

United Nation Permanent Forum on Indigenous Issues: 16th Session
Agenda Item #8: Tenth anniversary of the United Nations Declaration on the Rights of Indigenous Peoples: measure taken to implement the Declaration

AIM-West Delegate Thank you Madame Chair

My name is David Garcia as a member of The Tohono O'odham Nation. Human Rights Violations in Arizona, Related to International Migration:

- 1) Violations of the Rights of Citizens and Legal Residents
- 2) Violations of the Rights of Migrants and members of their families
- 3) Violations of the Rights of Citizens of the Tohono O'odham Nation and other Indigenous Peoples.

Under the United Nations Declaration on the Rights of Indigenous Peoples

Article 4

Indigenous peoples, in exercising their right to self-determination have the right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways of means for financing their autonomous functions

Article 5

Indigenous peoples have their right to maintain and strengthen their distinct political, legal, economic, social, and cultural institutions, while retaining their rights to participate fully, if they choose, in the political, economic, social, and cultural life of the state.

Article 36

1) indigenous Peoples, in particular those divided by International borders, have the right to maintain and develop contacts, relations, and cooperation, including activities for spiritual, cultural, political, economic, and social purposes, with their own members as well as other people across borders.

2) States, in consultation and cooperation with Indigenous peoples, shall take effective measure to facilitate the exercise and ensure the implementation of this right.

Madam Chair

We have tribal members who live in the State of Sonora, in the country of Mexico. On February 8, 2017 The Tohono O'odham Nation passed Resolution 17-053 opposing the contraction of a physical wall on the nation's southern boundary.

The National Congress of American Indians also opposes the use of so-called Sections 102(c) waivers under The Illegal Immigration Reform and Immigrant Responsibility Act of 1996, which allow the Secretary of Homeland Security to waive all legal requirements that he determines necessary to ensure the expeditious constructions of border barriers and roads.

In closing Madam Chair, My delegation congratulates this form on the 10 Year Anniversary of the Declaration on the Rights of Indigenous Peoples and look forward in the USA for a National Action Plan to help assure its implementation.

In this regard we recommend on this body to initiate a preliminary study of a “Convention on the Rights of Indigenous Peoples” as it being a “procedural democratic” process within these United Nations.

Thank you Madam Chairperson