

INDIAN LAW RESOURCE CENTER

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Enabling the Participation of Indigenous Governing Institutions At the United Nations

*Comments related to the “Elements for discussion during the seventy-first session of the General Assembly” regarding participation modalities
[AS DELIVERED]*

Madam Chair,

The Indian Law Resource Center thanks the advisers for their work to produce the current draft. Regarding participation modalities, as we have said on prior occasions, indigenous peoples’ representative institutions are the authoritative and duly constituted decision-making bodies recognized by their own indigenous constituents. They make important decisions to secure and safeguard the rights and futures of their people, and they should have a status in the United Nations commensurate with their reality.

As such, indigenous peoples’ representative institutions should be able to participate – to actively engage and contribute – to the work of the UN. Their participation should not be limited to simply attending or observing meetings, but include the authority to also submit documents and proposals, make statements, and propose agenda items. In some instances, indigenous peoples’ representative institutions should be able to exercise the right of reply particularly where an immediate response is warranted or where their rights are implicated.

Indigenous peoples’ representative institutions, as self-governing and representative entities, should also have some priority over NGOs with regard to seating and order of speaking, and relaxed limitations on speaking time, all subject to reasonable rules of procedure for each meeting and subject to the discretion of the chair. The elements paper suggests member states would be responsible for approving such additional forms of participation. How would this work in practice? It is possible, but such approval, we think, is more appropriately reserved for the meeting chair. And while additional practical limitations will be necessary, it is imperative that participation not be limited on a regional basis, which could have the effect of establishing a *de facto* indigenous representative for an entire region of the world.

Enabling indigenous peoples' representative institutions to participate will not impair existing arrangements or the intergovernmental nature of the General Assembly; instead, it will enhance the international dialogue and contribute to global governance, sustainable development, and responses to worldwide challenges such as climate change, biological diversity, and violence against indigenous women.

Thank you.