

United Nation Permanent Forum on Indigenous Issues Seventh Session  
New York, April 21 to May 2, 2008.

North America Indigenous Peoples Regional Statement

Agenda Item 8: Ongoing priorities and themes and follow-up:

*(a) Indigenous children and youth and (c) Urban indigenous peoples and migration.*

Presented by Céleste McKay

**Respectful Greetings Madame Chair and all delegations.**

This statement is an excerpt of the written report submitted by the North America Region Preparatory Meeting for the United Nations Permanent Forum on Indigenous Issues 7<sup>th</sup> Session (UNPFII7) held February 22 – 23, 2008, Coast Salish Territory, Vancouver, British Columbia, Canada, attended by 49 representatives from 38 Indigenous Nations and organizations from North America (United States and Canada). The report in its entirety is available as Conference Room Paper (CRP) 4 in the official documents for this session [E/C.19/2008/CRP.4].

Addressing agenda item 8, "*Indigenous Children and Youth and Urban Indigenous Peoples and Migration*", the participants in this meeting from the North American region respectfully express the following to this session of the UNPFII:

***(a) Indigenous children and youth***

1. Participants expressed their strong concerns regarding the future impacts of climate change on the lives of children, youth and future generations as a central focus of the discussion on this issue, as well as all other themes addressed by the UNPFII.
2. Participants stressed the urgent need to address the ongoing dire situation of children in State custody in the Canadian foster care system, which constitutes a program for the ongoing removal of Indigenous Children from their communities in Canada and results in widespread abuse, social problems among youth, further loss of culture and language, and many unexplained deaths. Participants were informed that the Canadian government estimates that currently one in eighteen Indigenous children are in State foster care custody – a rate that is even higher than the period of the residential schools.
3. Participants expressed their support for the upcoming National Forum on Permanency Planning for Aboriginal Children in Care, which is being planned for August 2008 in Garden River, Ontario. The participants also commended the Shingwauk Education Trust, which is planning this important national forum aimed at informing a national strategy and supporting Aboriginal service agencies as they work to protect kinship institutions and implement the best plan possible for the thousands of Aboriginal children in care.
4. Participants expressed their support for the right of Indigenous youth to sexual education as a critical component of the right to sexual health, and the work being

carried out in this area, including by Indigenous youth. Participants working in this field reported that Indigenous youth face disproportionately high rates of teen pregnancy, sexually transmitted infections and domestic violence, and stressed that sexual health education must take into account the unique needs of young Indigenous women drawing on the strength of tradition and culture to sustain the values that promote sexual health and reproductive rights from Indigenous perspectives.

***(c) Urban indigenous peoples and migration.***

5. The Participants recognized that the current procedures, policies and laws for enforcement of border control by the United States, Canada and Mexico violate the rights of Indigenous Peoples, including cultural rights, language rights, land and treaty rights, sovereignty, and, in some situations, the right to life of Indigenous Peoples and Nations divided by international borders as well as those who have been forced to cross international borders to escape economic, political or military oppression.
6. Participants expressed concern that Indigenous Peoples of Mexico, Central and South America who have migrated to urban areas in the United States in search of jobs, are severely affected by racist and discriminatory immigration policies, furthered through the various anti-immigrant and anti-terrorist laws which have been put in place under the guise of "Homeland Security". They have been forced to leave their ancestral lands through campaigns of militarism and economic displacement supported by Free Trade agreements such as NAFTA. Participants expressed concern about the United States' construction of a 700-mile wall along the border with Mexico, which will cross the traditional territories of many Indigenous nations. Participants were informed that the contractors who have won the bidding competition include Boeing and the Israeli firm Elbit Systems, the same company that built the wall within occupied Palestine. Entire families are being imprisoned in detention centers, such as Hutto in Texas, simply for being in the country without authorization. There, children along with their parents are denied basic hygiene, recreation and education, and are mixed with the adult population, in flagrant violation of the *United Nations Convention of the Rights of the Child*.
7. The participants also noted their concern regarding the high rate of rape, murder, disappearance and trafficking of migrant Indigenous girls and women, who fall victim to many human predators along the way.
8. Participants called upon the UNPFII7 to request urgent reports and updates from the US and other States regarding the status and implementation of remedies of these grave human rights injustices.
9. In this regard, the participants reiterated the importance of article 36 of the *UN Declaration* in upholding the rights of Indigenous peoples divided by international borders. Participants also took note of article 14 of the *UN Declaration* which calls

on States and Indigenous Peoples to take effective measures to ensure access to culturally appropriate education in Indigenous languages, including for Indigenous children living outside of their communities.

10. The participants called upon UNPFII7 to request States to respect the rights contained within articles 14 and 37 as an important step in resolving violations of Indigenous Peoples' human rights related to urban migration.
11. Finally, the participants called upon all of those who come into Indigenous Peoples' territories, whether from other countries or due to urban migration within countries, to recognize and respect the rights and sovereignty of Indigenous Peoples of the particular territories which they cross and/or where they settle. This respect is an essential basis for peaceful co-existence and solidarity in order to develop effective solutions to the range of human rights issues impacting Indigenous Peoples related to both the causes and effects of urban migration.

Thank you.