

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 “Potential elements for discussion during the seventy-first session of the General Assembly” A/70/990 regarding venues of participation
[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 70th Session of the General Assembly and his advisers at this consultation. We believe that a new status designed particularly for indigenous governing institutions will allow indigenous peoples to contribute substantially to the work of the United Nations and will result in more informed deliberations, better decisions, more successful programs, greater security for indigenous rights, and progress toward achieving the purposes of the UN Declaration.

Article 18 of the Declaration states the right of indigenous peoples to participate in decision-making in matters affecting their rights through representatives chosen by themselves in accordance with their own procedures. Article 19 recognizes the duty of states to consult and cooperate with indigenous peoples through indigenous peoples’ governing or representative institutions before adopting or implementing measures that may affect them. And Article 42 commits the United Nations and its bodies and specialized agencies to promote respect for and full application of the Declaration.

Indigenous governing institutions should be able to participate in an effective and meaningful way in all relevant United Nations meetings and bodies, and not just the indigenous specific mechanisms such as the Permanent Forum on the Rights of Indigenous Peoples and the

Expert Mechanism on the Rights of Indigenous Peoples.

Once accredited, indigenous governing institutions should be able to participate in “meetings of relevant United Nations bodies”, as specified by the World Conference Outcome Document. While the General Assembly does not have the authority to require indigenous participation in all UN activities, it can recommend and encourage the UN as a whole to enable the participation of indigenous governing institutions. The General Assembly’s resolution expanding the participation of National Human Rights Institutions beyond the Human Rights Council provides good guidance on this point.

The General Assembly should allow for the permanent and regular participation of indigenous governing institutions in a capacity equivalent to these of observers in 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.

Further, the General Assembly should invite the Economic and Social Council, the Human Rights Council, and the United Nations programmes and funds and the specialized agencies to enhance the participation of indigenous governing institutions in their sessions, subsidiary organs, committees and working groups

Such accommodations by the General Assembly would ensure that, indigenous governing institutions would be able to contribute to the work of the Economic and Social Council and its subsidiary bodies, the Human Rights Council and its subsidiary bodies, the treaty bodies and the Universal Periodic Review process, and in the General Assembly and its Main Committees. All of these UN bodies regularly address with issues relevant to indigenous peoples.

Thank you.