

# INDIAN LAW RESOURCE CENTER

## CENTRO DE RECURSOS JURÍDICOS PARA LOS PUEBLOS INDÍGENAS

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December 14, 2016

### **Enabling the Participation of Indigenous Governing Institutions At the United Nations**

*Comments related to the “Potential elements for discussion during the seventy-first session of the General Assembly” A/70/990 regarding participation modalities  
[AS DELIVERED]*

**ON BEHALF OF THE INDIAN LAW RESOURCE CENTER, THE CITIZEN  
POTAWATOMI NATION, THE HALIWA-SAPONI TRIBE, THE METIS NATION,  
AND THE TONAWANDA SENECA NATION**

Mr. Chair,

The Indian Law Resource Center, with the Citizen Potawatomi Nation, the Haliwa-Saponi Tribe, the Metis Nation, and the Tonawanda Seneca Nation welcomes the work of the President of the 70<sup>th</sup> Session of the General Assembly and his advisers to produce the current compilation of views and we thank the current President and advisers for their work to reconvene consultations and finalize this important work.

Regarding participation modalities, first, we must point out that the new category for participation should apply exclusively to Indigenous Peoples’ governing institutions which may be known as customary, traditional, or constitutional governments, Indigenous parliaments, assemblies, or councils. While no particular form of government should be required, such governing institutions must govern *Indigenous Peoples*, as that term is used and understood in the United Nations and other intergovernmental bodies, such as the International Labor Organization, the World Bank, and the Inter-American Development Bank. Focusing this process on Indigenous governing institutions will ensure their most meaningful and effective participation while using the least amount of limited UN and other resources, including their own.

Indigenous Peoples’ governing institutions are the authoritative and duly constituted decision-making bodies recognized by their own Indigenous constituents, and they should have a

status in the UN that recognizes this reality. As we have said on prior occasions, beyond attending relevant meetings, Indigenous governing institutions should have the opportunity to submit documents and proposals, make statements, and propose agenda items. As representative bodies, Indigenous governing institutions should have priority over NGOs with regard to seating and order of speaking, and relaxed limitations on speaking rights, all subject of course to reasonable rules of procedure for each meeting. While such practical limitations could be required, we want to caution against limiting the participation of Indigenous governing institutions on a regional basis. This, we fear, could have the effect of establishing a de facto Indigenous representative for an entire region of the world and would be unworkable.

Importantly, these new rules should not adversely affect or impair the existing arrangements for Indigenous Peoples' organizations and NGOs accredited by the Economic and Social Council, as recognized in the elements for discussion. Reform of these existing arrangements is not warranted by this process, it has not been recommended, and it is beyond the scope of this exercise. Enabling Indigenous governing institutions to participate will not impair existing arrangements, in fact, it will achieve the very opposite; it will enhance the international dialogue and contribute to global governance, sustainable development, and responses to worldwide challenges such as violence against Indigenous women, climate change, deforestation, and the preservation of biological diversity.

The UN Declaration recognizes that Indigenous Peoples have the right to self-determination and self-government, and we look forward to contributing to the good work ahead to establish new rules that will enable them to participate more fully, effectively, and permanently in the world community and to make valuable contributions to the United Nations.

Thank you.