

**Expert Mechanism on the Rights of Indigenous Peoples Fifth session  
10 -14 July 2012, United Nations, Geneva**

**Agenda Item 3: The World Conference on Indigenous Peoples Intervention by the  
International Indian Treaty Council, presented by Andrea Carmen July 8<sup>th</sup>, 2013**

Thank you Mr. Chairman and respectful greetings to all delegations.

The International Indian Treaty Council considers that the High-level Plenary Meeting of the UN General Assembly to be known as the World Conference on Indigenous Peoples will provide States, Indigenous Peoples and the UN System with an historic opportunity for respectful dialogue and implementation. We remain hopeful that it will enable us to work together to develop mechanisms and processes for the full and effective implementation of the inherent rights affirmed in the United Nations Declaration on the Rights of Indigenous Peoples, UN Conventions and Covenants, and Nation-to-Nation Treaties concluded between States and Indigenous Peoples. We emphasize that the focus and purpose of the High Level Plenary must be on implementation.

The International Indian Treaty Council and several of our affiliates from North America, Pacific and Latin America and Caribbean regions were pleased to take part in the Alta Indigenous Peoples global preparatory meeting last month, and to join in the adoption by consensus of the Alta outcome document. As the Global Coordinating Group (GCG) intervention to this session has pointed out, the Alta outcome document sets out the principles that guide and frame our engagement in this process based on the inherent rights affirmed in the UN Declaration on the Rights of Indigenous Peoples including our inherent rights to self-determination and to participate fully in decision-making that affects us.

The Alta Outcome Document also affirms that nothing in the High Level Plenary Meeting process or its outcomes may be interpreted as diminishing or eliminating any of the rights of Indigenous Peoples contained in the UN Declaration on the Rights of Indigenous Peoples or and other international standards which protect, defend and uphold the inherent economic, social, cultural, civil, political, educational and spiritual rights of Indigenous Peoples.

**The International Indian Treaty Council endorses the specific proposals presented to this session by GCG Co-Chair Mr. Ghazali Ohorella on behalf of the Global Coordinating Group. In our view, it is very important that the EMRIP endorse these proposals in its advice to the Human Rights Council from this session.** We affirm specifically that the Alta Outcome document must be used as the basis for the development of the final action-oriented outcome document from the High Level Plenary to be called the World Conference on Indigenous Peoples.

We encourage and respectfully urge the Expert Mechanism on the Rights of Indigenous Peoples, as one of the 3 UN bodies focused on Indigenous Peoples specifically named in the original December 2010 General Assembly resolution, to take an active role in accordance with its mandate of providing advice to the UN Human Rights Council and its member states. The EMRIP's mandate is of particular importance in advising the Human Rights Council regarding the role of the of the Alta outcome document as the basis for the development of the final Outcome document from the HLP-WCIP, and in particular its specific proposals for processes and mechanisms focused on implementation by States and the UN system.

We call upon the EMRIP, UN system and States to stand in good faith with Indigenous Peoples to remain vigilant to ensure that the World Conference not be used by any State to attempt to diminish, qualify or redefine the rights affirmed as the minimum standard by the UN Declaration or to limit the intended scope of its implementation. Of great concern in this regard was a statement by the United States of America presented at the 12<sup>th</sup> session of the UN Permanent Forum on Indigenous Issues that the Right to Self Determination as affirmed for "All Peoples" in Article 1 in Common of the International Covenants and affirmed in Article 3 of the UN Declaration be interpreted as a "different right" when applied to Indigenous Peoples.

The High Level Plenary Meeting to be known as the World Conference on the Rights of Indigenous Peoples is an important opportunity to affirm the principle of universal and non-discriminatory implementation of this and all rights affirmed for Indigenous Peoples. We request that the EMRIP reaffirm this principle in its relevant advice to the Human Rights Council and its member States from this session.

The International Indian Treaty Council also requests that the EMRIP 6<sup>th</sup> session provide advice to the Human Rights Council affirming the Alta outcome document and its 4 designated theme areas as the basis for the organization as well as the action oriented Outcome Document which will be the final product of the HLP-WCIP. While all recommendations in the Alta Outcome Document are important and reflect a broad consensus of Indigenous Peoples from all regions, the IITC specifically affirms the relevance for the advice provided by the EMRIP to the Human Rights Council of two recommendations in particular contained under the 2<sup>nd</sup> Theme area contained in the Alta Outcome document titled "**United Nations system action for the implementation of the rights of Indigenous Peoples**", as follows:

2. *Recommend* that the General Assembly call for the establishment, in conjunction with Indigenous Peoples, of an international mechanism to provide oversight, redress, restitution and the implementation of Treaties, agreements and other constructive arrangements between Indigenous Nations and States and successor States;

and

10. Pursuant to the universal application of the right of self-determination for all Peoples, recommends that the UN recognize Indigenous Peoples and Nations based on our original free existence, inherent sovereignty and the right of self-determination in international law. We call for, at a minimum, permanent observer status within the UN system enabling our direct participation through our own governments and parliaments. Our own governments include *inter alia* our traditional councils and authorities;

The implementation of these two very important recommendations will represent historic advances in the recognition of the rights and participation of Indigenous Peoples by the UN System and its member States, in good faith, respect and partnership. Practical steps can be taken towards their implementation by the UN System without delay, even before the HLP-WCIP.

The International Indian Treaty Council requests that the EMRIP advise the HRC at its next session to begin to take action for implementation of these recommendations so that the steps that have been undertaken towards their realization can be reported in September 2014. We look forward to celebrating the important progress that has already been made as a result of this process at that time.

For all our relations. Thank you.