

Teton Sioux Nation Treaty Council
XVth Session of the Working Group on Indigenous Peoples

Item 8 - Study on Treaties
Intervention by Kent Lebsock

Madam Chairperson, I am Kent Lebsock and my Lakota name is Tituwan Hokshila. It is a name of honor given to me by our late Chief Garfield Grass Rope. On behalf of his family and our nation, I want to thank the Working Group and the Centre for Human Rights for the kind condolences sent by Mr. Julian Burger. We will all miss Chief Grass Rope's leadership.

Madam Chairperson, today I am proud to address you as the Attorney Secretary of the Teton Sioux Nation Treaty Council and I bring you greetings from our elders, chiefs and traditional communities. For many years the Teton Lakota Nation has awaited the final report of Miguel Alphonso Martinez. We congratulate him and his esteemed associate, Isabelle Shulte Tenchoff on the completion of such an extensive and important project. We have read it with great interest and applaud many of the conclusions and recommendations contained in it. The Teton Sioux Nation Treaty Council naturally supports conclusions that the EuroAmericans were

"indeed negotiating and entering into contractual relationship with sovereign nations, with all the legal implications that such a term had at the time in international relations."

Professor Martinez's report also accurately describes the disintegrating recognition by EuroAmerican powers of the sovereignty of Indigenous nations:

"since the early decades of the nineteenth century one witnesses . . . a clear trend in nation-States aimed at divesting those (Indigenous) nations of (their) sovereign attributes and rights, particularly their land rights."

For many decades, these have been the same historical facts taught to us by our elders and leaders. For too long, the objective of EuroAmerican international law and domestic practice has been to design ways to take our land, water and all of our natural wealth.

Madam Chairperson and members of the Working Group, it is our intention to utilize Professor Martinez's study in the continuing advancement of our people's human rights under our own Natural Law. Accordingly, the Teton Sioux Nation Treaty Council would like to propose three recommendations building upon the important work that has been done by Professor Martinez.

1. That the Working Group and the bodies of the United Nations concerned with the human rights of Indigenous Peoples, especially those now reviewing the Draft Declaration on the Rights of the World's Indigenous Peoples, note the conclusions contained in the Treaty Study Report and approve paragraph 37 without change or further delay;

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2. That this Working Group and the United Nations, in consultation with the leaders of Indigenous nations with treaties and agreements with member states, convene a conference of experts and interested parties in which the implementation of the conclusions and recommendations of the Treaty Study can be formulated in specific strategies. Such a conference would be in keeping with the wisdom of the Chairperson's opening remarks in which she stated that we must be the "generator of ideas and a catalyst for action" and in accord with Professor Martinez's suggestion in paragraph 327(b) of the Study.

3. And finally, the Teton Sioux Nation Treaty Council would urge that the Working Group, and the Special Rapporteur in particular, lend its valuable support to the independent actions of Indigenous nations to judicially and diplomatically enforce the treaties that were entered into between sovereign nations. We now seek a guarantee of the human rights that underlie our sacred agreements.

As one of our leaders, Tony Black Feather, said to me last night on the telephone in discussing Professor Martinez's report: "We will handle all of our work through the United Nations in order to protect and benefit from the human rights given to us by the Creator. That is the work we have been assigned and it is done for the lasting peace for the whole human family. "

Thank you for your attention Madam Chairperson. Pila maya.

Mitaku Oyasin.