

United Nations Permanent Forum on Indigenous Issues 16th session, April 24 - May 5, 2017
Agenda Item 11, Follow up to the Outcome Document of the World Conference on Indigenous Peoples
Intervention by the International Indian Treaty Council, presented by Andrea Carmen

Thank you Madame Chair. The reports of the 14th and 15th sessions of the Forum included recommendations for implementing OP 27 of the WCIP Outcome Document committing States "to developing, in conjunction with the indigenous peoples concerned, fair, transparent and effective mechanisms for access to and repatriation of ceremonial objects and human remains at the national and international levels." Articles 11 and 12 of the UN Declaration also call for return of Indigenous Peoples' cultural property taken without their free prior and informed consent or in violation of their laws, traditions and customs.

Examples of progress made in response to the specific recommendations in paragraphs 46 and 47 of the Permanent Forums' report on its 16th session include:

1. Dialogue between EMRIP, UNESCO and Indigenous Peoples during EMRIP's 6th session regarding the recommended joint seminar;
2. Meetings with National Museums and Indigenous Peoples to discuss repatriation of specific items as well as these museums' role in the new mechanism and international data base;
3. Formal presentations by IITC and EMRIP to the subsidiary body of UNESCO's 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property in September 2016, the first time Indigenous Peoples or an Indigenous-focused UN body had been invited to present to this body. Discussions with UNESCO on implementation of the data base, the joint seminar and new regulations to curtail international transport of Indigenous Peoples' sacred items are in process.

Despite these advances, international repatriation remains challenging and slow. The need for this new mechanism remains critical for Indigenous Peoples around the world. For example, despite renewed dialogue between Yaqui cultural leaders, the Swedish government and its National Museums of World Culture, our sacred Yaqui maaso kova remains in captivity across the ocean with no date set for its return.

We appreciate the consistent support of the Permanent Forum through its past resolutions which have, along with the commitment of other UN experts and the persistence of Indigenous Peoples, contributed greatly to the progress made to date. We call on the Forum to make a recommendation for continued and accelerated progress in the year to come, including at the Expert Group Meeting on Indigenous Peoples Rights to their Cultural Heritage planned for October at the University of Helsinki in Finland.

We also hope to report to the next session the return from Sweden of our beloved Maaso Kova, a sacred living being instrumental to Yaqui spiritual life and cultural identity. Choeque Utesia.