

United Nations High-level Plenary Meeting to be known as the World Conference on Indigenous Peoples

(Contribution to the Australian Statement)

New York, 22 September 2014

Delivered by: Sandra Miller, on behalf of the Indigenous Peoples Organisations Network of Australia

Item: Roundtable 1 “UN system action for the Implementation of the Rights of Indigenous Peoples”.

MR CHAIR,

The Outcome Document from the High Level Plenary Meeting to be known as the World Conference on Indigenous Peoples (WCIP) includes a number of important commitments regarding the implementation of Indigenous Peoples’ right to full and effective participation in decision making in all activities of the United Nations.

The period leading up to the 70th session of the General Assembly should be seen as an opportunity for Indigenous Peoples, Member States and United Nations system entities to strengthen the capacity and efforts of the United Nations in this regard and to begin progressing the commitments made in the WCIP Outcome Document. We respectfully provide the following comments on how we envisage implementation of a number of the key Operative Paragraphs in the WCIP Outcome Document.

We note that throughout the WCIP Outcome Document, including in Operative Paragraphs 28, 31 and 40 the Human Rights Council and the Secretary General are encouraged to make decisions in consultation and cooperation with Indigenous Peoples and to take into account the views expressed by Indigenous Peoples. We encourage the Human Rights Council and the Secretary General to continue to involve Indigenous Peoples in these processes as equals to all other peoples and nations, just as we have been involved throughout the preparatory process for the WCIP.

Operative Paragraph 28

We welcome Operative Paragraph 28 of the WCIP Outcome Document inviting the Human Rights Council to recommend to the General Assembly options to use, modify and improve existing United Nations mechanisms to more effectively promote the United Nations Declaration on the Rights of Indigenous Peoples (the Declaration).

We implore the Human Rights Council, in making their recommendations, to also consider options recommended in the Alta Outcome Document, as the consensus document of Indigenous Peoples. In particular, we draw attention to Theme 2, paragraphs 5, 6, 7, 9 and 11 of the Alta Outcome Document, as they are specifically concerned with the use, modification and improvement of existing United Nations mechanisms.

Operative Paragraph 29

We welcome Operative Paragraph 29 of the WCIP Outcome Document inviting Human Rights Treaty bodies to consider the Declaration and encouraging Member States to report on the implementation of the Declaration to Treaty Bodies and in the Universal Periodic Review. We urge the Human Rights Treaty Bodies, Human Rights Council, Indigenous Peoples and Member States to ensure that this process is rigorous, that Member States are held to account regarding their progress on implementation of the Declaration and are specifically measured against their own action plans. We further note that the Universal Periodic Review is an ideal forum within which to review progress by Member States towards the relevant recommendations of other Human Rights Treaty Bodies.

Operative Paragraph 31

We welcome Operative Paragraph 31 of the WCIP Outcome Document inviting the Secretary General appoint a United Nations official at the highest possible level. We urge the Secretary General to specifically consider the appointment of an Under-Secretary General for Indigenous Peoples, consistent with Theme 2, paragraph 4 of the Alta Outcome Document.

We further urge the Secretary General to work closely with Indigenous Peoples in developing the mandate of this official to ensure it compliments and enhances existing mechanisms with mandates on Indigenous Peoples' rights. We are of the view that this official should oversee the implementation of the system-wide action plan also requested in Operative Paragraph 31 of the WCIP Outcome Document in order to galvanize implementation of the Declaration. This official should also promote more effective coordination of Indigenous Peoples' issues across the UN system by following-up on the implementation of recommendations made by PFII, EMRIP and the SRIP and coordinating a program of action for the possible third International Decade of the World's Indigenous Peoples.

Operative Paragraph 40

We welcome Operative Paragraph 40 of the WCIP Outcome Document requesting the Secretary-General to report on implementation to the 70th session of the General Assembly and make recommendations regarding ways and means of promoting participation at the United Nations of Indigenous Peoples' representatives.

We urge the Secretary-General, in making these recommendations, to give due consideration to the rightful status of Indigenous Peoples within the United Nations. We draw particular attention to Theme 2, paragraph 10 of the Alta Outcome Document, which calls for, at a minimum, permanent observer status for Indigenous Peoples within the United Nations system. Indigenous Peoples have always maintained that we are equal to all peoples and nations and require appropriate recognition based on our original free existence, inherent sovereignty and the right of self-determination in international law. This must continue to be an overriding consideration when implementing Indigenous Peoples' right to full and effective participation in decision making in all activities of the United Nations.

Mr Chair, we thank you for the opportunity to present this Statement on behalf of the Indigenous Peoples' Organisations Network of Australia.

22 September 2014.