

PHH 231

Permanent Forum on Indigenous Issues
May 16th to May 27th, 2011
UN Headquarters, New York, NY
North American Indigenous Peoples Caucus Statement

Agenda Item 8: World Conference on Indigenous Peoples

Presented by Kenneth Deer, Mohawk Nation, Indigenous World Association

Madam Chair,

We would like to begin by thanking the Government of Bolivia for its initiative in proposing a World Conference on Indigenous Peoples, along with the States who cosponsored the resolution and the UN Third Committee members who voted in favour.

The idea of the World Conference on Indigenous Peoples is an intriguing one. It inspires visions of a world body holding discussions about the rights of Indigenous Peoples with representatives of States and Indigenous Peoples on an equal footing. A venue where the Charter of the United Nations can be implemented "to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, and to promote social progress and better standards of life in larger freedom."

Also, keeping in mind Article 2 of the Universal Declaration on Human Rights which reads, "Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status."

We believe that Indigenous Peoples can benefit from a world conference as long as Indigenous representatives have full and equal participation, without discrimination, in all areas and levels of the planning, preparatory meetings, development of the agenda, the conference itself and, most importantly, in the development and finalization of any Declaration and Plan of Action produced.

The UN Declaration on the Rights of Indigenous Peoples affirms in **Article 18** that Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions."

Also of relevance is preambular paragraph 24 which, "*Solemnly proclaims* the ... Declaration on the Rights of Indigenous Peoples as a standard of achievement to be pursued in a spirit of partnership and mutual respect" and preambular paragraph 15

which states, “*Considering also* that treaties, agreements and other constructive arrangements, and the relationship they represent, are the basis for a strengthened partnership between indigenous peoples and States.”

Since one of the stated objectives of the World Conference is to review best practices for the implementation of the Declaration on the Rights of Indigenous Peoples, it will be essential that the planning, organization, structure and execution of the conference be in itself an example of a best practice, based on full cooperation, collaboration and real partnership between Indigenous Peoples and States.

We support the inclusion of the members of the Permanent Forum on Indigenous Issues, the members of the Expert Mechanism on the Rights of Indigenous Peoples and the Special Rapporteur on the Rights of Indigenous Peoples in the consultation process of the conference. Added to these UN experts, we urge the inclusion of direct representation by Indigenous Peoples.

Since Indigenous Peoples are marginalized and are of the poorest in the world, it would be necessary to develop a fund to finance Indigenous representation to all the preparatory meetings and the conference itself.

As it is very early in the process of developing this World Conference, we look forward to offering additional recommendations as the process moves forward. We will maintain our call for a transparent, open and fully participatory process.

The North American Region calls upon the Permanent Forum to recommend to the UN General Assembly through ESOSOC that these criteria be accepted as the basis for work on the World Conference, in keeping with the spirit and content of the UN Declaration on the Rights of Indigenous Peoples.

Finally, we wish to encourage all States, UN Agencies, NGOs, Foundations and other actors to support this world conference as an opportunity to support full implementation and realization of the rights of Indigenous Peoples of the world, in partnership and with respect.

Thank you, Madam Chair