

INDIAN LAW RESOURCE CENTER

CENTRO DE RECURSOS JURÍDICOS PARA LOS PUEBLOS INDÍGENAS

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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” (February 2017) regarding the decision, current practices, and venues of participation
[AS DELIVERED]*

Mr. Chair,

The Indian Law Resource Center welcomes the work of the President of the 70th Session of the General Assembly and his advisers in the new elements for discussion paper.

Indigenous peoples’ representative institutions are eager to contribute to the work of the United Nations. As representative entities, our institutions have successfully self-governed for generations, a right recognized and affirmed in the UN Declaration on the Rights of Indigenous Peoples.

The Declaration further affirms the right of our representative institutions to participate in decision-making on matters affecting our rights (Art. 18) and calls on the UN to ensure the ways and means of ensuring such participation shall be established. Many discussions and many decisions in the UN have and will impact us, and the General Assembly must now ensure that the commitments it has made in the UN Declaration, as well as in the World Conference Outcome Document, are now fulfilled.

[We align ourselves with the statement made by the National Congress of American Indians.]

Once they are accredited by the selection body, indigenous peoples’ representative institutions should be able to participate in “meetings of *relevant UN bodies*”, as specified by the World Conference Outcome Document. This is broader than the decision of the elements paper

which recommends participation in *relevant meetings* of UN bodies. If included at all, the use and placement of the term relevant should be consistent with the World Conference Outcome Document.

To meet the call of the Outcome Document, the General Assembly should allow for the *permanent and regular participation* of indigenous peoples' representative institutions in *all* meetings of the General Assembly and its subsidiary organs, committees and working groups, as well as in international meetings and conferences convened under the auspices of the Assembly and in United Nations conferences. All are relevant bodies doing important work and making decisions impacting indigenous peoples.

This should include access to open meetings, such as NGOs and NHRIs have, as well as, by invitation or application, some closed meetings, recognizing that states reserve the right to make some meetings private. Such participation should not be limited to attendance, but must include, at minimum, some authority to speak and to submit written statements, as set out in the modalities.

While the General Assembly does not have the authority to require indigenous participation in all UN activities, it should urge ECOSOC and its subsidiary bodies, the Human Rights Council and its subsidiary bodies, the treaty bodies and the UPR process, and the agencies, funds, and programs of the UN, to enable the participation of indigenous peoples representative institutions.

The interests and competencies of indigenous peoples representative institutions are not limited to discussions of indigenous rights or of social and cultural matters. Indigenous governments and representative institutions are engaged today in work on climate change, trade and economic development, intellectual property, women's rights, border security, and countless other challenges and issues that UN member states discuss here daily.

Our interests are broad. We have much to learn from the important discussions that member states engage in here in the General Assembly and throughout the UN system. And we have much to contribute to these conversations as well. Let us share our experience. Let us work together with you to make decisions that will benefit us all.

Thank you.