

# Indigenous World Association – UN/ECOSOC

c/o P. O. Box 2069 † Kahnawake, QC Canada J0L 1B0  
514-591-6704 phone ☎ kenneth.deer@gmail.com

---

UN Permanent Forum on Indigenous Issues  
13th Session - May 12-23, 2014  
UN Headquarters, New York, NY  
Agenda Item 6 - The High Level Plenary Meeting call the World Conference on Indige-  
nous Peoples  
Monday, May 19, 2014

Madame Chair,

Since this is my first time taking the floor, I would like to congratulate you on your elec-  
tion to the Chair of the Permanent Forum.

First, I would like to present my credentials as a representative of the Oneida Nation  
Council of Chiefs. I hold in my hand a string of wampum presented to me by the Chiefs  
as proof of my mandate. Wampum has been used for centuries as a form of communi-  
cation and symbolism to represent agreements and messages. With this wampum, I  
represent the

The Oneida, as part of the Six Nations Iroquois Confederacy or the Haudenosaunee as  
we call ourselves, have a constitution that predates European contact and we still  
live by that constitution today. We are a government with our own means of governing,  
passing laws, enforcing our laws and have nation to nation agreements called treaties  
with other nations.

We are not NGOs or civil society.

We will make our own decisions and not be represented by any organization, associa-  
tion, assembly, congress or caucus. We will always represent ourselves in our right to  
self-determination.

The High Level Plenary Meeting of the General Assemble which will be called a World  
Conference on Indigenous Peoples, is not the full world conference that the government  
of Bolivia had originally asked for. Member States of the UN decided that, for various  
reasons, to limit the conference to a High Level Plenary Meeting.

Now we are mired in procedural discussion between States, which is led by the Presi-  
dent of the General Assembly (PGA). Ultimately, the PGA is responsible for the success  
of the High Level meeting and we urge the PGA to be bold, creative, imaginative and  
decisive to break new ground in the United Nations to allow the full and effective partici-  
pation of Indigenous representatives in a world gathering about Indigenous Peoples.

The roadmap presented this morning gives some clarity to the process but not fully.

The key to the success of the High Level Meeting is the full and effective participation of Indigenous Peoples in the development of the outcome document of the High Level meeting. The original decision of the PGA which did not allow for our direct participation in the outcome document was soundly rejected by Indigenous Peoples and some called for cancellation of the High Level meeting based on that decision.

But a new formula was proposed by the PGA which allows for our participation along with States and this process holds some promise. For this formula to work, Indigenous representatives must be part of the consensus in the informal meetings with States. This is a process that we are familiar with during the development of the UN Declaration on the Rights of Indigenous Peoples. States assured that whatever was agreed to in the informal session would be unchallenged and agreed to in the formal session. If we can have this same kind of understanding, then the formula would be acceptable.

However, we have deep concerns about the 'silent procedure' or any such process that follows informal consultations in the formula. According to our understanding of the silent procedure, States will have 24 hours to make objections to the agreed text and start another series of negotiations without our participation. This is extremely disconcerting to us.

The history of agreements between Indigenous Peoples and States are fraught with broken promises and broken treaties. The mistrust between Indigenous Peoples and States runs deep and we are extremely wary of traps and ambushes that States have used in the past and continue to use today. This is a worst practice of States.

The High Level Plenary Meeting is supposed to identify "best practices on the realization of the rights of Indigenous Peoples" according to the UN resolution that created this meeting. Now the States of the United Nations have the opportunity to demonstrate a 'best practice' by having good faith negotiations with Indigenous Peoples and honour any agreed text in the informal negotiations to produce an effective and uplifting outcome document. States should agree to remain silent during the silent procedure. Attempts by States to challenge any agreed text through this procedure is the continuing 'worst practice' of States.

In order for us to participate in this High Level Plenary Meeting, we need assurances that we will not be betrayed by States which would use the silent procedure or similar process to circumvent any consensus between Indigenous Peoples and States.

We include in this, any Chairman's or PGA's text that is not fully agreed to by Indigenous representatives. It is important to note that, should we agree to participate, that we reserve the right to withdraw and/or withhold our support for such a text.

Madame Chair, the High Level Plenary Meeting of the General Assembly which will be called a World Conference on Indigenous Peoples presents the United Nations with the opportunity for a new paradigm to begin in the United Nations. A paradigm where non-state actors, governments who are not members of the United Nations, can interact with

Nation States in a process which respects each others right to self-determination and come to a mutual agreement.

Such an arrangement will make the United Nations a better organization which can represent more than Nation States but all of humankind. And if that can be achieved, then we all have a better chance of achieving equality, social justice and, importantly, a better chance for peace.

Thank you, Madam Chair.

Kenneth Deer

On behalf of the Oneida Nation Council of Chiefs and the Indigenous World Association