

UN Permanent Forum on Indigenous Issues

Tenth session

New York, 16 – 27 May 2011

Joint Statement by the North America Indigenous Peoples caucus

Agenda Item 4 (a): Implementation of the United Nations Declaration on the Rights of Indigenous Peoples

Presented by Shannon Rivers – Akimel O’otham, Gila River

Thank you Madam Chair,

Indigenous Peoples of North America have begun the implementation of the UN Declaration on the Rights of Indigenous Peoples as an act of Sovereignty and Self Determination. On March 18 & 19th 2011 the North American Indigenous Peoples Caucus convened in Blue Lake, California on the traditional territories of the Wiyot Nation.

The North America Indigenous Peoples Caucus observed that Canada and the United States have finally expressed their support for the UN Declaration. However, both States also issued official documents that attempt to limit and qualify their endorsements and to redefine essential recognitions of the rights of Indigenous Peoples.

We strongly reject these attempts to qualify the implementation of Declaration by the US and Canada. We also express concern that key UN processes have failed to provide mechanisms and procedures for Indigenous Peoples’ full and effective participation, and to ensure a meaningful role in their decision-making and policy development.

The recommendations of the North America Indigenous Peoples Caucus on this important issue of Implementation of the Declaration are as follows:

1. The establishment by the UNPFII of a searchable database of best practices demonstrating the ways in which the Declaration is being implemented by States, agencies and Indigenous Peoples, as well as the development of an annotated bibliography that connects the provisions of the Declaration with specific instruments of international law, including charters, conventions, legal opinions, Treaties and Agreement, and the writings of legal scholars.
2. Support by the UN system for the efforts of Indigenous Peoples and Nations to implement and enforce the standards set forth in the Declaration in a variety of forums, including the formal and informal educational systems of indigenous nations, the legislative and governance acts and decisions of indigenous bodies, and the decisions of indigenous judicial bodies. This includes a specific recommendation that the UNPFII create courses emphasizing ongoing training and knowledge dissemination so that Indigenous Peoples can gain crucial understandings related to the history and future of the Declaration, focusing on a hands-on approach to the education about the Declaration for empowerment of Indigenous youth.
3. That the UNPFII recommend that UNICEF and other relevant UN agencies assess their mission statements and work to acknowledge and assist all Indigenous Peoples, both in the “developing” and the “developed” States.

4. That the UN PFII call upon all States to immediately abandon existing policies which claim to extinguish or have the effect of extinguishing indigenous children's rights to the land, territories and resources, in particular, policies such as Comprehensive and Specific Claims policies in Canada that require the extinguishment of Aboriginal and Treaty Rights as a prerequisite to Land Rights settlements. We further recommend that all States ratify and implement the UN Convention on the Rights of the Child, using the UN Declaration on the Rights of Indigenous Peoples as a guideline for implementing its provisions to address the rights of Indigenous children, and report on progress to each session of the UNPFII.

.Members of the UNPFII, brothers and sisters, we thank you for listening to these words that reflect the urgent concerns of our Peoples. To the Original Peoples of this territory, we thank you for hospitality and your generosity,

Thank you.