

**United Nations Permanent Forum on Indigenous Issues Tenth Session**

**New York, 16<sup>th</sup> – 27<sup>th</sup> May, 2011**

**Agenda item: 4. Human rights: (b) Dialogue with the Special Rapporteur; and Dialogue with the UN Expert Mechanism on the Rights of Indigenous Peoples**

**North America Regional Statement**

**Presented by Mark Anquoe, Kiowa Nation, International Indian Treaty Council**

Thank you Madame Chair.

Indigenous Peoples of the North America region express our sincere appreciation for the important work of the UN Rapporteur on the Rights of Indigenous Peoples and the Expert Mechanism for the Rights of Indigenous Peoples. These mechanisms continue to uphold and defend the rights of Indigenous Peoples and provide vital assistance in addressing critical human rights concerns of Indigenous Peoples in North America and around the world.

On March 18<sup>th</sup> and 19<sup>th</sup>, 2011 Indigenous Peoples and organizations from North America gathered at Blue Lake in Northern California to discuss a number of urgent concerns and propose recommendations to this session of the Permanent Forum. The report of this preparatory meeting is posted on the web page for the 10<sup>th</sup> session as CRP 5.

In its report, the North America region reaffirmed the vital importance of the Treaties which were concluded between Indigenous Nations and settler governments or their successors in accordance with Article 37 and various other articles and preambular paragraphs of the UN Declaration. Key recommendations include:

1. "The North America Indigenous Peoples caucus recognizes that while the EMRIP has accepted the report of the Second Seminar on the Treaty Study, other avenues to implement the recommendations of the Treaty Study should also be pursued including the International Court of Justice."
2. "Treaty Peoples must give their free, prior and informed consent to any change in the treaty relationship... The North America Indigenous Peoples caucus therefore recommends that future work include a comprehensive discussion of Indigenous Peoples' understanding and interpretation of treaties between our peoples and settler societies."

The Indigenous Peoples from the North America region at UNPFII 10 thank the EMRIP members for their work on the Study on the Right to Participate in Decision-making and in particular their strong affirmation for the Right to Free Prior and informed Consent as well as the Treaty relationship as a basis for participation in decision-making in matters that would affect our rights in accordance with Article 18 of the UN Declaration. We also express our profound appreciation for the commitment of the UN rapporteur on the Rights of Indigenous Peoples to

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address critical and urgent human rights situations in our region addressing protection of sacred sites, border rights, lack of free prior informed consent, extractive industries, and others urgent matters which have been raised by the Lipan Apache, Chickaloon Village in Alaska, and the Ohlone in Northern California, among others.

In closing Madame Chair, we express strong support for the recent statements issued by the San Carlos Apache Tribe and the family of the esteemed Apache leader Geronimo stating their vehement objection to the use of the name Geronimo as a military euphemism for Osama bin Laden by the United States government. The North America Indigenous Peoples caucus supports their concerns, and requests assurance from the US and all States that the names of respected past and present Indigenous leaders, and Indigenous Peoples, not be used in a racist or derogatory manner again.

Thank you.