

United Nations Permanent Forum on Indigenous Issues 12th session, May 20 – 31, 2013
Item 7 Human rights: (a) Implementation of the United Nations Declaration on the Rights of Indigenous Peoples, Intervention by the International Indian Treaty Council presented by William Means

Thank you M. Chairperson

The United Nations Declaration on the rights of indigenous peoples suffers much from actual implementation by States. The Permanent Forum on Indigenous Issues itself, as well as the Expert Mechanism on the Rights of Indigenous Peoples, the Special Rapporteur, all receive almost on a daily basis, reports on lack of respect and implementation of our now recognized rights.

These reports are invariably accompanied by reports of the persecution of our indigenous human rights defenders. In order to effectively implement the Declaration, we must protect our people who promote the implementation of our rights many times in the face of State persecution.

Many of our defenders are killed or imprisoned for decades. Their families are also victims of this persecution. We raise the case of Leonard Peltier, as the cornerstone of our unity as nations, cultures and peoples is respect for the rule of law which was violated in his case. Without our insistence upon obedience to the rule of law, this institution and virtually all of its conventions and decisions are deeply threatened.

Indigenous Peoples throughout the world recognize that the human rights of Leonard Peltier, a proud Dakota Ojibway man, were severely violated in a manner that defrauded and insulted the judicial process, a fundamental breach of International Law.

Indigenous Peoples throughout the world know that Leonard Peltier has been persecuted and deprived of his liberty based upon the most lethal weapon a nation may wield to threaten the cornerstone of our fair dealings as sovereigns - the intentional presentation of false evidence in a court of law.

The courts of the United States have refused to correct this injustice, yet the legacy of unclean hands is still haunting. Indeed, the United States Senior Circuit Judge Gerald W. Heaney declined to grant Leonard Peltier a new trial in the face of the many injustices, including extradition by fraud, yet for ten years prior to his death, Judge Heaney publicly pleaded with federal officials to release Leonard Peltier in consideration of the violations of human rights regarding his incarceration that are well documented in the public record.

There are many Leonard Peltiers in the world today. There are many Leonard Peltiers in the making. We ask that the United Nations Permanent Forum on Indigenous Issues to reaffirm the rights of Indigenous Peoples, to understand the need, in the interests of the rule of law, for the implementation of the Declaration. We ask that the Permanent Forum do a study on Indigenous human rights defenders that have been killed or languish in prison in order that the world understand the enormity of the problem and the real impediments to the implementation of the United Nations Declaration on the rights of indigenous peoples be fully understood.

Omataquiasin, for all my relations,

William A. Means