

United Nations Expert Mechanism on the Rights of Indigenous Peoples
4th Session – July 11th to 15th, 2011
Agenda Item 5: UN *Declaration on the Rights of Indigenous Peoples*
Opening Statement presented by Expert Member Wilton Littlechild
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In its resolution 6/36, the Human Rights Council recalled that, at its sixty-first session, the General Assembly adopted, in its resolution 61/295, the United Nations *Declaration on the Rights of Indigenous Peoples*. In the report of the Expert Mechanism on its first session (A/HRC/10/56), it was stressed that the Declaration was a key human rights instrument on the rights of indigenous peoples and constituted a part of the framework for the work of the Mechanism.

The agenda item will provide an opportunity for a general discussion on the Declaration. The general discussion will focus on the use of the Declaration to promote and protect the rights of indigenous peoples.

I want to begin by recognizing the important step taken by the governments of Canada and the United States to support and endorse the United Nations *Declaration on the Rights of Indigenous Peoples* given that this is a new development since the previous 3rd Session of the Expert Mechanism. We urge Canada and the US to urge their provinces and territories and states, respectively, to also formally support and endorse the UN *Declaration*. We further call on the few remaining states that abstained from the historic vote and to also join the global consensus and endorse the UN *Declaration*.

Despite these remaining calls for action, we need to be reminded that these recent developments are very significant – representing a day Indigenous peoples have been anticipating for literally decades. A day where recognition, equality with all peoples and respect for our human rights is envisioned, and indeed, realized on a practical, daily level.

This vision that I, along with many others, hold towards the UN *Declaration* essentially recognizes it as a framework for reconciliation.

For instance, the Secretary-General Ban Ki-moon in August 2008 stated that:

“The result of more than two decades of negotiations, [the Declaration] provides a momentous opportunity for states and indigenous peoples to strengthen their relationships, promote reconciliation, and ensure that the past is not repeated.”

Special Rapporteur Professor James Anaya has characterized the UN *Declaration* as an instrument of reparation and reconciliation, stating that, “The Declaration is fundamentally a remedial instrument, aimed at overcoming the marginalization and discrimination that indigenous peoples systematically have faced across the world as a result of historical processes of colonization, conquest and dispossession.” In this spirit, the UN *Declaration* provides a framework for reconciliation to restore respectful relationships.

As we continue the discussion of the UN *Declaration* today and tomorrow, we need to assess how each one of us, through our respective roles and responsibilities, can apply the UN *Declaration* in a way to further peaceful relations and reconciliation.

In relation to the Expert Mechanism's mandate, the UN *Declaration* must inform all of the research studies and proposals put forth to the Human Rights Council. We can work collaboratively with the Permanent Forum on Indigenous Issues and the Special Rapporteur on the Rights of Indigenous Peoples and, indeed, all UN bodies, agencies and programmes to ensure that the human rights of Indigenous peoples are fulfilled.

Hai Hai, Mr. Chairperson.