

Res. 10.1

**North American Region Preparatory Meeting for the  
United Nations Permanent Forum on Indigenous Issues  
Fifth Session (UNPFII5)**

**April 29-30, 2006**  
**University of Minnesota Human Rights Center**  
**Minneapolis, Minnesota**

**Report of the Meeting**

**Submitted by Co-Rapporteurs Terry Janis, Indian Land Tenure  
Foundation and Andrea Carmen, International Indian Treaty Council**

**I. BACKGROUND**

- A. This is a report on the North American Preparatory Meeting for the United Nations Permanent Forum on Indigenous Issues, Fifth Session which will be held in New York from May 15 – 26, 2006. The meeting was held on April 29 and 30, 2006, at the University of Minnesota Human Rights Center and Law School , 229 19<sup>th</sup> Avenue South, Minneapolis, Minnesota. Meetings and related events were hosted by the International Indian Treaty Council in collaboration with the University of Minnesota Human Rights Center.
- B. The meeting was requested by Wilton Littlechild, Indigenous Independent Expert Member from North American on the Permanent Forum on Indigenous Issues. The meeting was a voluntary effort of indigenous peoples from North America who used their own limited resources to come together to accomplish the following goals.
  - 1. To share important information;
  - 2. To develop consensus around a strong consolidated statement that can be presented at the upcoming 5<sup>th</sup> session of the Permanent Forum on Indigenous Issues (UNPFII5); and
  - 3. To prepare for special events planned at UNPFII5.
- C. A Chairperson and Rapporteur were selected by meeting participants. The Chairperson was Bill Means, Board member of the International Indian Treaty Council. Co-Rapporteurs were Andrea Carmen, Executive Director of the International Indian Treaty Council, and Terry Janis, Program Officer with the Indian Land Tenure Foundation.

- D. The Preparatory Meeting was attended by 26 representatives from 19 Indigenous Nations and organizations from the Permanent Forum's North America Region (United States and Canada). A complete participants list is attached as Annex I.
- E. Special note was made of the land and treaty rights struggles of the Dakota (Sioux) peoples of Southern Minnesota where this meeting was held. Their Treaty of 1805, the first Treaty between the Dakota Oyate and the United States, involves approximately 155,000+ acres which covers much of the land of the Twin Cities of St. Paul and Minneapolis. Article 3 of the Treaty of 1805 asserts, "The U.S. promise on their part, to permit the Sioux to pass, repass, hunt, and do other things as they have formerly done in said district." This typifies the crucial role that treaties play in the rights of indigenous peoples and the commitment to equity and justice that states must make in order to resolve these issues. The participants expressed their support of the efforts of the Dakota Oyate to protect their treaty rights and to care for the land and water in this area. They requested to be kept informed of this struggle and how they could provide additional support as needed.
- F. The participants of the North American Preparatory Meeting for the Permanent Forum on Indigenous issues – Fifth Session expressed their sincere appreciation for the hosts of this meeting, the International Indian Treaty Council and the University of Minnesota Law School Human Rights Center. Special appreciation is also given to Kristi Rudelius-Palmer, Co-Director of the University of Minnesota Human Rights Center, for her dedicated efforts in organizing the meeting and helping to produce this report.
- G. The Chairperson, Rapporteurs and organizers of this Preparatory Meeting noted the extraordinary service provided by the Indigenous peoples' representatives who participated in this meeting. Their dedication to the human dignity of all peoples honors the vision of the United Nations.

## **II. INTRODUCTION**

- A. The primary purpose of this report is to communicate a consolidated statement from North American indigenous peoples represented at this preparatory meeting that will be communicated at the upcoming 5<sup>th</sup> session of the Permanent Forum on Indigenous Issues. The bulk of the report, therefore, is in the Conclusions and Recommendations section that follows.
- B. The Conclusions and Recommendations section that follows will be organized in the following topics:
  - 1. Land, treaties and natural resources
  - 2. The United Nations Declaration on the Rights of Indigenous Peoples and the restructuring of the United Nations
  - 3. Indigenous peoples affected by international borders
  - 4. Methods of work of the Permanent Forum on Indigenous Issues

5. The Millennium Development Goals (MDG's), general comments as well as specific recommendations to the Permanent Forum 5<sup>th</sup> session regarding MDG's # 3 – 8

### **III. CONCLUSIONS AND RECOMMENDATIONS**

#### **A. CENTRAL CROSS-CUTTING THEMES PERTAINING TO THE CONCERNS OF INDIGENOUS PEOPLES IN THE NORTH AMERICA REGION (UNITED STATES AND CANADA) REGARDING THE WORK OF THE UN PERMANENT FORUM ON INDIGENOUS ISSUES 5<sup>TH</sup> AND FUTURE SESSIONS.**

##### **1. LAND, TERRITORIES, TREATIES AND NATURAL RESOURCES**

a. Participants in the North American Preparatory Session for UNPFII5 affirmed that Rights and Relationships to Land, Territories and the Natural Environment (“Resources”) are overriding core concerns for Indigenous Peoples. They cross cut and impact all 6 of the mandated areas of the UN Permanent Forum on Indigenous Issues, are the basis for our survival, and are fundamental to the fulfillment of all 8 of the Millennium Development Goals (MGDs) for Indigenous Peoples.

b. Participants in the North American Preparatory Session for UNPFII5 endorse the conclusions and recommendations of the “Report on the Expert Seminar on Indigenous Peoples’ Permanent Sovereignty over Natural Resources and their Relationship to Land” [E/CN.4/Sub.2/AC.4/2006/3] held in Geneva 25-27 January 2006.

c. In particular, participants expressed their appreciation to the members of the Permanent Forum on Indigenous Issues for their decision to adopt the experts’ recommendation contained in paragraph 45 of that report, inviting “...the Permanent Forum on Indigenous Issues to consider devoting its sixth session to the question of lands, territories and resources of indigenous peoples, taking into account the results of the present seminar, as well as previous relevant UN seminars and studies.”

d. The North American Preparatory Session for UNPFII5 participants recommend the following concerns and issues as key topics be addressed during the UNPFII6 session:

- (1) The historic and current implications and impacts of the “Doctrine of Discovery” as practiced by the United States, Australia, and other settler governments;
- (2) The national and international legal standing of aboriginal title;

- (3) Indigenous Peoples' permanent sovereignty over natural resources including reviewing the implementation of the recommendations from the above mentioned UN Expert Seminar;
- (4) The application and implementation of the right to free, prior informed consent (FPIC).

e. Participants agreed that Treaties, Agreements and Constructive Arrangements between states and Indigenous Peoples are directly related to their rights to land, territories and natural resources. The rights affirmed in Treaties are cross-cutting issues that impact all six areas of the mandate of the Permanent Forum. Participants, therefore, recommend that Treaties be considered in the context of this discussion at the sixth session of the Permanent Forum. Specifically, participants:

- (1) Endorse the conclusions and recommendations from the 1<sup>st</sup> Expert Seminar on Treaties, Agreements and other Constructive Arrangements between States and Indigenous Peoples, held in Geneva, 15-17 December 2003
- (2) Support the second seminar to be hosted by the Maskwacis Cree First Nations in Treaty 6 Territory, Alberta, Canada, 25-27 September 2006
- (3) Recommend that the Permanent Forum in its 6<sup>th</sup> session review the recommendations from both of these seminars, in particular focusing on steps taken by Indigenous Peoples, States, and the United Nations system to ensure their implementation
- (4) Recommend that the Permanent Forum, in its capacity as a United Nations body under the Economic and Social Council formally submit the recommendations from these two UN seminars to the Hague, utilizing the appropriate protocols and requesting an advisory opinion from the World Court.

## **2. THE UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES AND THE RESTRUCTURING OF THE UNITED NATIONS**

a. Participants recognized that there are a range of views and positions, and also unanswered questions, among both Indigenous Peoples and states regarding the process for adoption of the Declaration within the UN as well as the existing texts.

b. Participants request that the Permanent Forum on Indigenous Issues at its 5<sup>th</sup> session call upon the United Nations Human Rights Council and all other UN bodies that may be required to address the UN Declaration on the Rights of Indigenous Peoples:

- (1) To recognize its utmost importance for Indigenous Peoples, their survival and well-being, as well as for the achievement of peaceful relations among nations and peoples

- (2) To ensure that the Declaration on the Rights of Indigenous Peoples which will be proposed for adoption by the UN General Assembly upholds the minimum standards necessary to promote, defend and recognize the rights of Indigenous Peoples and does not fall below the standards of rights already contained in international law.
- (3) To ensure that all deliberations on the Declaration on the Rights of Indigenous Peoples within the United Nations continue to include the real, effective and representative voices and participation of Indigenous Peoples at all levels.

c. Participants recommend that the UN Permanent Forum 5<sup>th</sup> session advise the UN Human Rights Council to implement structures, procedures and mechanisms which will ensure the effective and representative participation of Indigenous Peoples to defend their human rights and fundamental freedoms, and to redress violations of these rights.

### **3. INDIGENOUS PEOPLES AFFECTED BY INTERNATIONAL BORDERS**

a. Participants recognized that the current methods and procedures for enforcement of border control by the United States, Canada and Mexico violate the human rights, cultural rights, treaty rights, sovereignty, and, in some situations, the right to life of Indigenous Peoples and Nations, in particular of those divided by international borders between Canada and the United States and Mexico and the United States. Participants recognized and supported the important work being carried out by impacted Indigenous Peoples and States to address the continued serious problems resulting from current border enforcement and immigration policies.

b. Participants call upon the Permanent Forum to request reports and updates from these and other States, regarding the status and implementation of remedies, in particular where critical threats to the lives, safety and human rights of Indigenous Peoples have occurred.

c. Participants call upon the Permanent Forum to encourage that dialogues between States and Indigenous Peoples be expanded to include Indigenous Peoples and State parties from both border areas to ensure that remedies:

- (1) Are uniform and consistent
- (2) Are undertaken in conformity with international human rights standards, the rights affirmed in Treaties including the Jay Treaty and Lane Bull Treaty, and free, prior, and informed consent, and
- (3) Include the full participation and address the concerns of the affected Indigenous Peoples as well as States.

### **4. THE METHODS OF WORK OF THE PERMANENT FORUM ON INDIGENOUS ISSUES**

a. Participants reiterated their concerns regarding the effectiveness of the UN Permanent Forum on Indigenous Issues, and discussed ways to strengthen its mandate and role, while also recognizing the many important advances it had achieved to date in conjunction with Indigenous Peoples from around the world.

b. Participants were particularly concerned by the lack of effective engagement and response by States during past sessions and the lack of time dedicated for dialogue, exchange of views and development of solutions in response to recommendations and concerns presented by Indigenous Peoples. Participants, therefore, offer the following recommendations in order to maximize the effectiveness of the Permanent Forum on Indigenous Issues in future sessions:

- (1) Participants recognized and supported the assessment and conclusions of “The Analysis of the Recommendations and State of Implementation from the First Three Sessions of the UN Permanent Forum on Indigenous Issues and State of Implementation,” submitted by Victoria Tauli Corpuz and Wilton Littlechild to the 5<sup>th</sup> Session of the Permanent Forum. Participants supported in particular the recommendation in paragraph 30 suggesting the need to “rationalize” the large number of recommendations including collapsing similar recommendations into one and clustering recommendations under topic headings to facilitate discussions.
- (2) All participants in the UNPFII sessions should be strongly encouraged to submit regional and joint statements and recommendations. Written submissions should be made to the Secretariat of the Permanent Forum on Indigenous Issues in writing 90 days in advance of the next session. This will not preclude oral or written submissions on emerging or immediate crisis situations during the Permanent Forum sessions.
- (3) The Permanent Forum should request funding from ECOSOC to enable it to hold an intersessional meeting 60 days in advance of each session to review and organize the recommendations received and develop an agenda based on this process of consideration and rationalization.
- (4) The consolidated list of recommendations and issue areas to be considered at the next session should be published on the Permanent Forum website 30 days before the beginning of the next session in order to ensure adequate preparation by Indigenous, State, and UN agency participants. The full texts of the submissions received could also be made available on the PFII Web site.
- (5) Adequate time can then be devoted during the Permanent Forum sessions so that States and UN agencies can enter into dialogue with Indigenous participants regarding key recommendations and issue areas contained in the agenda, respond to concerns expressed, answer questions raised by participants and Permanent Forum members, provide updates on previously considered matters, and report on progress, implementation of previous recommendations and other recent developments.

c. Participants expressed serious concerns regarding ongoing reports of

Indigenous Peoples wishing to participate in Permanent Forum sessions who were not able to obtain visas to enter the United States. Representatives at this North America region preparatory meeting strongly encourage the Permanent Forum to request that ECOSOC work directly with the United States of America to ensure that participants to the Permanent Forum are not excluded for this reason. Participants also request the Permanent Forum members to meet with the United States directly to assess what can be done to facilitate the resolution of such problems.

d. Participants encourage the Permanent Forum to implement capacity building activities for Indigenous Peoples, UN agencies and States, in cooperation with Indigenous Peoples, in order to strengthen their effective participation in future sessions of the Permanent Forum. This is consistent with the recommendation in paragraph 46 of the “Report on the Expert Seminar on Indigenous Peoples’ Permanent Sovereignty over Natural Resources and their Relationship to Land.”

## **B. THE MILLENNIUM DEVELOPMENT GOALS (MDG’s) #’s 3 – 8**

### **1. GENERAL CROSS-CUTTING CONCERNS AND OBSERVATIONS REGARDING THE MILLENNIUM DEVELOPMENT GOALS**

a. Participants agreed that there is an urgent need to redefine the MDG’s to include the perspectives, concerns, experiences and worldviews of Indigenous Peoples, to better reflect their own definitions of poverty and development, and to ensure the full and effective participation of Indigenous Peoples in their implementation.

b. Participants challenge the paradigm regularly used by the UN and development agencies to divide Indigenous Peoples living in the so-called “developed” (industrialized) and “developing” countries. This distinction is not applicable and does not reflect the realities of Indigenous Peoples based on many factors and indicators including: health, life expectancy, incarceration rates, infant mortality rates, participation in decision-making that affects them and their ability to exercise their full right to development as Peoples.

c. Participants endorse and support the conclusions of the “Report of the International Expert Group Meeting on the Millennium Development Goals, Indigenous Participation and Good Governance” [E/C.19/2006/7] and the “Report of the Meeting on Indigenous Peoples and Indicators of Well-Being” [E/C.19/2006/CRP.3] and request that the Permanent Forum take note at its 5<sup>th</sup> session of their direct relevance to the consideration relating to the MDG’s.

d. Participants recognize that realization and implementation of the MDG’s for Indigenous Peoples are fundamentally impacted by denials of their rights to Self-determination, Permanent Sovereignty over their Lands, Territories and Natural

Resources and Free, Prior and Informed consent. Participants call upon the Permanent Forum to include this recognition as a primary point in its final report of this session.

e. Participants recognize that there have been important studies undertaken and the statistics gathered by Indigenous Peoples in their own communities which are directly relevant to the concerns addressed by the MDG's, and call upon the Permanent Forum to develop a database to compile such studies and statistics as well as best practices identified by Indigenous Peoples.

f. Participants recognize that the protection, preservation, transmission, and revitalization of ceremonial practices and places, Indigenous languages, traditional knowledge and cultural understandings addressing all aspects of the human life cycle, including child-birth, child-rearing, and passing of knowledge as well as natural world relationships between the generations play an instrumental role in supporting the attainment of the MDG's for Indigenous Peoples.

g. Participants recognize that the impacts of environmental contamination and degradation resulting in part from the ongoing prioritization of economic interests by States over the spiritual, cultural, health, and subsistence rights of Indigenous Peoples have direct and ongoing negative impacts on their ability to realize the MDG's.

h. Participants recognize and encourage the work of the Permanent Forum together with Indigenous Peoples to develop "indicators of well-being for Indigenous Peoples" as an important contribution to the understanding of the global community on key relevant issues as well as for the assessment of achievements related to the MDG's.

## **2.. SPECIFIC RECOMMENDATIONS TO UNPFII5 REGARDING IMPLEMENTATION OF MILLENNIUM DEVELOPMENT GOALS #'s 3-8**

**The participants in the North America Region preparatory session recommend that UNPFII5:**

### **a. RE: MDG #3 – "Promote gender equality and empower women"**

- (1) Recognize the need to promote and reinstate education systems and models that recognize and incorporate the leadership role, historic and current contributions, achievements, and responsibilities of Indigenous women from the community to the international levels.
- (2) Call upon States to report to the PFII on their compliance with the MDG goal of "eliminating gender disparity in primary and secondary education by 2005."



- (3) Call upon States, UN agencies, and Indigenous Peoples to recognize and support the important work and programs being developed and implemented by Indigenous women to defend the rights of Indigenous women and girls and to address domestic violence, sexual violence, and exploitation of Indigenous women and girls in their communities and worldwide.
- (4) Call upon States who have not done so to ratify the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), and to report compliance regarding Indigenous girls and women to the UN Permanent Forum on an annual basis.

**b. RE: MDG #4 – “Reduce child mortality”**

- (1) Support the work of the UN Committee on the Convention on the Rights of the Child in its development of a report on the status of Indigenous children worldwide, which is currently in the drafting phase, congratulate its efforts to get broad input from Indigenous Peoples and encourage wide dissemination of the final report to Indigenous Peoples, States, UN bodies and agencies.
- (2) Encourage the United States to ratify the Convention on the Rights of the Child and to encourage all others to report compliance regarding Indigenous children to the UN Permanent Forum on an annual basis.
- (3) Call upon Tribal governments and First Nation communities, States and agencies, in collaboration with Indigenous Peoples, to implement and share information about educational programs for young women, pregnant and nursing mothers and family members regarding impacts of environmental toxics, drugs, alcohol, cigarette smoking, and other preventable forms of contamination on pre-natal health.
- (4) Call upon States, especially industrialized countries such as the United States and Canada, to change their policies and practices in recognition of the detrimental impacts on pre-natal and post-natal health, birth defects and infant mortality rates of industrial environmental contaminants (mercury, lead, cyanide, radioactive waste, persistent organic pollutants, pesticides, etc.) as essential component of their compliance with this MDG.
- (5) Recognize the importance and relevance to this and other MDG's of the *“Treaty Right to Health”* contained in many treaties between States and Indigenous Peoples and to call for compliance with this provision as an essential component to achieving this and other MDG's.
- (6) Collect and compile data on the health disparities as well as rates of infant mortality between Indigenous Peoples and the general populations in all countries including industrialized countries such as the United States and Canada.
- (7) Request submission of data from Indigenous Peoples and State agencies on the rates of death and injuries among Indigenous and First Nation children in foster care placement in Canada, with special attention placed on deaths among infants and children with disabilities and special needs.

**c. RE: MDG #5 – “Improve maternal health”**

- (1) Call upon Tribal governments and First Nation communities as well as State and UN agencies, in collaboration with Indigenous Peoples, to implement educational programs for young women, pregnant and nursing mothers and family members regarding impacts of environmental toxics, drugs, alcohol, and other preventable forms of contamination on maternal health and future generations.
- (2) Call upon Indigenous Peoples to strengthen and revitalize the role of traditional midwives and healers, women's traditional ceremonies and cultural practices, and the passing of traditional knowledge between women elders and youth, as essential factors in the improvement of maternal health and vitality of future generations. Encourage States to provide support for such programs implemented and run by Indigenous Peoples and Indigenous women in their communities and to support and fund programs that ensure full access of Indigenous women, girls, and pregnant and nursing mothers to adequate health care facilities in their communities and elsewhere as needed.
- (3) Call upon the UN and its agencies as well as Indigenous Peoples and States to recognize the vital importance of Food Sovereignty and the Right of Indigenous Peoples to their own Means of Subsistence, including maintaining, protecting and strengthening traditional subsistence practices, cultural knowledge and food use, for the all-round health and wellness of Indigenous Peoples and especially for maternal health and health of unborn generations

**d. RE: MDG #6 – “Combat HIV/AIDS, malaria and other diseases”**

- (1) Recognize and urge states to consider that in many American Indian and Canadian First Nations communities HIV/AIDS is among the fastest growing diseases, especially among Indigenous youth; and call for immediate response to this growing crisis by Indigenous Peoples with the financial support of States, national and international agencies, including the identification and engagement, or if need be, the creation of culturally appropriate education and treatment programs for Indigenous communities, in particular in rural communities.
- (2) Recognize, collect data and encourage support by States of culturally appropriate programs designed and implemented by Indigenous communities, addressing disparities in the levels of diseases and other causes of death related to poverty, poor nutrition and despair among Indigenous Peoples, including obesity, diabetes, alcoholism, drug addiction and youth suicide.
- (3) Recognize the important positive role and contribution of exercise, including the promotion of Indigenous traditional games and sports for all ages and both genders, in maintaining health at all levels, combating many diseases and promoting physical, mental and cultural health and well-being in Indigenous communities; Support and endorse the *"Maggingen Commitment for Physical Education"* from the 2<sup>nd</sup> World Summit on Physical Education as well as the *"Maggingen Call to Action 2005"* adopted by the 2<sup>nd</sup> Maggingen Conference on Sport and Development. (The final report from this

international conference for the International Year of Sport and Physical Education was presented to Secretary General Kofi Annan April 3, 2006).

**e. RE: MDG #7 – “Ensuring environmental sustainability”**

- (1) Call upon states and international agencies to prioritize providing safe and clean drinking water in communities, currently not available in many rural Canadian First Nations and American Indian Reservations as well as in many Indigenous communities around the world.
- (2) Call upon the world community to recognize that water is a finite, sacred, precious, and non-renewable resource vital for all life.
- (3) Call for the adoption of national, international and tribal policies to prevent the depletion, contamination, privatization and commodification of water and to fully recognize the Human Right to Water.
- (4) Recognize that current national and international non-sustainable energy policies and practices accelerate global warming and climate change, impacting the subsistence rights and survival of Indigenous communities and jeopardizing the balance of the natural world; call upon States, Tribal and First Nations governments and international agencies to provide support for development of energy using renewable resources and sustainable methods.
- (5) Endorse and disseminate the Indigenous Peoples’ Declaration from the World Water Forum in March 2006 (Mexico City, Mexico) and the Indigenous Peoples’ Declaration from the World Summit on Sustainable Development in 2002 (Durban, South Africa), as directly relevant to the realization of this and other MDG’s.
- (6) Call upon the States which have not yet done so, in particular the United States and other industrialized countries, to adopt, ratify, and implement the Kyoto Protocols on Climate Change and the Stockholm Convention on Persistent Organic Pollutants, while also ensuring the protection and promotion of Indigenous rights.
- (7) Recognize the deadly effects of all stages of the nuclear chain on Indigenous Peoples, including uranium mining, testing, production of weapons and nuclear energy, and waste dumping and disposal; call on the international community to urge all States to abandon all such horrific and deadly forms of resource extraction which have particularly devastating impacts on Indigenous Peoples around the world.

**f. RE: MDG #8 – “Develop a global partnership for development”**

- (1) Affirm and reiterate that Self-determination, Free Prior and Informed Consent and accountability form the basis and prerequisite for any relationship which can be called a true partnership for development; call upon all parties including States, Indigenous Peoples, UN bodies, international development agencies (i.e. the World Bank and IFAD), corporations and the private sector as well as civil society, to uphold and be held accountable to these vital principles.

- (2) Recognize that the themes of the 1<sup>st</sup> and 2<sup>nd</sup> International Decades of the World's Indigenous Peoples emphasize the development of partnerships between States, UN bodies and agencies and Indigenous Peoples for the full realization of their Plans of Action, while also acknowledging that the 1<sup>st</sup> International Decade fell short of realizing and putting into practice a true partnership based on mutual recognition and respect.
- (3) Request the submission by the UN Secretary General of an annual progress report at each PFII session in relation to the goals and Plan of Action for the 2<sup>nd</sup> Decade.
- (4) Recognize, endorse and include the recommendations contained in the final report from the United Nations Permanent Forum Workshop on Partnership Visions for The Second International Decade of the World's Indigenous Peoples February 13 - 17, 2006 in Nuuk, Greenland, which affirm that:

*“During the Second International Decade of the World's Indigenous Peoples all relevant actors are urged to establish, develop and promote strong partnerships among Indigenous Peoples. Governments and inter-governmental bodies, agencies, funds and programmes, non-governmental organizations and the private sector. The Programmes of Action of the Second International Decade and the draft universal declaration on the rights of Indigenous Peoples, when adopted, should serve as the basic frameworks for such partnerships. The creation of national tripartite bodies, which include representatives of Government, United Nations' agencies and Indigenous Peoples, to formulate and implement national programmes for the Second Decade is encouraged as one form of such partnerships.”*

- (5) Underscore that the Reports of the “Meeting on Indigenous Peoples and Indicators of Well-Being” and the “International Expert Group Meeting on the Millennium Development Goals, Indigenous Participation and Good Governance”, previously endorsed in this report, contain important elements for defining and measuring true partnership between States, UN agencies and Indigenous Peoples. For example, paragraph 14 of “The Report of the Meeting on Indigenous Peoples and Indicators of Well-Being” states:

*“Experts described the need for the proposed Core Theme of indigenous peoples' political participation to go beyond measuring token processes of consultation. The full integrity of the meaning of partnership was suggested as a more meaningful standard for measuring indigenous peoples' political involvement. It was suggested that this standard would also aim to capture measurement of reciprocal, shared and/or mutual accountability between states and indigenous peoples.”*

- (6) Finally, recognize and affirm that treaties are both examples of and a basis for partnerships between State and Indigenous Nation Parties; and recall, when considering the matter of debt and Indigenous Peoples under this MDG, the

statement made by the UN Special Rapporteur on Treaties, Agreements and Constructive Arrangements between States and Indigenous Peoples, Dr. Miguel Alfonso Martinez, in paragraph 255 of his final report [E/CN.4.Sub.2/1999/20]:

*“The Special Rapporteur is fully convinced that the overall Indigenous problematique today is also ethical in nature. He believes that humanity has contracted a debt with Indigenous Peoples because of the historical misdeeds against them. Consequently, these must be redressed on the basis of equity and historical justice. He is also very much aware of the practical impossibility of taking the world back to the situation existing at the beginning of the encounters between Indigenous and non-Indigenous Peoples five centuries ago. It is not possible to undo all that has been done [both positive and negative] in this time-lapse, but this does not negate the ethical imperative to undo (even at the expense, if need be, of the straitjacket imposed by the unbending observance of the rule of [non-Indigenous] law”) the wrong done, both spiritually and materially, to the Indigenous Peoples.” (emphasis added)*

**North American Region Preparatory Session for the  
Permanent Forum on Indigenous Issues 5<sup>th</sup> Session**  
April 29-30, 2006, University of Minnesota Law School

**ANNEX A. Participant List (with Indian Nation if applicable and  
organization/Nation represented)**

1. Sunshine Archambault, Lakota Nation, Heart of the Earth School
2. Patricia Bellanger, White Earth Ojibwe Nation, International Indian Treaty Council
3. Vernon Bellecourt, Anishinabe/Ojibwe Nation, American Indian Movement
4. Andrea Carmen, Yaqui Nation, International Indian Treaty Council
5. Robert Coulter, Potawatomie Nation, Indian Law Resource Center\*\*
6. Darrell Drapeau, Yankton Sioux Nation, Yankton Sioux Tribe Treaty Steering  
Committee
7. Mary Beth Faimon, Southwest Minnesota State University
8. Petuuche Gilbert, Acoma Pueblo, Indigenous World Association
9. Darwin Hill, Tonawanda Seneca Nation, Haudenosaunee
10. Sid Hill, Onondaga Nation, Haudenosaunee
11. Terry Janis, Lakota Nation, Indian Land Tenure Foundation
12. John Kearney, Consultant for American Indian Treaty Council
13. Ron Lameman, Beaver Lake Cree Nation, Confederacy of Treaty Six First Nations &  
International Indian Treaty Council
14. Myron Lameman, Beaver Lake Cree Nation, Youth representative, International  
Indian Treaty Council
15. LeMoine LaPointe, Lakota Nation, Minneapolis American Indian Center
16. Noel Lee, St. Paul Neighborhood Network (video)
17. Wilton Littlechild, Ermineskin Cree Nation, International Organization of Indigenous  
Resource Development; Permanent Forum on Indigenous Issues
18. Oren Lyons, Onondaga Nation, Haudenosaunee
19. Craig Makinaw, Ermineskin Cree Nation
20. Chris Mato Nunpa, Dakota Nation, Southwest Minnesota State University
21. Bill Means, Oglala Lakota Nation, International Indian Treaty Council
22. Wendell Nicholas, Maliset, Assembly of First Nations, Canada
23. Stuart Patterson, Tuscarora Seneca
24. Manuel Pino, Acoma Pueblo, Scottsdale Community College, Indigenous  
Environmental Network
25. Kristi Rudelius-Palmer, University of Minnesota Human Rights Center
26. Paul Smith, Oneida Nation of Wisconsin, Heifer International Indian Nations  
Initiative
27. Jackie Warledo, Seminole Nation of Oklahoma, Seminole Sovereignty Protection  
Initiative/International Indian Treaty Council

\*\* Mr. Coulter participated in the first day only of this two-day meeting, and therefore he requested that the Rapporteurs note that he/ILRC was not present and did not participate when the final conclusions and recommendations were discussed on the 2<sup>nd</sup> day.