

UNITED NATIONS PERMANENT FORUM ON INDIGENOUS ISSUES

Seventeenth Session

New York, 16 April to 27 April 2018

Item 12, Future work of the Permanent Forum

This Intervention is for and on behalf of the following Indigenous People's Groups:

Participants in the Project Access Capacity Training Workshop (Africa, Asia, Latin America and the Caribbean, North America and the Pacific) at the Seventeenth Session of the UNPFII (2018) including the International Indian Treaty Council, Tribal Link, the United Confederation of Taino People and the Caribbean Amerindian Development Organization, the Christensen Fund, Tamaki Legal Limited, the Maori Law Society (Te Hunga Roia Maori).

Presented by: Darrell Naden

THANK YOU MADAM CHAIR, INDIGENOUS BROTHERS AND SISTERS

We, the participants in Tribal Link's Project Access training, refer to the Sixteenth Session's report wherein progress towards the implementation of the Declaration over the past decade by Member States was noted. The Permanent Forum's response to this progress outlined the *"gap between the formal recognition of indigenous peoples' rights and their implementation - in practice."*

On February 8, 2018, the Secretariat to the Permanent Forum asked the following question:

"How can human rights institutions promote and protect the collective rights of indigenous peoples?"

In addressing that question and the noted concern above, we refer to Articles 39 and 41 which assert that Member States and the United Nations shall promote and protect our collective rights through financial cooperation and technical assistance. Our intervention addresses the exclusivity of State and UN funding regimes for Indigenous Peoples, and our recommendation to amend funding eligibility criteria shall serve as an implementation vehicle.

Our initial assessment of some of the available UN funds uncovered that our accessibility is limited to many. UN civil society funds' eligibility criteria violates Article 15 because they are discriminatory against Indigenous Peoples. Since there are specialised funds for us, often times UN civil society funds filter us out of their processes saying that there are specific funds available instead. For example, to apply for the Fund for Gender Equality, applicants must be a civil service organisation that is also endorsed by entities that Indigenous Peoples either have non-existent or complicated relationships with. Furthermore, Article 4 of the Declaration affirms our right to self-determine how we organise ourselves. Usually our traditional organisational structures are not naturally aligned with UN funds eligibility criteria. Other identified barriers include:

- Accessibility and connectivity issues
- Limited digital skills in many of our communities
- Language incompatibility with our mother tongues
- Failure to outreach to our communities;
- Funding mandates and priorities are western-centric containing constructs such as 'accreditation and endorsement'; and
- Rigorous financial due diligence processes

In light of these barriers, we recommend an investigation culminating in a written report that evaluates the experience of Indigenous Peoples at each touch point throughout State and UN funding processes. The report should analyse whether the provision of funding opportunities to our peoples is in accordance with the Declaration. We ask the Permanent Forum to follow up with a preliminary report starting at the 18th session, with reporting at subsequent sessions.

In relation to what can be achieved, we congratulate the UNDP Equator Initiative for listening to the concerns of Indigenous Peoples and expanding eligibility to include all Indigenous Peoples and not just those of us living around the equatorial band.

In closing, we refer to Article 42 of the Declaration. It places a mandatory obligation on Member States and the United Nations to promote the "*full application*" of the Declaration in order to implement the financial cooperation and technical assistance that we seek. Thank you.