

Joint Statement of the National Congress of American Indians and the Native American Rights Fund

**United Nations Expert Mechanism on the Rights of Indigenous Peoples
Tenth Session, July 10-14, 2017**

Geneva, Switzerland

Agenda Item 7: Indigenous Peoples' participation in the United Nations System as follow-up to the World Conference on Indigenous Peoples

[Intro]. EMRIP is in a unique position, given its new and expanded mandate, to improve awareness of the challenges that effectively prevent the full and effective participation of Indigenous Peoples' representative institutions within the UN system.

The reality is that many UN bodies and mechanisms remain inaccessible to Indigenous Peoples' representative institutions, due in large part to the fact that indigenous governments do not properly fall under the umbrella of "non-governmental organizations" and many are simply not willing or authorized to compromise their rightful status. The continued failure of the UN to address this issue in a decisive and pragmatic way severely compromises implementation of the UN Declaration on the Rights of Indigenous Peoples and makes the UN a violator of its own obligations under that Declaration.

The World Conference outcome document called on the PGA to address this glaring problem. The process to do so, which has been underway since shortly after the UN High-Level Plenary known as the World Conference on Indigenous Peoples, has been a central focus for NCAI and NARF, as we seek to enable indigenous governments in the United States to represent themselves before any UN body where their interests and rights are at issue.

We have participated in this process from the very beginning, have consulted with other indigenous peoples the whole time, and have made numerous written submissions reflecting our views of what is required by the Declaration, including the right to participate in the General Assembly. We will not vary from the position that the General Assembly Resolution should not fall below the standards of the Declaration.

We continue to urge states to work diligently on the best proposal they can achieve, always keeping in mind the standards in the Declaration, and we ask the EMRIP to weigh in forcefully and consistently on this issue, with input from Indigenous Peoples. An outcome that results in no meaningful enhancement to the participation of Indigenous Peoples' Representative Institutions on issues affecting them would be a complete victory for hostile member states and a true step backwards for the United Nations. The EMRIP and other indigenous mechanisms can and should advise and report in a manner that will help build systemic recognition of Indigenous Peoples' Representative Institutions. We urge the EMRIP to address this issue as a fundamental barrier to implementation of the UNDRIP, and to include in its annual report a detailed discussion of the rights of Indigenous Peoples Representative Institutions to participate in all UN fora where issues affecting them are addressed.