

Tetuwán Oyate

MEMBER RESERVATIONS

Pine Ridge
Lower Brule
Cheyenne River
Standing Rock
Rosebud
Fort Peck
Crow Creek
Santee
Canadian Sioux

Economic and Social Council
Permanent Forum on Indigenous Issues
First Session
New York, May 13-24, 2002
The United Nations
Intervention by Kent Lebsock
Item 6 – Human Rights.



Thank you Mr. Chairperson. My name is Kent Lebsock. My Lakota name is Tetuwán Okshila and I serve the leaders and elders of the Tetuwán Oyate, traditional Lakota Nation. Unfortunately, they could not be here for the second week of this forum, but I say these words with their permission and under their direction.

Since the Tetuwán Oyate began participating in international forum's in 1984, our concern has been for the human rights of all nations. But we call it Natural Law because, as you have all heard, for Indigenous peoples, rights are not simply for humans. It is our sincere hope that the efforts of the United Nations for and with Indigenous peoples, including the establishment of this Forum, are steps towards resolving human rights violations, which cannot be tolerated under any law, whatever that law might be called.

As Lakota people, our responsibility for these rights are given by the Creator and preserved in our treaties with the United States government. For our nation, the treaties were sealed with the pipe, making them a sacred obligation of our people under our law. More recently, we have taken the well-founded position that international law also protects our human rights under treaties. As stated in the preamble of the Universal Declaration of Human Rights "...disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind" and "it is essential ... that human rights should be protected by the rule of law."

We agree with these words. Unfortunately though, "contempt for human rights" and "barbarous acts" against Indigenous peoples continue and were overlooked when decolonization of the world began in the middle of the 20th century. Misled and manipulated, our treaties have been unilaterally abrogated. Our rights have not been equal / nor applied, / in our case, / as a "common standard for all peoples and nations" as set forth in the Universal Declaration of Human Rights. If it did, we would not be arguing with the nation states over the "s" on peoples or our right to sovereignty. As non-member nations, international agencies and mechanisms need to be opened to Indigenous peoples, as peoples, with group rights.

But we have hope. Passage of the Draft Declaration as presented to the Commission would be a first positive step in this direction. Additionally, the treaty study by the Special Rapporteur, Professor Miguel Alfonso Martinez, firmly concludes the international nature of our treaties and that the resolution / of the abrogation/ of these treaties is a human right of Indigenous peoples. However, the Study also concludes that the impact of the Study and its use in international forums is up to us, the world's Indigenous peoples.

Therefore, we would urge the Permanent Forum to utilize this study in making its recommendations to ECOSOC, especially in the area of treaty rights as human rights. The Teton Sioux Nation Treaty Council has developed extensive documentation on the relationship between treaties and human rights, as well as possible routes to resolution, and stands ready to support the Forum in concrete efforts in this regard.

We would also appreciate the support of the Forum in our own efforts to utilize the Treaty Study to right the injustices against the Lakota Nation and all treaty nations. We will be holding a gathering in our territory later this year on our international work. We look forward to inviting you all to attend / in order to open a dialogue / to develop concrete proposals in our continuing efforts for the human and treaty rights of Indigenous peoples. Only through our own initiatives will we be able to turn just words into just actions.

Finally, I would also like to reiterate what the Teton Sioux Nation Treaty Council has said many times: we firmly support the establishment of an independent Permanent Forum secretariat with its offices in Geneva. We believe this position is a protection of our human rights in that it puts the Forum beyond the direct control of the United States with its discriminatory immigration policies and visa restrictions which limit Indigenous peoples' access to the organs of international justice.

Thank you for your attention. Wopila. Mitaku Oyasin.