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Intervention addressing implementation of the UN DRIP

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ENDORSERS:

Xinaxtlajtokej Anahuacalmecac Student Council, Seventh Generation Fund for Indigenous Peoples and American Indian Law Alliance



Tlanextilihqueh notahuan, nonahuan ihuan tohuehuetquemeh nican chanehqueh
Hodenoshonee ihuan Lenape.

Manon tlatoltzi Tata Huehue

It is clear that while the UN DRIP and the supremely important work of the Permanent Forum and other UN mechanisms have supported increased attention to issues raised by Indigenous Peoples, this legacy in countries such as the United States and Mexico is largely symbolic. For example, in 2014, the state of California adopted the UN DRIP “in principal” but not its entirety. I quote California Assembly Bill AJR42 “*endorsement of the principles of the United Nations Declaration on the Rights of Indigenous Peoples and call for increased awareness, sensitivity, and respect for issues of sovereignty, sacred and historic sites and traditions, and other vital aspects of the heritage of Native Americans and indigenous peoples implicit in those principles,*”

While the State of California now recognizes that, “*California is home to more people of Native American/Alaska Native heritage in urban and rural areas than any other state in the country. There are approximately 110 federally recognized tribes in California and 78 entities petitioning for recognition.* (Judicial Council, Tribal/State Programs [as of Jun. 14, 2014].)” it does not recognize the right to self-recognition and self-determination nor the mere right to existence inalienably held by Indigenous Peoples in transnational, urban contexts living away from our homelands.

In Tongva traditional territory, Los Angeles, California is a commonly recognized global center wherein Indigenous Peoples are both invisible and ubiquitous. To begin with the US Census has only recently begun recording the demographic presence of indigenous peoples from Latin America in the U.S. noting in the 2010 national census Mexican American Indians were reportedly found to be the fourth largest "tribal grouping" in the country. The Latin American Indians tribal grouping ranks as the third largest demographic indigenous group at over 200,000 people counted through self-identification. Additionally the United States Census of 2010 reports that close to 40,000 American Indian persons under 18 live in Los Angeles County, yet official state demographics only report 4,000 children in public schools in the entire county indicating a vast undercounting and disenfranchisement of Indigenous families in our part of the world.

How are the rights of Indigenous Peoples not legally recognized by member states -especially those of children and families in transnational contexts in urban centers - to be recognized and implemented, when these states do not acknowledge the state of colonization their very existence proves?

We know however, that due to the economic, political and extralegal pressures of domination through colonization against Indigenous Peoples of Latin America in the United States today, these numbers are vastly undercounted. We also know that acts of extralegal extrapolitical violence - acts of genocide - by nation-states, and agents of the state, have generated massive migrations of indigenous peoples to urban centers like Los Angeles and New York - creating communities in which children and families are subject to the assimilationist policies and pedagogies of the dominant public schooling systems and violence at the hands of local police forces. We know also that economic insecurity among indigenous families under threat of deportation in the US exacerbates pressures to assimilate and disappear. Particularly concerning are the rise of settler armed groups on traditional territories of Indigenous Peoples as in the case of the Paiute Nation in Oregon and the vitriolic diatribes spouted by billionaire presidential candidates in the US Presidential race and its impact upon the security of Indigenous children in public schools who have since the beginning of the presidential race increasingly report insecurity on the school yard and in the classroom. Additionally, to this day, California law requires English-only instruction throughout the state adding legal privilege to discrimination against all indigenous language culture bearers, speakers and learners.

We note that while the Permanent Forum on Indigenous Issues ('Permanent Forum') recognizes that the implementation of the rights of Indigenous Peoples must be secured at all levels of government and community including local, city, state, and national organisms, entities, authorities and government offices it has not been effectively understood nor implemented at local and regional levels for all Indigenous Peoples equally. It is additionally concerning that member States may actually engage in a diplomatic manipulation of the advances in the recognition of the rights of Indigenous Peoples pitting the recognition of tribal governments against transnational Indigenous Peoples living outside of our homelands due to the political, economic and social domination of our homelands forcing our families to migrate in successive waves at the whim of global capital.

Mr. Chairman, I believe you are personally aware of this unique human condition faced by indigenous Mayan families now seeking political asylum in the United States as one example of this reality. While we support the call for direct participation of Indigenous Peoples through their own traditional authorities, governments and parliaments, this must not come at the cost of the exclusion of Indigenous Peoples and persons not recognized by member states out of the direct conflict of interest and strategic intent to recognize the smallest number of people as indigenous so as not to recognize any additional binding legal, economic or social obligation to the millions of displaced, deculturalized and disenfranchised indigenous persons throughout the continents of SemAnahuac, Tawantinsuyo, Abyayala - the Americas.

Nimis hueye tlatzocamachilistle nohcnihuan

Thank you very much brothers and sisters