

Fourteenth Session of the United Nations Permanent Forum on Indigenous Issues (UNPFII), 20 April - 1 May 2014, United Nations Headquarters, New York, NY, USA

Item 8: Future work of the Permanent Forum (discussion on methods of work)

Joint Intervention: The American Indian Law Alliance; the Haudenosaunee; the Seventh Generation Fund for Indigenous Peoples; Tonatierra; Sacred Places Institute for Indigenous Peoples; Southern Diaspora Research and Development Center; Indigenous Network on Economies and Trade; Te Iwi o Ngā Ariki Kaiputahi, Manhatu; Coastal Band of the Chumash Nation; the Ingrid Washinawatok El-Issa Flying Eagle Woman Fund for Peace, Justice and Sovereignty; Loretto Community; WESPAC Foundation; the Connie Hogarth Center for Social Action.

Presented by Ms. Betty Lyons (Onondaga Nation), April 23, 2015

My original name is Gaen hia uh, known to you as Betty Lyons and I am a proud citizen of the Onondaga Nation and President of the American Indian Law Alliance. I am giving this joint intervention on behalf of a number of Indigenous Nations and organizations.

Madame Chair;

We are seeing a troubling trend regarding the methods and processes of work within the United Nations. We are deeply concerned that a lack of full, equal and effective participation is the norm concerning Indigenous peoples in the UN fora. This is in direct violation of our inherent right to Self Determination, the UNDRIP and the United Nations Charter.

Changes in Process, Without our Free, Prior and Informed Consent

We find it concerning that changes have been made to the formal process of presenting interventions, which have been in place until now, as well as the speaking order during this Fourteenth Session of the UNPFII. These changes are not congruent with what is presented on the UNPFII website and no explanation has been given for this procedural change and has created animosity and a deeper division in relationships between Indigenous Nations and Indigenous Peoples and Member States.

There is an expectation arising from past procedures and processes, that global and regional caucus statements would be given priority.

Indigenous Peoples traveled to meet prior to the opening of the UNPFII, as we have done since the inception of the UNPFII. Indigenous Peoples make this trip with limited resources and at great hardship in leaving our families, our lands and our communities to gather together with other members of our caucuses to prepare thoughtful interventions. We recognize the tremendous amount of time and care that went into preparing these documents by the participants, presenters and co-chairs for these interventions to be heard and to speak in our own voices.

We reviewed the Concept Note on Methods of Work in advance of the Fourteenth Session and there is no mention of any change in procedures regarding caucus statements.

Democracy is Messy, But it is Inclusive

We are concerned that continual and unannounced changes to the procedures of the UN without Indigenous Peoples free, prior and informed consent diminishes and prevents our full, equal and effective participation.

We fear organizations which have a direct affiliation with UN Member States will be given priority to speak and participate above Indigenous Nations and Peoples who are independent of UN Member States.

After having our voices stifled for hundreds of years as we watched the systematic taking of our lands, resources and many other unspeakable atrocities that began as a result of the Doctrine of Discovery, the suggestion by some Member States that only a select few be allowed to voice concerns regarding human rights violations is unacceptable. This is in direct violation of the UNDRIP Articles 1, 2 and 3.

We note these changes are exactly in line with proposals from a number of Member States; as they look to impose greater restrictions of who can speak and who can attend the UNPFII. It is becoming evident that some Member States want us to be seen and not heard.

This new process of not allowing Indigenous Peoples a voice at the UNPFII is the continual practice of the mindset of the Doctrine of Discovery and the practice of 'rights ritualism.' More importantly, it creates an oppressive and pejorative atmosphere.

Doctrine of Discovery's Continual Impact

We assert that the Doctrine of Discovery and its practices are still alive and well. The policies and practices of many Member States reflect this in their statements and actions.

This was no more evident than during the High Level Plenary Meeting known as the World Conference on Indigenous Issues (23-24 Sept 2014) and here at the UNPFII. The UNPFII was created by Indigenous Peoples for the purpose to voice our opposition to egregious human rights violations.

We remind the UNPFII that it was in fact under the request of the UNPFII that we as Indigenous Peoples and Indigenous Nations make collective statements through caucus interventions, in an effort to express collective views under a single intervention.

We are all here as Indigenous Nations and Peoples to unite and speak for ourselves in the international arena at the United Nations. Our voices and concerns are important. We are peoples equal to all other peoples and as such, have the right to be heard in the international fora.

In the spirit of honoring my Aunt Tonya Gonnella Frichner I feel compelled to remind everyone here of our mandate as Indigenous peoples and our responsibilities to Mother Earth and to the next seven generations.

We have a responsibility to speak for things in the Natural World that do not have a voice: the water, the air, the plants, the fish and four legged. They are screaming and they are not being heard. When Indigenous Peoples' voices are stifled, so are theirs.

RECOMMENDATIONS:

We formally request an explanation and documentation on the decision making process that created this change in procedure. Indigenous Peoples have the right to be included in any proposed changes that may affect our participation in the processes of the United Nations.

There is a need to develop a process for the implementation of UNPFII recommendations, as we are currently relying on Member States to 'do the right thing.' We must begin with the full implementation of the UNDRIP by Member States and the UN system.

We are not inherently opposed to changes in the process of the work, only the lack of transparency and the lack of full, equal and effective participation. We agree that reforms are needed to propel this work forward. But in closing, as my Uncle, Onondaga Nation Faithkeeper Oren Lyons always says, if you are not at the table, you are on the menu.