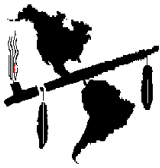


□



INTERNATIONAL INDIAN TREATY COUNCIL

2940 16th Street, Suite 305
San Francisco, CA. 94103
Telephone (415) 641-4482
Fax (415) 641-1298
Email: alberto@treatycouncil.org



INTERNATIONAL INDIAN TREATY COUNCIL

Expert Mechanism on the Rights of Indigenous Peoples
Third Session, 12-16 July 2010
Item 4 on the Agenda, United Nations Declaration on the Rights of Indigenous Peoples
Oral Intervention delivered by Alberto Saldamando

Thank you, Mr. Chairman,

Mr. Chairman, the implementation of the United Nations Declaration on the Rights of Indigenous Peoples first requires that a State endorse and then implement it in its policies and legislation.

With regard to the implantation of the Declaration at the regional and national levels, in North America, Canada has said that they are moving towards endorsement. Indigenous Peoples in Canada affiliated with the International Indian Treaty Council, are cautiously optimistic that Canada's endorsement will be without qualification. Some report that Canada may make its endorsement before the United States changes its position, so as not to be the last.

The United States announced at the Permanent Forum this year that they are conducting a review of their position. The State Department is conducting a series of consultations, the first two just last week, with Tribal governments on July 7, and with NGOs, on July 8. Two more consultations are being planned for September, this year. The State Department have also invited written comments, due July 15, 2010. The department of State has mounted a website, <http://www.state.gov/s/tribalconsultation/declaration/index.htm> with current information on the progress of the review, including the consultations.

We believe that the Obama Administration's efforts are sincere. Many are calling on the United States to endorse the declaration without qualification or reservation. Some believe this is a real possibility.

The Mechanism and indigenous participants may be interested in the remarks by Ambassador Susan E. Rice, U.S. Permanent Representative to the United Nations, at the UN Permanent Forum on Indigenous Issues earlier this year as they pertain to Indigenous Peoples around the world:

“The United States also supports programs that help indigenous communities around the world. We are especially committed to promoting corporate social responsibility, particularly with extractive industries whose operations can so dramatically affect the living conditions of indigenous peoples.”

And,

“We recognize that, for many around the world, this Declaration provides a framework for addressing indigenous issues. During President Obama's first year in office, tribal leaders encouraged the United States to reexamine its position on the Declaration-an important recommendation that directly complements our commitment to work together with the international community on the many challenges that indigenous peoples face.”

It is clear that the Obama administration understands not only the importance of the Declaration to indigenous Peoples around the world, they are also cognizant of the effects of US foreign policy and trade on the rights and living conditions of Indigenous Peoples outside the United States.

We are encouraged by positive changes with regard to US domestic policy toward Indigenous Peoples, although these changes fall short, particularly with regard to the right of Free, Prior and Informed Consent. The international Indian Treaty Council and many others are encouraging the State Department to accept the Declaration without reservation or qualification, as a blueprint, a forward looking aspiration for future changes in US policy toward Indigenous Peoples, and to implement it through both its foreign and domestic policy.

We remain hopeful of a positive result.

Thank you, Mr. Chairman