

INDIAN LAW RESOURCE CENTER

CENTRO DE RECURSOS JURÍDICOS PARA LOS PUEBLOS INDÍGENAS

www.indianlaw.org

MAIN OFFICE
602 North Ewing Street, Helena, Montana 59601
(406) 449-2006 | mt@indianlaw.org



WASHINGTON OFFICE
601 E Street, S.E., Washington, D.C. 20003
(202) 547-2800 | dcoffice@indianlaw.org

Second Informal UN Consultation on “how to enable the participation of indigenous peoples’ representatives and institutions in meetings of relevant United Nations bodies on issues affecting them”

Statement on the objectives of the process: to enable indigenous governments to participate at the UN [DELIVERED]

May 18, 2016

My name is Karla General and I am a citizen of the Mohawk Nation. The following comments are provided on behalf of the Indian Law Resource Center, and are intended to supplement the April 8 submission of the Center supported by 40 indigenous governments and organizations, as well as the Center’s oral and written comments submitted in connection with the May 11 consultation.

I thank the advisers for their work on behalf of the President to convene consultations on this important matter. Indigenous governments have long sought to participate at the United Nations. This is not a new issue. In the 1920s, my great-grandfather, Chief Deskaheh, traveled to the League of Nations in Geneva where he gained much support for his cause on behalf of the Haudenosaunee, though he was never able to address the League directly. He returned home discouraged, but his legacy lives on in the work ahead of us to provide a seat at the United Nations for indigenous governments.

Today, indigenous peoples can participate in the work of the UN in many ways. Indigenous governments, however, cannot. In fact, most indigenous governments refuse to participate as indigenous peoples’ organizations, non-governmental organizations, and civil society, because such a status is inappropriate and inadequate. Indigenous governments are not NGOs. They are not organizations and they are not civil society for many reasons.

The work of the World Conference on Indigenous Peoples was to establish a new status for indigenous governments at the UN. In the Outcome Document, states committed to consider ways to enable the participation of indigenous peoples’ representatives and institutions in the work of the United Nations. This was intended to mean indigenous government representatives, and that is the sole question this consultation process should address.

Indigenous governments are in need of a procedure that will enable their direct and permanent participation in the work of the United Nations. The accreditation process will necessarily require that the indigenous government (1) represents a people (2) that the people represented are, in fact, indigenous and (3) that the government is duly established by, representative of, and accountable to, the people. Indigenous governments can broadly be defined as the authoritative and duly comprised decision-making bodies of their constituent indigenous peoples. Such bodies include customary, traditional, or constitutional governments, indigenous parliaments, and assemblies or councils, but no particular form of government should be required. Additional details about the identity, location, and nature of the indigenous government should be required by the accrediting body.

Indigenous governments, duly-constituted and representing their constituents, members, and peoples, are the best and most appropriate voices to speak to matters that affect them in the UN, such as violence against indigenous women, climate change, sustainable economic development, and protecting indigenous cultures, lands, and resources. They are responsible and accountable to their people. Enabling indigenous governments to speak for themselves is not only the right thing to do in principle to meet the call of the World Conference Outcome Document, it will yield significant benefits to the UN system, result in more informed deliberations, better decisions, more successful programs, greater security for indigenous rights, and progress toward achieving the purpose of the UN Declaration.

Thank you for your consideration.