

DECEMBER 16TH, 2010

**UNITED STATES OF AMERICA ANNOUNCES QUALIFIED SUPPORT FOR THE UN
DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES**

“Implementation is what we are waiting for now”

The International Indian Treaty Council (IITC) welcomed the announcement today by US President Barack Obama of the United States' support for the United States Declaration on the Rights of Indigenous Peoples. The President's long-awaited statement of support was made in Washington DC during a Tribal Nations Conference attended by over 300 Tribal Leaders from throughout the US.

The President stated that “... today I can announce that the United States is lending its support to this Declaration. The aspirations it affirms -- including the respect for the institutions and rich cultures of Native peoples -- are ones we must always seek to fulfill.”

This endorsement by the US for the Declaration is a positive, necessary and long-overdue step forward. The US is the last country to express its support for the Declaration which recognizes a broad range of rights for Indigenous Peoples in the US and around the world. Australia, New Zealand and Canada joined with the US to vote “NO” when the Declaration was adopted by a vote of 144 countries in favor at the UN General Assembly on September 13th 2007. With today's announcement, all 4 of the opposing States have changed their position.

IITC Executive Director Andrea Carmen, Yaqui Nation, participated in the work on the Declaration at the United Nations over many years. Hearing today's news, she expressed IITC's appreciation to the thousands of Indigenous Nations, organizations and human rights allies who called upon the US to express unqualified support for the Declaration since the US announced the “formal review” of its position in April of this year.

However, she also expressed IITC's strong disappointment with the limitations the US decided to place on its support. The **“Announcement of U.S. Support for the United Nations Declaration on the Rights of Indigenous Peoples”** released today contains a number of qualifications which call into serious question the US government's intention to fully recognize and implement many of the key rights contained in the Declaration.

Several references are made to implementation of rights in accordance with existing Federal Laws and policies. Of particular concern is the statement that the US plans to recognize “a new and distinct international concept of self-determination specific to indigenous peoples...” “different from the existing right of self-determination in international law.” This interpretation by the US has no basis in the actual text of the Declaration or the principles of international human rights standards which uphold non-discrimination and equal rights. In Article 3, the Declaration defines Self-determination for Indigenous Peoples consistent with the language affirming this right for “All Peoples” in international law.

The US statement also limits the US interpretation of the right to Free Prior and Informed Consent contained in many provisions of the Declaration to “consultation”, a much more limited and diminished standard.

The UN Declaration on the Rights of Indigenous Peoples is an international standard adopted overwhelmingly by the UN General Assembly. It must not be subject to selective redrafting or new interpretations by the US or any other State attempting to redefine or limit the inherent rights it recognizes. It also can't be limited by narrow interpretations subject to existing federal laws and policies. **The IITC calls upon the US government to reassess its position on these qualifications and express its full support for all of the Declaration's provisions. The next step will be to evaluate and, wherever needed, raise its own laws and policies up to the minimum standard contained in the Declaration. These actions will convey the good faith, mutual respect and true spirit of partnership between States and Indigenous Peoples which the Declaration intends to promote.**

Chief Gary Harrison of Chickaloon Village Traditional Council in Alaska participated in many of the United Nations sessions during the Declaration's development. As a tribal leader, he was present at the meeting today in Washington DC when the announcement was made by President Obama. Chief Harrison also focused on the need for implementation. He said that “It is about time the US took this step after opposing the Declaration for so many years. Now they need to take measures to ensure that it's more than just an aspirational document for the American Indian, Alaska and Hawaiian Native Nations. Since Chickaloon Village is currently facing threats of unwanted coal mining in our traditional homelands, the rights in the Declaration to free prior and informed consent, self-determination, subsistence, land and resource rights are especially important to us. **Implementation is what we are waiting for now”.**

The UN Declaration was the first UN human rights instrument developed with the consistent, direct and full participation of the “subjects” of the rights under discussion. Any programs, policies or mechanisms established by the US to implement its new commitment to Indigenous Peoples must be planned and implemented with the full participation and consent of Indigenous Peoples to be in keeping with the provisions of Declaration. Reviewing the status of compliance with US Treaty obligations to Indigenous Nations, and establishing a fair and participatory mechanism to provide effective redress, would be a good place to start in this process.

The International Indian Treaty Council was founded in 1974 in Standing Rock South Dakota and was the first Indigenous organization to receive Consultative Status with the UN Economic and Social Council in 1977. IITC was involved in each stage of the 25-year process at the United Nations to draft and adopt the Declaration. For more information, please contact the IITC at (907) 745-4482 or (415) 641-4482, email to andrea@treatycouncil.org or alberto@treatycouncil.org.

PRESIDENT OBAMA'S FULL STATEMENT: <http://www.state.gov/r/pa/prs/ps/2010/12/153027.htm>

“Announcement of U.S. Support for the United Nations Declaration on the Rights of Indigenous Peoples”:
<http://www.state.gov/documents/organization/153223.pdf>

THE UN DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES:
http://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf

For additional information on the UN Declaration, what it contains and how it was developed, download “Making the Declaration Work”: http://shop.iwgia.org/pi/Making_the_Declaration_Work_2075_80.aspx

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