



Ewiiapaayp Tribal Office

Ewiiapaayp Band of Kumeyaay Indians

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July 12, 2018

Erika Yamada, Chairwoman,
Expert Mechanism on the Rights of Indigenous Peoples
Office of the United Nations High Commissioner for Human Rights
CH-1211
Geneva 10 - Switzerland
Tel. (+41 22) 928 9303

Re: Submission to Item No. 11, "PROPOSALS TO BE SUBMITTED TO THE HUMAN RIGHTS COUNCIL"

Dear Chairwoman Yamada:

In my capacity as Tribal Chairman of the Ewiiapaayp Band of Kumeyaay Indians (the "Tribe") and its Non-Governmental Organization (NGO) that has enjoyed ECOSOC special consultative status since 2014, please accept the submission of comments to Agenda Item No. 11, "Proposals to be submitted to the Human Rights Council", presented by the Tribe's Chief Executive Officer, Mr. William Micklin, in the 11th session of the Expert Mechanism on the Rights of Indigenous Peoples on 9 July 2018 at the Palais des Nations, Geneva, Switzerland.

Should you have any questions, please contact the Tribe's CEO, Mr. Will Micklin, by telephone at (619) 368-4382 or by email at wmicklin@leaningrock.net. Thank you.

Sincerely,

Robert Pinto, Sr.
Tribal Chairman
Ewiiapaayp Band of Kumeyaay Indians

July 12, 2018

AGENDA ITEM 11: PROPOSALS TO BE SUBMITTED TO THE HUMAN RIGHTS COUNCIL

Statement by:

EWIIAAPAAYP BAND OF KUMEYAAY INDIANS, a traditional, indigenous peoples' representative institution within its aboriginal territory, also a non-governmental organization in consultative status with ECOSOC;

CENTRAL COUNCIL OF TLINGIT AND HAIDA INDIAN TRIBES OF ALASKA, a traditional, Indigenous peoples' representative institution within its aboriginal territory of southeast Alaska, United States of America, with over 31,000 indigenous peoples citizens; and CALIFORNIA ASSOCIATION OF TRIBAL GOVERNMENTS¹, a tribally chartered, non-profit, inter-tribal association of 32 Indigenous peoples' representative institutions within their aboriginal territories in the State of California, United States of America.

Madam Chair Yamada, Honorable Experts of the Expert Mechanism, the Ewiiapaayp Band of Kumeyaay Indians through its Non-Governmental Organization (NGO), and on behalf of the Central Council of Tlingit and Haida Indian Tribes of Alaska, and the California Association of Tribal Governments [32 Indigenous Governments] welcomes the opportunity to provide the Expert Mechanism on the Rights of Indigenous Peoples (EMRIP) with the following submission to inform the Expert Mechanism's study on the concept of free, prior, and informed consent.

The Ewiiapaayp Band of Kumeyaay Indians, Tlingit & Haida Indian Tribes and Association of Tribal Governments is pleased to offer the following comments to item number 11, "Proposals to be submitted to the Human Rights Council."

We take note of General Assembly Resolution A/RES/71/321, "Enhancing the participation of indigenous peoples' representatives and institutions in meetings of relevant United Nations bodies on issues affecting them", which was adopted 8 September, 2017, which "[e]ncourages further efforts to facilitate the participation of indigenous peoples' representatives and institutions in meetings of relevant United Nations bodies on issues affecting them...through the inclusion of indigenous peoples' representatives and institutions in the modalities for relevant conferences, summits and other meetings convened by the United Nations..."

¹ Big Lagoon Rancheria, Big Pine Rancheria, Big Sandy Rancheria, Cahuilla Band of Mission Indians of the Cahuilla Reservation, Cher-Ae Heights Indian Community of the Trinidad Rancheria, Cloverdale Rancheria, Enterprise Rancheria of Maidu Indians of California, Ewiiapaayp Band of Kumeyaay Indians, Greenville Rancheria of Maidu Indians of California, Habematolel Pomo of Upper Lake, Hoopa Valley Tribe, Hopland Band of Pomo Indians of the Hopland Reservation, Ione Band of Miwok Indians of California, Jamul Indian Village, Karuk Tribe of California, Kasha Band of Pomo Indians of the Stewarts Point Rancheria, Los Coyotes Band of Cahuilla and Cupeno Indians, Mesa Grande Band of Kumeyaay Indians, Morongo Band of Mission Indians, Northfork Rancheria of Mono Indians of California, Pit River Tribe, Ramona Band of Cahuilla Indians, Resigini Rancheria, Scotts Valley Rancheria Band of Pomo Indians of California, Smith River Rancheria, Soboba Band of Luiseno Indians, Susanville Indian Rancheria, Sycuan Band of the Kumeyaay Nation, Washoe Tribes of California and Nevada, Wiyot Tribe, Yurok Tribe of the Yurok Reservation.

In order to carry out this Resolution and to further implement, Articles 3, 18, 41, and 42 of the UN Declaration on the Rights of Indigenous Peoples, we respectfully request the UN Human Rights Council establish modalities to provide for the effective and dignified participation by Indigenous Peoples' Representatives and Institutions in the working methods and programmes of the Human Rights Council in accordance with its mandate.

We also request that the Expert Mechanism advise the Human Rights Council to commit at its 39th session in September 2018 to undertake a process for the development of modalities to ensure the enhanced participation of indigenous peoples' representatives and institutions in its meetings, working methods, activities, and programmes.

We further request the Human Rights Council hold an interactive dialogue at its 2019 September session on this issue.

We believe this process must include the full and effective participation of Indigenous Peoples representatives and institutions from all global indigenous regions, with the necessary commitment of financial and technical assistance to enable such participation.

I thank the Indigenous Voluntary Fund for sponsoring my [Mr. Willie Micklin] participation in the 11th Session of the Expert Mechanism on the Rights of Indigenous Peoples. However, I represent today 35 traditional indigenous peoples governments with in aggregate over 75,000 Indigenous citizens, we cannot fund my participation in the EMRIP or other UN body that does not permit our membership and requires participation only as a non-government organization. The enhanced participation resolution would resolve this inequity.

I thank you.