. Inherently, claims to collective human rights undermine the right of the individual. Hence, the risk of collective human rights claims is the vanishing of differences and distribution of individual rights within collectives such as the nation-state. This fact is at the end central to the claims and problems of the UNPO members.

Another remarkable finding of the above analysis is the tension between being a victim of violence and the use of violence. This touches the rather theoretical issue of agency and power. For instance, there is evidence that the Ogoni in Nigeria and the Oromo in Ethiopia, use, or tend to use violent means to achieve their goals, although not in their official role as UNPO representatives. This suggests that there is some confusion regarding the place of the UNPO members as victims, responsible actors and human rights violators. Altogether, the one-sided image of the members of the UNPO as passive victims is therefore incorrect. They are not always non-violent, and they are

certainly not passive. This image of passiveness is not only false, but also disabling these groups to take responsibility for their cause. In other words, it takes away the agency from these groups. This also exactly points at the incorrect terminological connotation of 'unrepresentedness'. This connotation misses the point since the nations and peoples are human actors with power, however sometimes limited to shape their own destiny. As it is argued here, the members of the UNPO are thus not the impotent 'Homo Sacer' of Agamben (2002), excluded from all political acts and frameworks.

As a final reflection, the last point discussed here concerns the deconstruction of the problem of unrepresentedness. As we have seen in chapter 1, the key to access and participation within the nation-state is being represented as a social group and hence having rights to participate in the political organisation of the sovereign nation-state (Papadopoulos, Stephenson & Tsianos, 2008). The UNPO members are, to a certain extent, all represented by their own representative body (see section 1.3). The problem however, is that these groups lack the right to participate in the national political framework or lack the access to the international community. They are thus not excluded because of lacking representation, but because of they are excluded from the national and international distribution of rights. This makes the term 'unrepresented' nations and peoples incorrect. In the case of the members of the UNPO, especially in the cases of (indigenous) peoples, lacking access to the (political) society of residence is often linked to the recognition of existence. If a group of people lacks recognition as a group, it becomes hard to gain any rights on base of being a group of people. Therefore I suggest that the problems of the UNPO members should be termed '*unrecognised* nations and peoples'. This term better reflects the situation of the members. Although they are not recognised by other sovereign nation-states, according to these nations and peoples they do exist, at least somewhere, in some other framework. Acknowledging the existence of these groups refers also to the international community, or another second actor, that ignores their existence (unrecognition). Thus, the term unrecognition strongly involves another actor, namely the one who ignores the existence of the nation or peoples. As a consequence, unrecognition can be seen as a heavy loaded political term since the responsibility of others is taken into account. Therefore, it can be seen as more far-reaching than the term unrepresentedness. This, from a political point of view, has advantages as well as

drawbacks. For the nations and peoples, the claim to recognition offers them a heavily political instrument since this claim is closely related to article 15 of the declaration of universal human rights; everyone has the right to a nationality and no one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality (UN, 2009). From the other side, this strong political argument can be a reason for nation-states to increase their repression to these groups in order to maintain their silence and not to attract the attention of the international community. To conclude, it is clear that the international community, representing the nation-state bounded world, excludes the UNPO members from its framework since it lack in the creation of a system addressing global justice for all. Although the members of the UNPO are using international institutions and claiming international support, in several cases territorial rights are still prior on the agenda. Thereby it is questioned to what extent they advocate for new types of post-national government, in addition to the international constitutions, law and covenants. This question is posed in the next chapters. However, the focus then is on the policy and practices of the UNPO, which claims to represent its nations and peoples.

Chapter 4 The UNPO; tactics for representation

Like its members, the UNPO also has its claims. In this chapter, it is questioned what the UNPO is claiming, and how the organisation tries to meet its requirements. Thereby section 4.1 focuses on the conditions and restrictions set by the UNPO for nations and peoples to become a member. *Who* can become a member, and on base of *what*? In section 4.2 the focus is on the UNPO's tactics. In other words, it is outlined how the UNPO aims to represent its nations and peoples.

4.1 Genealogy of becoming a member

In 2008, the UNPO's General Assembly recommended to admit Balochistan's National Party, the National council of the Union of Burma and the Afrikaners' Freedom Front Plus as new members of the organisation. This recommendation document well illustrates the procedures of becoming a member. Nations and peoples should fulfill certain criteria laid out in the UNPO covenant before they are allowed to become a member (UNPO, 2008a). Roughly stated, there are three main requests for potential members. First of all, the applicant needs to be a nation or people. Secondly, the organisation that represents the member within the UNPO body should truly be a representative of that people meaning that it has significant support within the community. Thirdly, the policy and strategies of the applying organisation needs to be non-violent and in accordance to the principles of democracy and the respect of human rights. In 2007, the UNPO wrote: "Even becoming a member of the UNPO is more difficult today, as applications for membership are constantly increasing" (UNPO, 2007:2). The UNPO policy documents show that the organisation, until that time, had to operate with unclear membership rules.

"I am just telling you that we have no provisions for any obliged status for our organisation for dissolution, termination or participation, withdrawing the members that is a matter of covenant. Because when the member becomes a member of the UNPO they have to sign the covenant, not the text of rules and procedure. They can leave and say; 'I do not give a shit about the rules and procedures.'" (UNPO, 2006c:16-17).

In addition, some members did not longer fulfil the requirements of membership, according to the UNPO. However, there were no clear rules of how to withdraw such members. In 2008, the UNPO Presidency also rejected four social groups who applied for membership. The reasons for rejection were mainly based on: article 6(b); the party can not be considered as a representative body, secondly; the party could not be considered non-violent as required in Article 4 and 8 of the UNPO covenant, or finally; the applicant or member is unwilling or unable to pay the application fee and membership fee as is required in accordance with article 13 of the UNPO covenant (UNPO, 2008b). The UNPO policy documents show that paying membership fees is a long lasting organisational problem: “The organisation started with a lot of members that did not pay and now, after 15 years, they are still around” (UNPO, 2006c:43). Some solutions were raised to this issue, like a special fund that helps the less fortunate members to honour the minimal annual contribution. Also, the old liberal principle of ‘no election without taxation’ was postulated. It is probably because the UNPO needs its members as ground for existence, that the organisation disagrees with the withdrawing of membership on grounds of non-paying. However, this reflects a profound problem namely; how to withdraw membership, irrespective of reasons, since the UNPO as a membership organisation is in fact owned by its members? This dilemma is reflected by the head of the organisation:

“I mentioned to you that we have a list of about 13 members who need to be withdrawn. I have, as a GY, no procedure to ignite how we can proceed with the withdrawal. Suspending? Yes and by following what kind of rules? There is a big hole. For the large part of my work I have no mandate and I am proceeding as a blind man. I don’t know what great part of the members think. I have no rules or procedures. That means my discretionarily use of power is absolute and total” (UNPO, 2006c:29).

In this section it is outlined on what grounds the decisions for membership application are based. Thereby, several questions are raised. In section 4.1.1, it is outlined what criteria are applied by the UNPO to define the applicant being a nation or a people. Secondly, in section 4.1.2 the UNPO’s requirement to its members of ‘having the disposal over a representative body’ will be further explored. Finally, since we have seen in section 3.5 that not all members are solely using peaceful

means, it is outlined in section 4.1.3 how the UNPO measures and intends the principle of non-violence.

4.1.1 Being a nation, being peoples or just 'a handful of people'?

When you examine the drafters of the UNPO covenant and their situation, it seems that in essence the UNPO was not meant to be an organisation exclusively for (endangered) indigenous peoples. In 1991, the UNPO, was born at the peace palace in the Hague, out of a feeling of frustration about the many oppressed nations and peoples who were not represented at international for a such as the UN or the EU. As it is already hidden in the name and as it is repeatedly outlined; the UNPO was created to be an organisation for (all) unrepresented nations and peoples:

"The starving, the wretched, the oppressed, the dispossessed, the ignorant, those living in the want and squalor the desert of Northern Africa, to the slums of Gaza, from the mountain ranges of Afghanistan and Chechnya to the exploited forest of Southern Asia, they too are part of our main cause" (UNPO, 2004; speech ISS).

Although this above citation tends to reflect that the UNPO is there for all excluded human beings, the organisation's covenant brings up limitations by stating that members 'must be peoples or a nation in order to become a member'. This section elaborates on these limitations and their consequences by deconstructing the organisation's covenant, and it thereby deepens out the fundamentals of the organisation.

According to article 6(a) of the UNPO covenant a nation or peoples is; a group of human beings that possesses the will to be identified as a nation or a people and to determine its common destiny as a nation or a people and is bound by a common heritage which can be historical, ethical, racial, linguistic, cultural, religious or territorial, or, a section of a people constituting a minority, living in a portion of its ancestral territory, incorporated into a state other than a state represented by that people. Here ancestral is seen as living for at least 500 years at the same land (UNPO, 2004a). It seems that article 6(a) consists of two separate parts, which are in conflict with each other. In order to understand this conflict, it is first important to understand the UNPO's meaning of historical, ethnical, racial, linguistic, cultural, religious and territorial common heritage. It becomes clear from the

covenant that these understandings are very essentialist (UNPO, 2005b). The definitions given by the UNPO thus proceed from the idea that nations and peoples are 'there' and that the decision about whether a group of people is a 'nation or peoples' could easily be taken by placing them along some scale of authenticity. Correspondingly, one can argue that the applicant should at least be some sort of indigenous minority according to the classical understanding of the term; a relatively small group of native people that have been oppressed by its colonisers (Niezen, 2003). In other words, the UNPO members should have a historical binding with their territory in order to have the right to exist.

On the contrary, the first sentences of article 6(a), states that; 'a nation or peoples is a group of human beings that possesses the will to be identified as a nation or a peoples and that determines its common destiny as a nation or a peoples', is on the other hand non-essentialist; it perceives a group identity as a social construct. This indicates a discrepancy between an essentialist and a non-essentialist understanding of nations and peoples.

For example, in 2004, the UNPO, from a retro perspective, examined in several cases the grounds for membership rejection based on article 6(a) of the UNPO covenant. Although a part of the article states that a nation or a people could be defined as 'nation or people' when they see themselves as such, the UNPO reports of some cases wherein this article is not that well applied. A clear example of this is the case of membership application of the South Brazilian Union striving for an independent South Brazil. Although the UNPO states that the South of Brazil is different from the other parts of Brazil by means of historical, racial, cultural, religious and territorial traits, the organisation does not recognise the South Brazilian Union as a nation on these grounds:

"[T]he lack of evidence of national actions or a specific culture, existing in South Brazil, suggest that there does not appear to be a nation or people as defined in the UNPO covenant"
(UNPO, 2004a:8).

Thus, although the South Brazilian Union clearly possesses the will to be identified as a nation or a people, they are hindered by the UNPO to become a member, even if this is contradictory to the first stanza of the organisation's own article. This exemplifies that although a potential member defines itself as a nation or people, it could be categorised by the UNPO as 'not nation or a people enough'. It

becomes clear that UNPO halts between two beliefs while trying to distinguish between nations, peoples or “only a handful of people” (UNPO, 2004a:3).

Another example of the essentialist/ non-essentialist dichotomy wherein the UNPO places itself is expressed by the organisation’s opinion on micro-nations. According to the UNPO, micro-nations are nations that “only exist as a work of fiction” (UNPO, 2004c). Moreover, the UNPO describes micro-nations as model countries; as a small group of people who are seeking sovereignty from another governmental power, as; a ‘collection of brave souls’ who are trying to establish a new country (UNPO, 2004c). This indicates that the UNPO not follows the constructivist idea that social groups are invented and constructed. The UNPO further states:

“[O]ver the past years almost 40% of the applications for UNPO membership have come from people claiming to represent a ‘nation’, they themselves invented ”(UNPO, 2004c).

Also article 6(a) gives the UNPO no legitimate grounds for rejecting membership of these micro-nations. And, although the practices and the quests of these micro-nations are very similar to that of the UNPO and its members in ways of organising and representing themselves, they are depicted as illegal and unjust:

“These micro-nations try to emulate established states as much as possible; giving out passports, stamps and holding general assemblies as well as drafting treaties with other micro-nations. They even have their own inter-micro-national organisation (The League of Micro-nations) that tries to emulate the UN (and the UNPO)” (UNPO, 2004c).

The above quotation shows that the UNPO perceives micro-nations, who are seeking for alternative ways of representation, as a threat for the conventional world order (and the UNPO itself). To conclude, new identity initiatives who find themselves unrepresented do not have any right to existence according to the UNPO, or at least, they do not find a partner in the UNPO. This confirms that the UNPO halts between an essentialist and non-essentialist principle.

This essentialist perspective is highly remarkable when you perceive the UNPO as an organisation opposing the nation-state bounded world. A world in which many nation-states have the same perception about the nations and peoples of the UNPO; these are invented and therefore have

no grounds for existence or representation in a nation-state framework. Therefore one would expect the UNPO to recognise social constructed groups in their existence. In other words, one would expect the UNPO to have a non-essentialist perspective on all nations and peoples. To conclude, it is still unclear what the UNPO understands by the term 'nations and peoples'. It is argued here that an essentialist term as 'indigenous' seems to be a too narrow definition for the UNPO, but the question is; what are then the limits?

The definition of 'nations and peoples' thus is still unclear. Thereby, it is questioned *why* the UNPO uses these unclear membership definitions (UNPO, 2004d). One can argue that the first part of article 6(a) (the non-essentialist) is very general in order to incorporate a diverse and broad range of potential members. Therefore, one could question why the covenant is equipped with the second part of article 6(a) (the essentialist version). Assumingly, the drafters of the covenant included a provision for the definition to exclude migrant groups, micro nations and 'ordinary' minorities. Like the UNPO states:

"The UNPO is not an organisation for representing 'ordinary' minorities. There are already many other organisations whose core-business is, individual or collective, minority representation. If UNPO expands to encompass all minorities it will do activities that other organisations are already doing, and they are doing it better. The only way for UNPO to survive and have a positive and real effect on the international situation is to be in some respects unique" (UNPO, 2004b).

In other words, the UNPO aims to distinguish between these 'ordinary' minorities and its unrepresented nations and peoples, and in particular indigenous peoples. The definition of nation and peoples in the organisational framework is apparently reserved for a select group. This makes the UNPO not exempt from certain processes of exclusion in the framework of membership applications. This suggests, somewhat controversially stated, that the UNPO excludes potential members for their own organisational interest. The organisation only can exist if it has a certain role to play. Thereby, the UNPO can only exist by creating a distinct 'unique' identity. Thus, contrary to the UNPO's main objective of inclusion, its identity formation, as with all identity formations, brings in processes of exclusion. These inclusion-exclusion processes are assumingly based on well-considered decisions of

the organisation. However, by taking into account the general goal of the UNPO, one may debate whether the organisation's covenant and membership rules are always just and in line with that goal.

4.1.2 Unrepresented representative bodies

As we have seen in the above section, the UNPO, by including members, also excludes other social groups. The organisation's covenant has, beside the requirements of being 'a nation or a peoples' several more membership rules. Article 6(b) of the UNPO covenant further states that: 'in order to become a member, groups should have the disposal over a representative body'. This representative body has to prove representativeness for its people or nation in order to represent them at the UNPO. This representative body may be a government, legislative body, liberation movement or other organ of leadership, whether in the territory of the nations or people or in exile. The body needs to be recognised as such by a substantial section of the people which it claims to represent. A representative body can also mean a coordinating organisation or other form of association of two or more organs of leadership of one nation or people or an organisation or association of two or more nations and peoples (UNPO, 2009). As we have seen in Chapter 3, the UNPO represents various sorts of representatives occurring in different entities like governments (in exile), political parties, cultural associations, independence movements, political movements and traditional authorities. Thereby the way a member is organised is often linked to the goals and objectives, and hence the problems and claims of the nation or peoples in question. For instance, members with political aspirations are more often organised within a political movement, while members with environmental or social problems are often represented by traditional authorities or cultural associations.

There are, however, two difficulties with this article 6(b). The first is a practical problem; members should 'prove' their representativeness and democratic character. However, the level of the applicant's representativeness can hardly be measured. Mostly, potential members come from undemocratic and undeveloped regions, where governments are repressing the applicant and its representative body. This makes it hard to decide on the representativeness of the candidate. Therefore the UNPO has sets up some guidelines in order to decide on the recognition as a representative of the potential member. Thereby the UNPO distinguishes between external and internal recognition (UNPO, 2005d). External recognition is 'measured' by means of the presence or

absence at UN meetings; participation in associations and organisations; participation in meetings and conferences; media coverage and meetings with governments. The UNPO further decides on the internal recognition by analysing whether an applicant is capable of organising and (politically) campaigning for its people. Furthermore, the level of internal recognition is criticised by way of election participation and the percentage of popular votes, length of existence and the number of active participants (UNPO, 2005d). According to the UNPO, this internal recognition indicates the professional standards of the organisation. These membership rules and restrictions show the (sovereign) power of the UNPO; the organisation decides about who belongs and who does not belong to the framework of unrepresentedness. Ironically, this power has strong similarities with the nation-state as a sovereign power deciding on citizenship issues.

The second problem of Article 6(b) is even more profound; it is striking to note that the UNPO's 'citizenship rights' are exclusively designed for those groups with a representative body and some organisational and democratic structure. In other words, all members of the UNPO do have some sort of representational body. Thus, one may question to what extent these unrepresented groups of people are really unrepresented. Thereby it is stated that the UNPO does not include 'the worst-off cases' of unrepresented nations and peoples. The voiceless, un-organised groups and therefore the groups that are the closest to Agamben's Homo Sacer (Agamben, 2002); the human beings excluded from all political acts and frameworks, are in advance excluded from participation. This is striking because precisely these people are in greatest need for organisations like the UNPO.

To put this issue, of having a representative body, even further one may raise the question: If the unrepresented groups in question are already represented by their own governing bodies, what then is the role of the UNPO? We have seen that the main role of the UNPO is creating a link between unrepresented groups of people and the international arena. But, again ironically, this link is only created if members resonate similar representational structures as the nation-state bounded world. Indirectly, by following the nation-state bounded structures of the world, the UNPO contributes to the continuation of the 'sovereignty trap' (Richmond, 2002; see also section 1.2). This sovereignty trap detains specific groups of people in incomplete sets of representation; they are neither fully nationally

nor internationally represented. Again, I therefore argue that there is a discrepancy between the UNPO basic principles and its decisions concerning who is/can be represented by the organisation.

4.1.3 Non-violence and self-defence

The last criterion that potential members should meet is the willingness to apply only non-violent means by their quest for representation. The UNPO states that:

“If the applying organisation is intended to be part of the international civil society through its membership of UNPO, it also needs to belief in the equality of other people’s claims and position in society in order to work collectively. An organisation that is based on the ‘liberation’ of a specific ethnic group usually has a membership base, which consists mostly of this ethnic group. The exclusion, or non-incorporation, of people of other ethnic groups into the organisation does not indicate racial intolerance. Denying people from other ethnic groups to form their own organisations or to have their rightful place within society, can however be considered racial intolerance” (UNPO, 2005c:2).

Non-violence, tolerance and democracy are thus connected principles for the UNPO. Here, the UNPO also directs to the importance of respect for others within the international civil society in order to leave local problems ‘at home’. This also directs to the UNPO’s internal dilemmas. While being a membership organisation whose members sometimes have conflicting interests, the UNPO has to safeguard a safe and harmonious environment. However, by housing sometimes ‘opposite’ members, the organisation risks internal struggles that even could be projected into ‘real life’. Thereby the organisation admits that not all members meet the requirements of non-violence:

“I don’t want to say everybody of us is born non-violent. [...] But it seems to me that a simple declaration [...] to be committed to non-violence and so on is not sufficient for this kind of organisation. That means we need to add some other request to our members. [...] All of us know Ghandi and the Ghandian movement of non-violence and so on. Everyone knows the Indian process of non-violent self-determination. Everyone knows the self-defence problem. Could we all consider self-defence in a non-violent methodology? That is a key question. Always I go around representing more or less UNPO and always I notice the characteristics

of some of our members who have nothing to do with non-violence. That means, any ... I put to characterise the organisation as a democrat and a non-violent, I receive clear evidence that a consistent part of the organisation is not following any commitment on such an issue. [...]
And the same is with democratic, because we cannot have the same organisation, a full democratic government, that means, people who are in a condition accountability, and full responsibility, in which situation there is no accountability or responsibility at all. I mentioned before the question of the representation and leadership of our members" (UNPO, 2006c:28-29).

The question for the UNPO is however, how should the principle of non-violence be translated into rules and procedures and to what extent should it determine whether a member is applicable? Again, like with the question of representativeness, it is difficult for the UNPO to judge over the non-violent statements and practices of its members. However, the organisation tries to do so by tracing the official statements and position and investigating the actual practices on non-violence; do their actions coincide with the formally stated ideals or not? (UNPO, 2005c:2). Thereby, it is remarkable that the UNPO has no clear definition that can be used to determine the non-violent character of the applicant, albeit the organisation knows some guidelines. The UNPO exemplifies in the citation below how to decide on the applicant's non-violent principles:

"A position in which the people are in armed conflict with an occupying power, almost always involves some 'military action' by the applying organisation. The key in this situation is to find out which organisations are the least violent and if their main actions are political, humanitarian or military, whereby the first obviously is preferable" (UNPO, 2005c:2).

Furthermore, the UNPO in this respect refers to the right to self-defence, as it is stated in the UN charter. Consequently, for the UNPO non-violence is not equal to being passive. Like the organisation puts it: "In fact it is just the opposite. Non-violence requires that peoples confront injustice and violence. The major difference with other methods is that this confrontation is not based on an ideology of an eye for an eye, but that it recognises the humanity of the situation" (UNPO,

n.d.h:4). It is important to note that the UNPO here distinguishes legitimate self-defence from 'terrorism', whereby only the latter is considered as a breach of the UNPO non-violence principle.

Like with the issue of non-violence, it is also difficult to judge over the democratic character of the applicant. The UNPO acknowledges that most organisations representing indigenous peoples are not democratically structured (UNPO, 2006b). As it becomes clear from the following citation, many members do not have a democratic representative body 'at home': "A lot of our members have a pretty bad situation in their organisation and that could be reflected badly, in a negative matter, to the whole body of the UNPO" (UNPO, 2006c:46). This 'democratic' membership rule even sometimes puts members against each other as shown below:

"But to think of possible new members such as Western Sahara. For many reasons it would be very fine to have Western Sahara as our member. But the question is that, that admitting Western Sahara will go against the UNPO principle of democratisation, as Morocco is one of the nations in the area which are now committed to democratic change.... And Morocco is doing some essential improvements... Admitting Western Sahara is really going against a process that we are in favour of. Because, bringing Western Sahara back from Algeria, we will have some problems with Morocco. Well, this is a political question and this should, in my opinion, never be reflected in the formal part. And that is the reason why we need to strengthen the formal criteria for admission and rejection of suspending and so on" (UNPO, 2006c:47).

Thereby the organisation states that, because the UNPO is a member organisation, the members are controlling and steering the organisation by democratic elections of the institutions of the UNPO (UNPO, 2006b). In this respect it is remarkable that, despite the non-democratic character of many members, the UNPO still claims to be a democratic membership organisation. This situation could be compared with a regime that, for the outer world attempts to uphold the democratic image, while internally chaos, violence and undemocratic rule are the order of the day.

4.2 The tactics of the UNPO

The previous section elaborated on what base groups can become a member of the UNPO. This section examines *how* the UNPO represents its members. What tactics are used in order to make certain claims? Presenting itself as a non-violent democratic member organisation, the UNPO argues that it consists *of* members, instead of *for* its members. Thereby it is questioned to what extent the claims of the UNPO are consistent with the claims of its members (as outlined in chapter 3).

4.2.1 The organisation's structure; in search for democracy?

In order to represent the different groups within the organisation, delegations are part of the General Assembly which is the main body of the organisation and exercises the powers of deliberation and control. This summit brings together the UNPO member representatives to discuss current issues and the organisation's activities. Besides the General Assembly, the Presidency supervises the activities of the organisation and assists in the implementation of the overall policy. Finally, the General Secretary watches over the execution of the policy set by the General Assembly and the day-to-day activities (UNPO, n.d.(h)).

Although the UNPO presents itself as a democratic member organisation, there have been several discussions within the organisation about the way members should be represented and elections should be held. As already argued, the organisation could be criticised about its semi-democratic character. For example, the organisation in 2006 was blamed not to respect any international law (UNPO, 2006c). During process of electing and voting, the organisation uses the model of common sense. This places members and their representatives sometimes in an opposite position. During a presidency meeting it was argued: "We cannot put people in a confrontation, sometimes a bitter confrontation, sometimes on irrelevant issues, sometimes a provision or a ballot ... We need to remove all of this personal or individual confrontation" (UNPO,2006c:17). Hence, the organisation concludes that: "a system which is good for parliament is totally working against a member organisation" (UNPO, 2006c:18). However, it becomes clear from the UNPO documents that the consultation between the organisation's organs and the members is sometimes weak. For example, processes of joint decision making are not always democratic, as it becomes clear from the following citation: "I have nothing to decide upon. This is not up to me to tell, you have to tell me. So, I can

present a skeleton, a list of problems to you as a president [...] you the member have to tell me, not I have to tell you. It is simply that if I have to tell you [...] and I can tell you, or all of you agree with me or it's 'goodbye' (UNPO, 2006c:21). Thus, although the UNPO aims to provide its nations and peoples with a democratic voice in the international community, it already seems hard to democratically represent all members internally. This may exemplify the difficulty of democratically representing so many different actors with different claims and goals, on a micro scale as well as a global scale.

In the subsequent sections, I will deconstruct the practices and claims of the UNPO. Thereby it is questioned if, and to what extent, the UNPO uses post-national strategies in order to gain representation for its members.

4.2.2 The UNPO's activities

The UNPO is representing its members by different means. Firstly, the UNPO is representing its members by the provision of information. This means that the UNPO keeps its members and the wider public informed on issues that are important for its members. The organisation especially addresses the international community about the human rights violations experienced by its members. Thereby the UNPO uses public media. The use of public media is typified by Niezen (2003) as a 'shame policy' whereby organisations attempt to blame human rights violators '*en public*'. An important tool thereby is the constantly updated website of the UNPO which provides information about the position and the struggle of its members. Hence, the meetings of the General Assembly are often accompanied by wide media attention and can therefore be seen as a practice of representation (UNPO, 2006c).

Secondly, the UNPO organises and participates in workshops and conferences. Some examples of past subjects are: an exploration of new ways to facilitate conflict prevention; self-determination; international law; human rights, and the promotion of democracy and non-violence. For instance, at a conference entitled Climate Change, Bio-energy and Food Security: Challenges for the New Millennium, organised by the Food and Agriculture Organisation of the UN, the UNPO called for greater inclusion of minorities and indigenous peoples in discussions. The UNPO stated that: "since they are the first affected, the most affected and the most knowledgeable in terms of local land use" (UNPO, 2008c:1). Here, the UNPO referred to the territorial rights of its members. However,

this is mainly done in terms of 'indigenous'; the organisation refers to the ancient way of living which is threatened. This formulation is probably chosen since 'indigenism' is a way to attract the attention of other actors of the international community (for more information on indigenism see section 1.4.1).

A third tactic to represent its members is the UNPO Football Cup. This tournament is made up of teams from nations, minorities and indigenous peoples that are prevented from participating in the official games. This cup is organised together with the Non-FIFA Board, a FIFA-counterpart that represents peoples not recognised by the FIFA (Fédération Internationale de Football Association). The UNPO states that, by organising a legal football cup, the official teams will create awareness of the struggle of unrepresented nations and peoples. Hence, the General Secretary marked the 1st UNPO Football Cup ceremony with the words of Pierre de Coubertin, the founder of the International Olympic Committee: "Never have so many nations cheered the dream of global oneness. Awaiting a spiritual and physical renaissance powerful enough to unite the world" (UNPO, n.d.(g):1).

Finally, but most important, the UNPO states that it provides a support network together with the UN, European and national parliaments and that it deploys other unconventional diplomacy activities (UNPO, 2006c). For this reason, the role of the UNPO at the UN is outlined in section 4.2.3.

4.2.3 The UNPO at the UN

One of the main activities of the UNPO is participating at the UN. The UNPO's support program at the UN grew out of the notion that unrepresented nations and peoples, though often faced with dire human rights situation, find it very difficult to bring their concerns to international bodies that subsequently may monitor or condemn such violations (Marino Busdachin, interview 04, 28 2009). The UNPO thus intensively uses several UN organs in order to address the issues of its members. The UN, once founded to promote (individual) human rights, has a number of Treaty-based and Charter-based bodies that are concerned with promoting and protecting human rights. These current human rights instruments are inspired and based on the Universal Declaration of Human Rights of 1948. Some fundamental rights of the Declaration are also very important for the UNPO members. For example: the right to equality before the law; freedom of peaceful assembly and association; the right to social security and the right to participate in government. However, since international human rights instruments do not cover the full range of indigenous peoples' human rights concerns, indigenous

representatives have argued that their aspirations should be enshrined in a new instrument (OHCHR, 2001a).

Firstly, the UNPO participates in the Working Group on Indigenous Populations (WGIP). This working group is a subsidiary organ of the Sub-Commission on the Promotion and Protection of Human Rights. Meetings of the WGIP are open to representatives of all indigenous peoples, their communities and their organisations. As such, they have become one of the largest human rights meetings held by the UN (OHCHR, 2001a; OHCHR, 2001c). The WGIP has a two-fold mandate; reviewing developments regarding the promotion and protection of human rights and fundamental freedoms of indigenous peoples, and providing attention to the evolution of international standards concerning indigenous rights.

In 1985, the WGIP launched a draft Declaration on the Rights of Indigenous Peoples (DRIP). It was expected that, when adopted, the Declaration would be the most comprehensive statement on rights of indigenous peoples ever. The draft Declaration would break new ground by addressing collective rights to a degree unprecedented in international human rights law, and it would similarly carry a considerable moral force to governments (OHCHR, 2001e). The Declaration addresses rights to self-determination, participation in the life of the nation-state, nationality and freedom from discrimination; threats to the survival of indigenous peoples as distinct peoples; the spiritual, linguistic and cultural identity of indigenous peoples; education, information and labour rights and participatory rights, development and other economic and social rights; land and resource rights; the exercise of self-determination, indigenous institutions and the effective implementation of the declaration and general concluding provisions (OHCHR, 2001e).

The draft was completed in 1993 and adopted in 1997, while it had been heavily discussed. Unfortunately for the subjects of the declaration, not all UN members supported it, or worse, they even opposed many of its provisions or the details of the provisions. Although most governments agreed that indigenous peoples' support for the declaration is crucial, there was still disagreement about the role indigenous peoples should play in crafting, implementing and executing the declaration. Governments still hang on to the dominant idea that only nation-states as members of the UN should be the decision-making authority (OHCHR, 2001e). Human rights treaties bodies (legally

binding instruments) can only be used by indigenous groups and other complainants when the country of residence ratified and acceded the treaty (OHCHR, 2001d). As a result, the Universal Declaration of Human Rights and the Declaration on the Rights of Indigenous Peoples are non-legally binding declarations. This means that these declarations are not able to impose legal obligations on governments. And hence, there is no official body to which individuals and peoples can appeal. In case a nation-state ignores human rights, it would indeed not sign the treaties and still there is no institution that may force nation-states to do so. This exemplifies again the power of sovereignty since nation-states are inviolable even if they are known as human rights violators. The only possible action nations and peoples can undertake in order to address the violations, is to draw national and international attention by, for example, applying 'shame policy' (Niezen, 2003) within the UN or in the media (OHCHR, 2001b). However, the impact of this attention would rather be political than legal.

Secondly, the UNPO participates in the Human Rights Council (HRC). The HRC is seen as one of the three main pillars within the UN (security, development and human rights), and the most important human rights body of the UN. The UNPO facilitates the presence of some of its members at the HRC. Thereby the organisation aims to create a new global human rights body (UNPO, 2006). However, NGOs representing indigenous peoples do not have much influence. Again, this commission is still highly determined by governments (OHCHR, 2001c).

Thirdly, the UNPO participates in the UN Permanent Forum on Indigenous Issues (UNPFII). This permanent forum is a high-level advisory body that solely deals with indigenous issues (OHCHR, 2001f). The UNPFII raises awareness, promotes coordination between various bodies and institutions within the realm of its mandate and functions as a centre of knowledge on indigenous issues. For the UNPO, this forum is a key arena to address issues affecting indigenous populations (UNPO, 2006a). The Office of the High Commissioners for Human Rights states that, with the establishment of the forum, indigenous peoples have become members of a UN body and, as such, they contribute to set the forum's agenda and determine its outcomes. This is unprecedented within the UN system (OHCHR, 2001e). In general, the UNPO states that, attending the UNHRC has been a fruitful experience for its members, especially in terms of meeting other members of the civil society (UNPO, 2006a).

It is also interesting to see which UN bodies and organs the UNPO is *not* making use of, although these are also related to the UNPO's policy. For example, the UNPO only occasionally refers to the convention of 1954; relating to the status of stateless persons and the 1961 convention; on the reduction of statelessness (UNHCR, 2009). In order to understand why the UNPO rarely uses these conventions, it is important to elaborate on these conventions. According to the 1954 convention, a stateless person is a person who is not considered as a national by any state under the operation of its law (Collins & Weissbrodt, 2006). In this respect it is important to draw a distinction between 'de-jure' and 'de-facto' statelessness. Whereas the first refers to the purely legal description; the lack of a nationality, the second includes a broader scope by extending statelessness to persons who formally hold a nationality but are nonetheless in a situation similar to statelessness because of an ineffective or valueless nationality (UNHCR, 2008). Also among the members of the UNPO there are groups of people *with* citizenship rights, but in which case these are nonetheless worthless since these citizens are perceived as de-facto (Collins & Weissbrodt, 2006). Unfortunately for the UNPO, the 1954 convention is merely based on 'de-jure' statelessness which makes it too narrow and limited.

A second incomplete aspect of the convention of 1954 is the lack of international support. Only 63 UN member states are party to the 1954 convention and only 35 to the 1961 convention. This makes the UN conventions on statelessness poorly equipped to change the worldwide position of stateless people (UNHCR, 2009). By the same token, the UN system also includes the International Court of Justice (ICJ) which only considers disputes between governments recognising the ICJ (OHCHR, 2001g). It is debatable why the UNPO only sporadically refers to the conventions of stateless peoples, although the answer could possibly be found in the fact that these conventions are limited in force and in operation.

Furthermore, it seems very logically that, within the framework of the UN, the UNPO mainly focuses on human rights linked to indigenous peoples. Although the UNPO members mainly have territorial claims, the UN provides no legitimate ground for territorial claims or claims of nationalist minorities. Interestingly, the UNPO not addresses the problem of unrepresentedness within the framework of the UN, although there are a few UN conventions that deal with rights of stateless persons (Collins & Weissbrodt, 2006). To summarise, the UN does not allow NGOs to have

any decision making role in its deliberations. Although sometimes NGOs, experts or other individuals are allowed to speak at meetings, their influence is limited since final decision making is primarily reserved for the members of the UN. It can thus be concluded from these observations that, although there are several UN bodies concerning indigenous peoples, and stateless peoples, still some nation-state representation is needed to be involved with inter-state decision making processes.

4.2.4 Non-violence as a principle: non-participation as an alternative power tactic

One of the UNPO's tactics is the principle of non-violence. As we have seen in the above sections, the UNPO encourages non-violent methods and peaceful practices for the resolution of disputes and the struggle for rights. This principle is based on the ethics of reciprocity, more commonly known as the 'Golden Rule' which states that one has the right to a just treatment, and a responsibility to ensure justice for others, not only the members of the own group, but for all people; 'Do not to your neighbour what you would take ill from him'. The UNPO also directly projects this idea on its own organisation principles by stating:

"Our challenge as an organisation centres on good collaboration between members, rather than what some members have underlined as a lack of a feeling of general solidarity. The quest for justice, peace and democracy can tend to be solitary. Solidarity can however be an incredible effective tool, yet still relatively infrequently utilised by UNPO and its members. A new vision and a new spirit of solidarity are needed. Without such a vision, UNPO will never have a chance at reaching its rightful place, that is, a place between the major international organisations which characterise the present political map of the world" (Busdachin, n.d.a:4).

The principle of non-violence is also reflected in an institutional issue related to co-operation. The UNPO argues that "power is based on co-operation, in such a way that non-co-operation with those people and institutions in power, leads to a shift in the balance of power" (UNPO, n.d.(h):4). This can be seen as 'active passiveness'. In other words, by the strategy of non-cooperation, the UNPO attempts to establish an own power block against the powers of the international community. Thereby, the UNPO resists the contemporary state-bounded international system. Thus, one could state that the UNPO seems to shift between active participation within the international arena, and passive

resistance against the same structures. In other words, the UNPO attempts to gain as much power as possible by a combination of participation and non-participation. Furthermore, this illustrates that, although the UNPO found some access points within the international community, and the UN in particular, the relationship is not structurally established. It is mainly the UNPO knocking at the UN's door, as we have seen in section 4.2.3, while, at the same time, the UN is not at all dependent on the UNPO. On the one hand, one could state that the UNPO, by trying to get involved with the UN, acknowledges and confirms the practices of the nation-state bounded world. On the other hand, one could also state that the conscious ignorance of the nation-state structures enables the UNPO to look for alternatives beyond the nation-state bounded world.

4.2.5 The UNPO; claiming self-determination

After outlining the claims of members of the UNPO (section 3.1) and the tactics of the UNPO, it is now discussed what the organisation itself *claims*.

One of the main claims posed by the UNPO is the right to self-determination for its members. In 1991, the UNPO developed its official statement which reaffirms the principle of self-determination. Thereby the organisation recalled the charter of the UN, the international human rights covenants and other international instruments that state that all peoples have the right to self-determination. Thereby the UNPO attempts to introduce self-determination on the international agenda:

“But we should note that the argument of self-determination is not on the top of the top of any major international political agenda. It is not even on the agenda at all. And we can request to fight for a preliminary issue: to put the question of self-determination on the major political agenda, and the main one, the United Nations” (Marino Busdachin, interview, 04 28 2009).

The UNPO explains self-determination as the right of peoples to determine their own destiny. In particular, the principle allows peoples to choose their own political status and to determine their own form of economic, cultural and social development (UNPO, 2006a:1). Although half of the members (as already outlined in section 3.1.2) have territorial related claims, the UNPO firmly reject these claims. Thereby, the UNPO argues that self-determination can take many possible forms; it may vary

from linguistic freedom to regional autonomy. Thus, self-determination does not inherently mean the right to secession as the UNPO's president outlines:

"seeking self-determination should not be confused with demanding the right to secede (to withdraw from fellowship, communion, or association; to separate one's self by a solemn act; to draw off; to retire; especially, to withdraw from a political or religious body)" (Graham Watson MEP, n.d.:3).

The UNPO thus supports the right to self-determination, but it attempts to distinguish it from territorial autonomy and sovereignty. However, because self-determination is often linked to sovereignty and territorial independency, the UNPO attempts formulate an alternative understanding of self-determination:

"In the present world and in the current international context, deeply and heavily marked by interdependency between states or association of states, the right to self-determination, as with the principle of sovereignty and border sanctity, needs to be put under discussion, reconsidered and differently evaluated" (UNPO, 2006a:1).

Like Marino Busdachin (interview, 04, 28 2009) formulated it: "self-determination has its roots in and continues to be inseparably linked to the core concept of democracy, understood to mean the right to choose one's rulers and to participate in decision-making." Thus, self-determination here is not associated with territorial claims, but merely with political issues. Non-democratic governments do not leave room for dialogue, whereas democracies provide the chance to participate in negotiations. Here lies a challenge for the UNPO and its members: linking democracy, as a fundamental human right, to self-determination (UNPO, 2004:2). From this perspective, the right to self-determination is a right of choice and a right of participation. But, according to the UNPO, the exercise of self-determination may also involve a choice by peoples to be ruled by the leaders of its own community, whether within the framework of an existing state or outside that framework. The UNPO attempts to affirm the standpoints of its members in the quest for self-determination by stating that:

"It is an absolute necessity to reaffirm that it is not the right to self-determination that ignites and fuels conflicts, but on the contrary, that it is the very denial of this right, which is firmly

enshrined in international law and human rights law, which increases the global turmoil and the general disastrous mess” (UNPO, 2006a:2).

It should be clear however, that the application of the right to self-determination mostly comes with resistance from the international community. Therefore, the affirmation of the right to self-determination also brings up subsidiary problems for the UNPO:

“It seems that there is not so simple to find money to find institution, foundation or government ready to invest in an organization that is working on self-determination. Sorry that I have to use that word, but nobody gives a shit for self-determination around the world. After 9/11, even worse. There is no government which has any interest in self-determination. If you are asking any money for self-determination you never get more than one cent” (UNPO, 2006c:7).

Contrary to self-determination itself, the issues democracy and human rights are, obviously, widely accepted in the international community. It is stated here that the organisation creates a sort of package of self-determination, democracy and universal human rights. This package is seen as a strategic consideration since the focus on self-determination alone would more or less block the organisation’s access to the international community. The following quote underlines this strategy:

“Is this a compromise? Maybe. But I would welcome any compromise which would allow the right to self-determination to be brought out of the quagmire in which it has been kept for so long. International organisations like the United Nations must seriously consider opening the door to the less fortunate. Why not consider adoption during this General Assembly, on the 16th of October, setting up an ad hoc committee that could become more effective and move towards preparatory work, like in the International Criminal Court Diplomatic Conference and adoption of the statute? But why not consider even other UN bodies that can be convened like the Human Rights Council or the Fourth Committee to fill the role required by indigenous peoples and minority communities?” (Busdachin, n.d.(b):16).

To conclude, the UNPO seems to be cautious with associating itself with self-determination. The organisation therefore attempts to link the issue of self-determination with democracy and the

universal human rights conventions. Thereby, the organisation seeks for compromises with both the international community; self-determination is sold in a package, and its members; self-determination still could have some territorial features.

4.2.6 The UNPO; claiming post-national solutions to de-factoness?

Another important UNPO claim towards the international community deals with the issue of de-facto states. In 2008, the organisation hosted a conference on de-facto states in the EU parliament (UNPO, 2008d). The event brought together officials from unrecognised governments with the aim to create and sustain permanent mechanisms of involvement and consultation of unrecognised state entities in the international community. In other words, the UNPO stresses the international dimension of de-facto states by referring to the functioning and practices of de-facto states under international law and the international community. The UNPO further recognises that many sovereign states are not in favour of opening up the world order to de-facto states. At the same time, the organisation states that: “the UNPO has convened this conference, not to address whether or not these entities should be independent and sovereign, which is a very complex and controversial matter, but to deal with the reality that these pockets of the world do exist and function, to varying degrees, as states, and the practical implications of this fact” (UNPO, 2008e). Thereby, it is remarkable that in the case of de-facto states, the UNPO exceptionally refers to the unrecognition and unrepresentedness of these groups of people. As exemplified by the declaration on de-facto states:

“[the UNPO recognises] that beyond the confines of the world’s internationally recognised state borders entities exist without official recognition as states, yet who possess many or all of the traditional empirical criteria for statehood and sometimes even function as states in international fora” (UNPO, 2008e).

Hence, the UNPO refers to the universal human rights by stating that: “without full access to the world order, both the peoples of these de-facto states and the international community at large suffer. [...]. Negligence towards de-facto states harms human rights and human dignity” (UNPO, 2008e). Like the President states:

"The de-facto state, integrated fully into an international framework of legality, does not necessarily need recognition of sovereignty. So why continue this unfair and unjust policy of exclusion when not only classical but even articulate and creative solutions are both possible but moreover, desirable? Keeping the de-facto state in this kind of limbo is not fair and is not reasonable. And finally, let me say that it is a shame that countries like Abkhazia, Somaliland, Taiwan, and, fully democratic, recognised examples of good governance and strictly respectful of International Law, are banned by the UN. Especially whilst others, non-democratic and dictatorial, without any respect for Human Rights, deeply corrupted, and with a criminal attitude towards their own peoples, are sitting with high respect at the United Nations. It is a mischief! And it is a shame" (Busdachin, 2008:2).

The UNPO does not only passively participate in the international fora, but also attempt to correct the conventional practices. For example, as a reaction to the bird flue and SARS, the World Health Organisation (WHO) in 2009, decided to invite the de-facto state Taiwan as a representative of its organisation. The UNPO reacted on that to the WHO about the need of a global approach of health care and the discharge of a form of 'health apartheid' (UNPO, 2005).

As it becomes clear from these issues, the UNPO seems to urge the international community to find new alternatives for global governance. This indicates, although the contrary is stated before, that the UNPO claims and actions have some post-national connotation.

4.3 Conclusion: The UNPO acting as a representative body

This chapter outlined the claims and tactics of the UNPO for representing its members. Thereby, the first step was to provide a detailed genealogy of the UNPO membership procedures. Within the membership procedures, the UNPO is struggling with issues of in- and exclusion. A main explaining factor for this struggle is the combination of a essentialist and non-essentialist understanding of peoples or nations. On the one hand, some parts of the covenant define nations and peoples as being 'out there'. These definitions can be seen as a classical understanding of indigenous groups; small groups of native people that have been oppressed by its colonisers. On the other hand the

organisation's covenant approaches their members as self-constructs; if a nation/peoples claims to be a nation/peoples then these groups exist as such.

Furthermore, the organisation attempts to construct a distinct identity, in order to gain a unique status within the field of NGO's working on minority issues. As it is outlined, the UNPO makes use of several tactics; activities and principles in order to lay its various claims at the international community. First of all, the UNPO links its perspective on self-determination to a new sort of global governance. The UNPO states that international law on self-determination is ambiguous, leading to an inconsistency in its application. Although several international conventions reaffirm the right to self-determination, the current international community of nation-states also pledge to uphold the 'principle of territorial integrity'. The UNPO writes:

"In a world that today is deeply marked by very quick, even unbalanced globalisation, the UN is still petrified to establish law and order within the modern state system. The UN charter emphasises state sovereignty on the one hand, and aims to maintain order by use of force on the other hand. All the while it is giving a golden share to great powers to defend their interest through veto power" (Busdachin, 2007:1).

In other words, the UNPO states that, in a world heavily marked by interdependence, solutions cannot be founded on the principle of sovereignty alone. The organisation argues that respecting the right to self-determination as opposite to sovereignty is the answer to peace and stability. Hence, the described contradictions found in the application of the principle of self-determination are "the curse of good global governance" (Graham Watson MEP, n.d.:2). This exemplifies the UNPO's attitude towards the nation-state bounded world; that is seen as a system which hinders the inclusion of nations and peoples. The ambitions of the UNPO are thus seeking to reevaluate, reconsider and reform the concepts of nation-states, sovereignty, self-determination, border sanctity, independence and interdependence, international organisations and international law (Busdachin, 2007). It is argued here that, in this respect, the UNPO seeks for ways to establish a form of global governance.

Secondly, the UNPO refers to the indigenous peoples in order to attract the attention of the international community. In other words, the UNPO directly refers to the creation of an indigenous model of global governance: "UNPO aimed to develop public opinion and direct action strategies to

defend human rights through a parallel global process of indigenous nations and peoples to influence the UN and to create their own indigenous models of global governance” (UNPO, n.d.(h):2). It is stated that the UNPO at least reinforces ‘indigenism’ as an identity construct.

Thirdly, the UNPO claims new ways of global governance and global justice by referring to universal human rights. The UNPO thereby refers to the principles of the Universal Declaration of Human Rights. However, the organisation in this respect pinpoints to two problems. First, according to the UNPO the Declaration has never become a universal accepted document. Therefore, the organisation argues that the process of accepting it; “should start again so that it can become an important segment of an international system of guarantees of international law” (UNPO, 2006d:3). Second, the Declaration recognises only the rights of the individual. In the perspective of the UNPO, human rights cannot be fully realised without the recognition of the collective right to cultural, national, linguistic, and ethnic identity of nations and peoples (UNPO, 2004).

In sum, in order to represent its members, the UNPO above all claims for a new understanding of self-determination as a universal right, the global respected position of indigenous peoples and the universal human rights (regime).

Chapter 5 Conclusions

The UNPO came into existence in 1991 due to a feeling of frustration about the exclusion of nations and peoples from participation in the national and international political community. Or to put it in the UNPO's famous words; 'the UNPO was created to provide a voice for the oppressed'. This thesis examines to what extent the UNPO and its members confirm the nation-state bounded world or to what extent the organisation and its members seek fundamental changes within the global but inter-state order. In other words, the question is, whether the strategies of the UNPO and its members can be perceived as post-national ways of representation, or not. This question is derived from a personal wish to contribute to the understanding of the problems concerning unrepresentedness and the formulation of new perspectives that can lead to possible solutions for these problems.

As we have seen in this thesis, there is no easy answer to the above question since the situation is complex. The answer should not only take into account the organisation itself but also the problems, claims and situations of the UNPO members. Thereby the problem of being unrepresented is examined from the perspective of the members. Analysing the UNPO member profiles made clear that the members can be differentiated by their divergent problems and claims. The analysis shows that the UNPO's all-embracing notation of 'nations and peoples' does not capture all identity groups attached to the organisation. Therefore, a threefold distinction is made. Firstly, there are groups with 'nationalist' aspirations; the 'nations'. Secondly, other members do not perceive themselves as a nation with an accompanied national identity; these are the 'peoples'. This group includes indigenous, cultural and ethnic minorities. A third group that is identified are the de-facto states; communities who perceive themselves as a state but who are not internationally recognised as a sovereign nation-state.

The analysis of the member profiles also shows three different sets of problems, namely; problems linked to sovereignty and identity rights, problems concerning human rights abuses and problems related to territorial issues. Furthermore, three sets of claims are distinguished; territorial claims and self-determination; claims for recognition, and thirdly; territorial rights. As it becomes clear from the analysis, members increasingly make use of a transnational framework by using the

global arena to lay their claims. Their membership of the UNPO is a good example of this. Moreover, some members can be perceived as constructing a global identity that has strong similarities with what is called 'indigenism' (Niezen, 2003); a global identity to substantiate their local or territorial issues and claims. With the help of the UNPO, nations and peoples form a transnational solidarity invading the institutional space of the state from two directions; from above (the post-national aspect of their strategies) and from below (the local aspect of their strategies and claims that are related to self-determination). Post-nationalism, in this respect, seeks alternative ways of governance and is rather a progressive political project. Interestingly enough, there seems to be a tension between post-national strategies and local claims in the situation of the UNPO's members. As it is outlined, being a member of the UNPO can be seen as a post-national strategy since it goes beyond the nation-state bounded system. At the same time, the majority of the UNPO members has regressive claims. This means that they struggle for their own position to fit within the existing nation-state framework. This is best reflected by the territorial claims of the members. In some cases the UNPO members even strive for their own nation-state or at least other forms of sovereignty. As a consequence, it is suggested that nation-state-like representation still is the conventional form of representation on the national level as well as the main factor for accessing the global governance arena. As a result, in this globalising world, statehood and territoriality still seem to be necessary requisites in obtaining international acknowledgment and political self-determination. In that sense, the members do not strive for post-national solutions to their problems. Thus, the *means* (e.g. membership of the UNPO) of the members can be post-national, while their *solutions* are still confirming the nation-state bounded world. It is striking to see that these nations and peoples with their post-national political means are still caught in the so-called territorial trap. This trap implies that there is no representation without some reference to a certain territory. Without overcoming this trap, it is argued here that there is no post-national solution possible.

With these findings in mind we can make a better argument concerning the question: what is the problem of being unrepresented? For the UNPO, the problem of being unrepresented can be seen as the exclusion of nations and peoples from the national and international political arena. Being unrepresented in this respect, is a political problem. However, I argue that this political dimension is

not the only dimension at stake here. Rather the combination of the political and social dimension of not being recognised is of greater significance. As specifically outlined in the three cases of Somaliland, Ogoni people and Oromo nation, lacking recognition does not only mean a lack of political access, but also the violation of social/collective integrity. Not being recognised is almost equal to non-existence. Thereby it is concluded here that the term 'unrepresented' used as a prefix for the UNPO members is incorrect, because technically none of these members are unrepresented. In fact, having some level of representation is a prerequisite for becoming an UNPO member. As an alternative, I suggested that it is better to speak of *unrecognised* nations and peoples since this term is a better denotation of the fundamental problem that is related to the combination of the lack of political access and the violations of a collective integrity.

To analyse the strategies of the UNPO and its members, it is also important to approach the organisation as an entity with its own decisions, guidelines and identity. To gain more insight into these aspects, it is questioned in this thesis on what terms nations and peoples can become a member of the organisation. Hereby the organisation's covenant functions as a guideline to understand the genealogy of becoming a member. The analysis shows a profound tension in this covenant. On the one hand, the UNPO approaches nations and peoples with an essentialist viewpoint. Within this view nations and peoples are approached as 'already out there'; something that exists naturally. On the other hand, the covenant takes into account that groups of people who are able to shape their own specific identity which in itself is a ground for existence. This viewpoint can be seen as non-essential. The discrepancy between the essential and non-essential perspective leads, at first sight, to vagueness within the organisation about the membership criteria. It touches upon the issue of who may and who may not become a member. It is clear that the UNPO, by including some social groups, inherently excludes others. It is therefore questioned what the grounds and reasons are for this inclusion/exclusion. In this thesis it is stated that the UNPO excludes potential members for its own organisational reasons. In this respect, the discrepancy within the covenant can be seen as room to manoeuvre so that the organisation can create its own niche in the international arena. This helps to

explain why, for instance, micro nations fall outside the framework of the UNPO, while they seem to fit certain membership requirements.

Thus, contrary to UNPO's main objective of inclusion, the organisation is automatically and consciously involved with processes of exclusion.

Another issue that is highlighted in the genealogy of becoming a member is the fact that potential UNPO members should have a substantial representative body in order to be accepted by the UNPO. This representative body can be seen as a government-like institution; a sort of copy of the political structures of the nation-state bounded world. Some critical comments can be made regarding this requirement. It is contradictory that an organisation that strives for a better position for *unrepresented* nations and peoples is in fact representing *already represented* nations and peoples, since this is one of the requirements for becoming a member. For this reason we may raise the question what happens with peoples and nations that need representation but can not, or are not, forming such governmental structures? These are obviously not included by the UNPO. This suggests that the organisation does not take into account the worst-off cases; the voiceless and unorganised groups. This is striking because these people seem to have the greatest need for organisations like the UNPO. In this context, there seems to be a discrepancy between the UNPO's basic principles and daily practices.

Other factors that are important in understanding the role of the UNPO are the tactics and claims of the organisation itself. As it is outlined, the UNPO actively participates in the inter-state governance arena, especially in the framework of the UN. Thereby the UNPO basically attempts to create a linkage between unrepresented nations and peoples and the international arena. As it has been concluded before, participation in this context concomitantly means a re-confirmation of the state-bounded system, because in this case the organisation follows the structures set up by the nation-state system. This shows that the UNPO, as well as its unrepresented members, although unintentional, reproduce what they are striving against; the failing nation-state bounded world.

However, it is too simple to conclude from this that the UNPO is merely confirming the nation-state system. As it is observed, the UNPO, as an international player, is also involved in some

power play which can be seen as contesting the current system. Thereby the organisation, in order to change the existing power division on a global level, under the cloak of non-violence, actively chooses not to participate in certain initiatives that are in conflict with the organisation's principles. This seems to be an appropriate strategy, however, I argue here that it is also naïve and even in contrast with the fundamentals of the UNPO's existence (creating a linkage between its members and the international community). It is naïve to think that, for instance, the power of the UN shrinks when the UNPO is not participating. Notwithstanding, this strategy of non-participation should be seen as an attempt to shift power divisions. This attempt indicates that the UNPO is, to some extent, involved with post-national activities. It certainly seeks *new* forms of global governance and world order. This especially becomes clear in the context of self-determination. In this respect it is important to note that the UNPO, although remarkable different from its members, strives for a 'new' understanding of self-determination. According to the UNPO, in a world heavily marked by interdependence, solutions can not be found on the principle of sovereignty alone. Therefore, the organisation attempts to separate self-determination from territorial sovereignty and hence it challenges the principles of the nation-state. From this insight it is concluded that the UNPO at least has some post-national aspirations.

Furthermore, it can be argued that the UNPO has some cosmopolitan characteristics in using the universal human rights regime. As we have seen, the UNPO members and the UNPO itself shift between making claims with regard to individual human rights and making claims within the collective human rights framework. However, there are three complications here. Firstly, when the UNPO addresses its claims within the *individual* human rights framework, it goes against the acknowledgment of social group rights for the nations and peoples. In other words, by striving for a universal juridical system based on individual rights the power of 'indigenous peoples' as a distinct identity loses its grounds for existence. Thus, applying *individual* human rights standards to (indigenous) minorities and unrepresented nations does not meet the *collective* needs of these groups of people.

Secondly, when the UNPO addresses its claims within the collective human rights framework it does not correspond with the cosmopolitan vision of equality and individual freedom. In this sense, collectiveness may undermine the rights of the individual. This can be compared with the nation-state

which secures the rights of its citizens as a collective national group, while at the same time some individuals feel excluded since their needs are different from that of the majority. Thus, collective human rights are not the answer to all problems.

Finally, since the protection of human rights is no longer solely embedded within the (democratic) institutions of the state, but increasingly in the international community, the state has lost its prime role as the safe guarder of identity, citizenship rights, and territorial sovereignty. Thus, if the nation-state declines in being the main political and juridical institutional space, the question remains how to represent and preserve the rights of all world citizens? However, the global human rights system in its current form has still to deal with sovereignty. In order to be effective, the human rights system should, as it is outlined, challenge the sovereignty of the nation-state in order to overcome the 'sovereign trap', or it should acknowledge self-determination/sovereignty for all nations and peoples. If this is not the case, there will always be people excluded from access to universal human rights. Thus, to make such a global juridical body effective, I argue that a post nation-state system of justice should be created. Like Eudaily and Smith (2008) argue, by decoupling the concept of the modern nation-state from the concept sovereignty, new opportunities for a global form of sovereignty could emerge. This opens up new ways of post-national spaces of sovereign power and a post-national system of justice transcending the exclusionary borders of the nation-state. In this context, an inter nation-state (not a post-nation-state) system like that of the United Nations seems not to be the solution, because it does not challenge the power of the sovereign nation-state as such. In my view, a post-national scenario based on the vision of equality and individual freedom makes a state-bounded world, with its current inter-state fora like the UN, redundant. And only in this context, the UNPO is no longer needed, since a post-national framework strives for all-inclusiveness and overall representation.

Therefore, I finally try to answer how to perceive the policy-split, in which, as suggested in chapter 1, the UNPO finds itself. This policy-split means that, on the one hand the UNPO challenges the nation-state bounded world by attempting to induce the UN to recognise non-state actors as members and give them access to joint decision making mechanisms. On the other hand, the UNPO can be seen as copying and thus confirming a state bounded model of representation. Which is

suggested since the organisation presents the state model as unjust and problematic but concomitantly mainly focuses on the model as the frame for improvement. It is stated that the UNPO and its members try to operate within both the state bounded world and the post-national world. This 'endless limbo' could be perceived as a complex reality which is difficult to escape from. However, as it becomes clear from the analysis of the UNPO's policy, tactics and activities, this policy-split could also be seen as some sort of free space, wherein the organisation takes the best of both 'worlds'. In other words, the UNPO and its members adapt to the developments which occur in the framework of the nation-state bounded world as well as the post-national world order for their own benefit.

This thesis, by means of its main question, indirectly sought for alternative perspectives on the problem of unrepresentedness. Thereby the post-national ideal is used as a possible framework that could provide some interesting opportunities for the UNPO and its members in their quest for representation. I would suggest that, in order to bring the post-national world a step closer, the UNPO should review the aspects that confirm the nation-state bounded world in its policies and that are in contrast with so-called post-national principles. This includes membership applications which, as already outlined, contain contradictory essentialist and non-essentialist elements. Moreover, the organisation should set post-nationalism, as a political ideology, more at the forefront of the organisation's profile. For instance, the UNPO attempts to approach self-determination separated from territoriality, which can be seen as a profound post-national principle. Such a post-national profile would more prominently imply that the UNPO strives for change in the international political arena.

However, the main challenge is to not forget about the organisation's members. As it becomes clear in this thesis, the majority of the members has still regressive and territorial claims. Therefore, it is important for the UNPO to secure that a post-national ideology will not surpass the organisations main goal; representing the unrepresented/unrecognised. Therefore, I suggest that this can be intercepted when the organisation shows its members the opportunities and advantages of a post-national world order. If this information makes a post-national world order a serious alternative for the members, their claims would possibly transform into more progressive, or post-national, claims. This would bring members' claims and the UNPO profile more in line with each other.

Finally, this thesis shows that it is important and necessary to remain critical about the role of different actors in the global governance scene. As outlined, many national and transnational players have a role in constructing and maintaining the problems and contradictions that indirectly and directly harm the nations and peoples examined in this thesis. I am sympathetic towards the intents of the UNPO; providing the voiceless people with a voice. However, the analysis shows that, as in the case of the UNPO, ideals are often difficult to formulate and strategies are hard to sustain in an increasing complex and interconnected world which is nonetheless still dominated by sovereign nation-state actors. Critically reconsidering the policies and strategies of non governmental organisations as the UNPO and that of national and transnational institutions therefore seems particularly important for non-state actors; those whose voices are sometimes nothing more than muffled sounds.

V References

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Appendix 1 Problems and claims of the 57 UNPO members

UNPO. (n.d.(a)) member profile overview

Who/ representative at UNPO	What/ where	Problems	Claims
Members in Europe:			
Abkhazia (Parliament of the Republic of Abkhazia)	Republic within the Russian federation	Occupation/annexation 1918; assimilation of language and culture; bad and unclear relationship with neighbour country; partly unrecognised independency	Recognising independency by Russia and international community
West Balochistan (Balochistan People's Party)	Nation/Peoples	Partition of Balochistan by neighbour countries; losing identity and language; affected by assimilation politics; brutal armed violence; human rights abuses; unrepresented in central government;	"Achieve sovereignty for the Baloch peoples within a secular, federal and democratic republic in Iran"
Circassia (The International Circassian Association)	Peoples	Forced migration; no autonomy; dispersion by forced relocation	official recognition of the 'Circassian Genocide'; recognition of status of exiled peoples by the Russian federation; and to undertake efforts to let them return to their homeland; dual citizenship; unite Circassians spiritually, politically and preserve the ethnic unity
Chechen Republic of Ichkeria (The Government of the Chechen Republic of Ichkeria)	Autonomous republic within the Russian federation	Conquered and incorporated by Russian forces 1859; war for independency with Russia; human rights violation; censorship of critical media; food shortage in the region due to war; limited accountability within Russia	Protect Chechnya as an autonomous republic
Crimean Tatars (Crimean Tatars Parliament 'Milli	Nation/people	Deportation of entire population by Stalin in 1944 which had several consequences; religious tensions and violence within the	Recognition of their rights; resettlement of repatriated peoples;

Mejlis')		region; discrimination of indigenous peoples	
Greek Minority in Albania (Democratic Union of the Greek Ethnic Minority in Albania)	Nation	During communism suffering from religious persecution and the denial of their national and cultural identity	recognition as a minority; unrestricted right of travel to the motherland; the right to restore the cultural traditions of the Greek minority
Hungarian Minority in Romania (Democratic Alliance of Hungarians in Romania)	Ethnic minority within Romania	Representatives from the major Hungarian parties want the creation of a special autonomous region in Szekler, opposition leaders are suggesting that autonomy claims based purely on cultural difference are now obsolete	The goal of the DAHR is to achieve local government, cultural and territorial autonomy, and the right to self-determination.
Inkeri (Inkeri Liitto)	Ethnic minority/peoples	During communism forced migration and prohibition of culture; ethnic dispersion; limited speakers of mother tongue	Preservation of language and culture
Komi (Komi National Revival Committee)	Republic of Russian federation/ indigenous peoples	1942 conquered by Russian empire; Russian dominance; Environmental damages due to oil spills	Protect and promote the right of indigenous peoples
Kosova (the Democratic League of Kosova)	Defacto international protectorate in Serbian territory	Unrecognising of parliament in the 90's; unrest in the Balkan region caused civil violence; division between majority Albanians and minority Serbs within the region; refusing of independency by Serbia	Independency; commitment of all nation-states to the sovereignty and territorial integrity
Mari (Mari Ushem)	Republic of Russian federation/ national minority	Discrimination by the Russian; violent attacks	Preservation and development of Mari national culture and identity
Sanjak	National	Ethnic and religious tension against the	Autonomy of the province

(Muslim National Council of Sanjak)	minority, Serbia and Montenegro	Sanjak Muslims; non-recognised parties, thus political discrimination	
Scania (Stiftelsen Skånsk Framtid)	National minority/ peoples, Sweden and Denmark	Lost political independence in 1720; ignorance of claims; oppression of national identity by hegemony	Protection of Scania language and culture; regional autonomy/ self-determination in all areas of society
Members in the Middle East:			
Ahwazi (The Democratic Solidarity Party of Ahwaz)	Nation/ ethnic and religious minority	Ahwaz lost its political, economic and cultural independence following annexation by Iran; change of name to Khuzestan; exclusion from economic profits; oppression of culture and identity; displacement and land confiscation; torture; death penalty	Recognition of Ahwazi in the region; promoting the realization of a federal Iran on the basis of an ethnicity-nationality and geography in order to have a free and democratic Iran
Assyria (Assyrian Universal Alliance)	Religious minority	Religious oppression; forces population transfers; discrimination; political and juridical unrepresentedness; violence in neighbour Iraq harms Assyrian peoples	spread and strengthen Assyrian culture and traditions; secure the human rights of the Assyrian peoples in their ancestral homeland; autonomous state
Iranian Kurdistan (Democratic Party of Iranian Kurdistan)	Ethnic and religious minority in Iran	Holy war on the Kurds	Regional autonomy; independent Kurdistan
Iraqi Kurdistan (Kurdistan Democratic Party; Patriotic Union of Kurdistan)	Nation (situated in Iran, Iraq, Turkey and Syria).	Relocation and oppression by the Saddam regime; violence; political discrimination; genocide	
Iraqi Turkmen (Iraqi National Turkmen Party)	Peoples, situated in Iraque	Discrimination of language; torture; executions; forced relocations; political exclusion	Recognition of status as a peoples; autonomy
Southern Azerbaijan	Nation, Iran		Struggle for national rights of the province; self-determination

(Southern Azerbaijan National Awakening Movement)			
Members in Central Asia:			
Buryatia (All Buryat Association for the Development of Culture)	Republic	Environmental problems	Strengthening local power; preservation of Buryatia language and culture
Chin (Chin national front)	Nation/people s	1973 Divided between British Burma and British India; military repression Burma; sexual abuse of Chin woman as part of 'Burmanisation'	Establishing democracy; securing the right of self-determination; increase the living standard, and enhance the national political, economic, social status of the peoples of Chinland
East Turkestan (World Uyghur Congress)	Indigenous minority	Domination and oppression by Chinese communists; political unrepresentedness; forced assimilation programmes; discrimination of Muslim population during 'war on terror'; detention of human right activists	promote democracy; promote human rights and freedom; use peaceful, nonviolent, and democratic means to determine their political future
Gilgit Baltistan (Gilgit Baltistan Democratic Alliance)	Peoples		
Inner Mongolia (Inner Mongolian People's Party)	Autonomous region within peoples republic of China	Environmental problems; banning of Tibetan Buddhism; political unrepresentedness	Democratically fighting to end the Chinese Communist Party's colonial rule in Inner Mongolia; level of self-determination
Karenni State (Karenni Independence)	Ethnic peoples, Burma	Oppression of identity and culture; displacement owing to conflict, development and resource scarcity resulted	Establishing a Burmese federal union in which ethnic minorities would be offered autonomy; seeking support for

Through Education)		in many refugees; 'Clearing activities' through military violence; lack of health care	community-based organizations and projects in Refugee Camps; international awareness; build educational opportunities; develop and promote leadership and inter-ethnic cooperation
Mon (Mon Unity League)	Ethnic peoples, Burma	Oppression; human rights violation; language restrictions; population displacement; human rights violations against refugees; harassment of Monks; erosion of civil liberties and democratic institutions	
Nagalim (NSCN, formed by the members of the National Assembly of the Nagas)	Ethnic peoples, territory situated in China, India and Burma	Military oppression	securing the unification of all Naga-inhabited areas; separate representation at the UN; greater rights over natural resources, finance, defence and policing
Shan	Indigenous peoples, Burma	Burmese military oppression; human rights violation; huge forced relocation led to 500.000 refugees without a refugees status; forced labour; illegal confiscation of goods; extra-judicial killings	Rights for access of land; striving against a planned dam which would displace thousands of peoples; to form a committee representing all Shans, to unite with indigenous non-Shan groups in the Shan states, to resolve political issues by political means.
Sindh (World Sindhi Institute)	Peoples, around Indus river Pakistan		Achieving human rights; campaigns for the following developments in Pakistan: secularism; democracy; demilitarization ; decentralization (each province should be "autonomous & sovereign", according to the 1940 Pakistan Resolution) ; nuclear disarmament
Tibet (Government of Tibet in Exile)	Nation	Oppression of culture by the Cultural revolution of China; banned of religious practices; human rights violation;	Preservation of Tibetan culture, language and religion; against human rights violation

		destruction of monasteries	
Tuva Government of the Republic of Tuva)	Peoples/ republic of Russian federation	Oppression of identity; struggling with the shift from a planned towards an open market economy; struggle with democratisation of government institutions	Against irregularities in elections of deputies to Russian bicameral parliament
Members in South-East Asia:			
Burma	Nation		struggle against military dictatorship in order to realize democratic rights and human rights; struggle for the rights of equality and self-determination for ethnic nationalities; establishment of federal union
Chittagong Hill Tracts	Mainly indigenous peoples	Unrecognising rights of indigenous peoples; oppression and human rights violation; land-grabbling	
Cordillera (Cordillera Peoples' Alliance)	Ethno- linguistic peoples	Assimilation of minorities by Philippines; exploitation of forest areas; dams; human rights violation;	Land use and politics; recognition of rights of indigenous peoples; autonomy
Hmong (ChaoFa Federated State)			claiming self-government of Hmong inhabited territories in Laos
Khmer Krom (Khmer Kampuchea Krom Federation)	Indigenous peoples, Vietnam	Exclusion of Khmer identity, religion and language from official state education; human rights violation against activists and monks	Recognition as an indigenous peoples; satisfaction of basic human rights; survival of the Khmer-Krom culture, language, and traditions
Montagnards (Montagnard Foundation Inc.)	Peoples, Vietnam	Oppression by Vietnam government; struggle over land; human rights abuses; refusal of access for human rights organisations and tourists into territory; religious discrimination	Preserve the lives and the culture of the indigenous Montagnard/Degar peoples; regional autonomy
South Moluccas (Republic of South Moluccas, the Republik Maluku	Republic	repression	

Seletan)			
Taiwan (Democratic Progressive Party)	Unrecognised republic	Replacement of the republic by China	Restoration of membership at the UN
Members in Africa:			
Afrikaner (Vryheidsfront plus)	Peoples	Violence of cultural, economic and political rights; restrictions on language use; dismantling of schools; assimilation; academic discrimination;	
Batwa (Association for the Promotion of Batwa)	Indigenous peoples	Prohibition of traditional hunting; forced relocation; unrepresented within Rwanda government; no access to education, health care and media; victims of genocide; prevalence of HIV	Defend the rights and interests of the Batwa in Rwanda; promote the socio-economic and political development of the Batwa; with the emphasis on primary health care, education and employment; promote Batwa culture
Cabinda (Frente de Libertação do Enclave de Cabinda, or Forças Armadas de Cabinda)	Nation	Unrepresentedness in government of Angola	Securing the Enclave of Cabinda greater autonomy and independence from Angola; self-determination; installation of a parliament and a government in Cabinda
Maasai The Kitengela Ilparakuo Land Owners Association)	Ethnic minority/tribe, Kenya and Tanzania	Appropriation of land; reduction of grazing lands; drought and famine; disruption of traditional living patterns;	Compensation for land loss; fight for the rights of the Maasai women; educational rights of the Maasai youth; civic education on human
Ogoni (The Movement for the Survival of the Ogoni Peoples)	Peoples, Nigeria	Loss of farmland; environmental damage; poverty; lack of respect of land ownership by Shell; oppression by own government	Striving for environmental, social and economic justice; compensation for the loss of land an environment degradation caused by oil extraction from Ogoni land.
Oromo (Oromo Liberation	Nation, mainly	Repression of culture and language; political corruption	National self-determination; forming an union with other nations

Front)	situated in Ethiopia		
Rehoboth Basters (Captains Council)	Indigenous peoples Namibia		fight for the return of the ancestral lands of the peoples as well as to ensure the survival of the Rehoboth Baster community as a distinct ethnic and cultural group in the 21st century
Somaliland	Unrecognised state	Threaded by an unstable Somalia; Muslim extremism	Recognition of sovereign nation-state by the UN
Southern Cameroons	Nation, Cameroon	Colonialism and foreign domination	Deterritorialisation of colonists; international support
Vhavenda (Dabalorivhuwa Patriotic Front)	Indigenous peoples	Ethnic discrimination; political discrimination; exploitation of holy land and forest; reforms of pension funds by South Africa depriving thousands of Vhavenda pensions	address the inequalities of South Africa's pensions system
Zanzibar (Zanzibar Democratic Alternative & Civic United Front)	Nation with own government part of United republic of Tanzania	Human rights violations; non-free elections	Democratisation of Zanzibar
Members in the Americas and Oceania:			
Aboriginals of Australia (National Committee to Defend Black Rights)	Indigenous peoples	Population decrease; assimilation of identity; occupation of territory; human rights violation; violation of right of self-determination	Providing traditional land ownership
Buffalo River Dene Nation (The Buffalo River Dene Nation)	Indigenous peoples	Grand population losses; confrontations between indigenous peoples, Canadian government and large corporations concerning land use and exploitation of oil	Striving for respect of traditions when extracting natural resources in the region; striving for an equitable division of wealth once resources are

NGO)		and gas activities	successfully and sensitively extracted; reclaim land losses
Kalahui Hawai'i	Nation/indigenous peoples, situated in the North Eastern corner of the Pacific	Land displacements; devastation of culture; social, economic and health problems;	regaining their native lands; re-establishing Hawaiians as a self-governing peoples; seeks inclusion for the Hawaiian peoples in existing U.S. federal policy, which affords all Native Americans the right to be self-governing and the right to access federal courts for judicial review
Mapuche (The Mapuche Inter-Regional Council)	Indigenous peoples, Chile and Argentina	Exploitation of forest; environmental threats; human rights violation; threat of traditions; unjust trials	Striving for the improvement of living standards; preservation of Mapuche culture; restitution of ancestral Mapuche lands
57 members in total			