

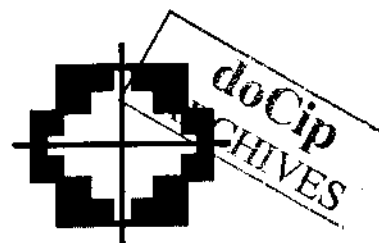
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THIRD SESSION OF THE PERMANENT FORUM ON INDIGENOUS ISSUES

10 May through 21 May 2004, United Nations Headquarters, New York

AMERICAN INDIAN LAW ALLIANCE

NGO in Special Consultative Status with the Economic and Social Council of the United Nations



Greetings. My name is June Lorenzo and I am Laguna Pueblo/Navajo of the Water Edge Clan. This is a joint statement on behalf of the American Indian Law Alliance, Laguna Pueblo, Tetuwan Oyate and _____.

We have listened with interest to the numerous presentations and interventions this week as the Permanent Forum has addressed the special theme of Indigenous women, and the mandated areas. In the Indigenous women's caucus meeting that occurred a week ago, it was said again and again that "women's" issues are issues of concern to Indigenous peoples, whether men, women, children, elders or youth, individuals or communities. We agreed that we are all "peoples" and our issues cannot be separated from this fundamental right. At the bottom of all the rights we discuss is the right to self-determination.

While you have asked that we not be repetitive in making our recommendations, we believe that recommendations regarding the Draft Declaration on Indigenous Rights bear repeating. In particular, it is important that the Permanent Forum hear the unanimity of voices calling for the recognition of our fundamental right to self-determination.

As His Excellency Kofi Anan stated in opening this session, Indigenous peoples' "rights are to be protected and upheld." He acknowledged that "Indigenous peoples continue to suffer from prejudice and ill will" and that "the answer to these grave threats is to confront them without delay." Accordingly, given His Excellency's concerns and our own desires for equal application of international law, we recommend that the Permanent Forum and the Inter-Agency Support Team utilize every means to support the following measures:

1. Prior to the close of the Decade, the Commission on Human Rights enshrine the principle of the applicability of self-determination of Indigenous peoples in international standards;
2. Prior to the close of the Decade, the Inter-Sessional Working Group on the Draft Declaration adopt the articles of the Draft Declaration, especially Article 3 on self-determination. To do less constitutes one of the "grave threats" the Secretary General spoke of and is nothing more than prejudicial, discriminatory and racist under the normal application of human rights laws and standards;
3. So that the United Nations system itself does not continue to perpetuate the unfair and unjust application of international law and standards, we recommend that the Permanent Forum, through ECOSOC, request the Secretary General to assign an Indigenous expert, preferably an Indigenous person, to work toward a uniform acceptance, understanding and application of the right to self-determination for Indigenous peoples within the UN system, prior to the close of the Decade.

The right to self-determination must be enshrined in any international forum as the most critical right of Indigenous peoples. This just and equitable principle available to all peoples has remained unavailable to Indigenous peoples within the United Nations system. Due to the absence of political will of a few states determined to deny basic rights to over 300 million of the world's peoples, the right to self-determination has remained inaccessible during the International Decade on the Rights of the World's Indigenous Peoples.

We believe that only the highest levels of informed influence will be able to convince some states of their responsibilities to international law and standards and create sufficient international pressure to convince them of these obligations. It has been abundantly clear to most states, agencies and Indigenous representatives that the majority of the world is cooperating on the issue of Indigenous peoples right to self-determination. Only a few nations stand in the way of the equal, just and fair application of international law and standards.

We, with our allies, elders and leaders, stand ready to assist the Permanent Forum members, the United Nations system, the agencies, the secretariats of the various forums and any other group willing to help us live up to our collective responsibility to see to it that Indigenous peoples have the right to self-determination prior to the end of the Decade.