

Dr Rawiri Taonui
Professor of Māori and Indigenous Studies
College of Humanities and Social Sciences & Global Centre for Indigenous Leadership
Massey University
New Zealand

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Submission regarding the Tenth Anniversary of the United Nations Declaration on the Rights of Indigenous Peoples: Measure taken to implement the Declaration

25 April 2017 Afternoon Session
- 16th Session of the UN Permanent Forum on Indigenous Issues, New York.

Preamble

Tēnā ka whakamihi i a koutou ngā tūngane me ngā tuāhine o ngā iwi taketake. Greetings indigenous brothers and sisters of the Permanent Forum.

Madam Chair, I commend the United Nations and the Permanent Forum on the 10th Anniversary, the report outlining progress since 2007, the Member States who endorse the Declaration,¹ particularly those who have overcome the self-inflicted trauma of their previous opposition or abstention, the *System-wide Action Plan* to lift the participation of Indigenous Peoples within the United Nations and the comments yesterday that Indigenous Peoples will not be left behind under Agenda 2030.

Acknowledgements

Anniversary

I commend the United Nations, the Economic and Social Council and the Permanent Forum on Indigenous Issues on the initiative to celebrate the 10th anniversary of the signing of the UN Declaration of the Rights of Indigenous People (2007).²

Tenth Anniversary

We acknowledge the world wide progress as summarised in the report of the Permanent Forum on Indigenous Issues *Tenth Anniversary of the United Nations Declaration on the Rights of Indigenous peoples: measures taken to implement the Declaration*.³

Member States

1Declaration on the Rights of Indigenous Peoples (UNDRIP 2007).

2UN General Assembly, Resolution 61/295, *UN Declaration on the Rights of Indigenous Peoples*, 107th Plenary meeting, 13 September 2007.

3UN Permanent Forum on Indigenous Issues, 2017, *Tenth Anniversary of the United Nations Declaration on the Rights of Indigenous peoples: measures taken to implement the Declaration*, E/C. 19/2017/4.

We also commend the member states who have endorsed the Declaration, including: the original 143 signatories; the United States, Australia, New Zealand and Canada who have reversed their original opposition and now support the Declaration; those States who abstained in 2007 and now also support the Declaration, such as Samoa and Colombia; the *Outcome Document of the Durban Review Conference* in which 182 States declared their support for the Declaration,⁴ and Resolution 69/2 of the UN General Assembly in 2014 adopting the outcome document of the World Conference on Indigenous Peoples.⁵

UN System

We also recognise the progress within the UN system through the office of the Special Rapporteur on the Rights of Indigenous Peoples, the Permanent Forum on Indigenous Issues (PFII) and the Expert Mechanism on the Rights of Indigenous Peoples (EMRIP) and as encapsulated in the *System Wide Action Plan* from the Inter-Agency Support Group on Indigenous Issues (IASG).⁶

2030 Indigenous Peoples and Sustainable Development

We also acknowledge from Mr. Lenni Montiel, Assistant Secretary-General for Economic Development, Department of Economic and Social Affairs, the comments yesterday about Indigenous Peoples within *The 2030 Agenda for Sustainable Development* that “no one is left behind”.⁷

Indigenous Peoples

Most importantly, I acknowledge the commitment of our brothers and sisters and who work, struggle and strive to promote, protect, advance and advocate the rights of indigenous communities.

Most recently, in the New Zealand context I salute the initiative in 2015 of the Iwi Leaders Group to establish Matike Mai Aotearoa an independent UNDRIP monitoring mechanism on the Declaration in New Zealand, and, in 2016 the New Zealand Human Rights Commission launch series of the “Forum on the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) – Past, Present and Future”.

⁴UN Office of the High Commissioner for Human Rights, *Outcome Document of the Durban Review Conference*, 24 April 2009, paragraph. 73: *Welcomes* the adoption of the UN Declaration on the rights of indigenous peoples which has a positive impact on the protection of victims and, in this context, urges States to take all necessary measures to implement the rights of indigenous peoples in accordance with international human rights instruments without discrimination..

⁵UN General Assembly, Resolution 69/2, 22 September 2014, adopting the *Outcome Document of the High-level meeting of the General Assembly known as the World Conference on Indigenous Peoples*.

⁶Inter-Agency Support Group on Indigenous Issues, October 2015, *System Wide Action Plan for ensuring a coherent approach to achieving the ends of the Declaration on the Rights of Indigenous Peoples*, New York, UN.

⁷See: Statement by Mr. Lenni Montiel, Assistant Secretary-General for Economic Development, Department of Economic and Social Affairs, 16th Session of the UN Permanent Forum on Indigenous Issues, 24 April 2017; UN General Assembly, Resolution 70/1, 25 September 2015, *Transforming Our World: the 2030 Agenda for Sustainable Development*; and *UN Permanent Forum on Indigenous Issues – Together we Achieve* (nd).

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Recommendations

I have two recommendations:

1. *The System-wide Action Plan*

The General Assembly resolution adopting the *Outcome Document from the 2014 World Conference on Indigenous Peoples* paragraph 31 established the Plan to be “within existing resources”.⁸

The UN is a large organisation and challenging to navigate. Outside of the key indigenous agencies the level of awareness and understanding of indigenous issues and person-to-person skills requires strengthening to a level commensurate with our not being left behind in 2030.

The recommendation therefore is to amend the endorsement to: “apply existing and where necessary increased resources at levels appropriate to facilitating the better participation of Indigenous Peoples within the UN system commensurate with goals under the Declaration and Agenda 2030”.

2. In the context of Member States.

Noting the reply from Member States in paragraph 21 item 3 of the provisional agenda: that one of the main challenges they face is “the high number of annual recommendations” without “specific targets”.⁹

The recommendation is that “If Indigenous Peoples are not to be left behind by 2030, the Permanent Forum request specific action plans from Member States working in conjunction with Indigenous Peoples, both generally and specifically country by country in the form of targets. These action plans to include specific foci on Article 3 of the Declaration regarding the Right to Self-determination, and, the principle of “free, prior and informed consent” under Articles 10, 11.2, 19, 28 and 29.2 of the Declaration.

These Articles are among the most important for the advancement of Indigenous Peoples and integral to our not being left behind by 2030.

Announcements

In many ways the indigenous future will be written by indigenous peoples ourselves, working within our communities, and working at national and international levels. It is about relationships, bringing experience and expertise together to educate and empower our people.

⁸UN General Assembly, 22 September 2014, Resolution 69/2 adopting the *Outcome Document from 2014 World Conference on Indigenous Peoples*, paragraph 31 (above).

⁹Permanent Forum on Indigenous Issues, Sixteenth session New York, 24 April-5 May 2017, Item 3, *Follow-up to the recommendations of the Permanent Forum Compilation of information from Member States on addressing the recommendations of the Permanent Forum*.

Global Centre for Indigenous Leadership

In the New Zealand context, it is an honour to announce on behalf of the Director Professor Selwyn Katene the preliminary forming of the Global Centre for Indigenous Leadership a nine-university indigenous-led cooperative venture to establish a centre to share experience and expertise and educate and empower and indigenous leaders and their communities.¹⁰

Tenth Anniversary New Zealand

It is also my pleasure to announce on behalf of the Global Centre for Indigenous Leadership and Ngā Pae o te Māramatanga – the New Zealand Centre of Māori Research excellence the holding of the 10th Anniversary of the Signing of the Declaration of the Rights of Indigenous Peoples on 4th and 5th September 2017 at Waipapa Marae at the University of Auckland.

Heoi anō, indigenous brothers and sisters of the Permanent Forum, tēnā koutou katoa

Dr Rawiri Taonui

Indigenous subtribes of Te Hikutū, Te Kapotai, Ngāti Rora, Te Aupouri, Ngāti Te Taonui

My University Web: <http://www.massey.ac.nz/massey/expertise/profile.cfm?stref=751350>

My LinkedIn: <https://www.linkedin.com/in/rawiri-taonui-957a502a>

My Facebook: <https://www.facebook.com/drrawiri.taonui>

My Blog: <http://drrawiritaonui.blogspot.co.nz/>

My Web: <http://rawiritaonui.com/>

¹⁰Katene, S. December 2016, Global Centre For Indigenous Leadership – Discussion Document, Massey University; February 2017, Global Centre For Indigenous Leadership - Planning Workshop Report, Massey University.