

High Level Plenary Meeting of the UN General Assembly known as the World Conference on Indigenous Peoples  
September 22 - 23, 2014, UN Headquarters, New York  
Roundtable 1, "UN Action for Implementation of the Rights of Indigenous Peoples"  
Statement by the International Indian Treaty Council presented by Andrea Carmen

Thank you Mr. Chairman.

We welcome this opportunity to address one of the most positive, action-oriented and long anticipated outcomes of the WCIP which is a commitment by States to support the development, strengthening and improvement of UN mechanisms to monitor implementation of the UN Declaration on the Rights of Indigenous Peoples.

In particular we welcome paragraph 27 stating a commitment by States to develop new mechanisms for the repatriation of cultural and ceremonial items and human remains; paragraph 28 inviting the UN Human Rights Council to consider ways to strengthen and improve the mandate the Expert Mechanism on the Rights of Indigenous Peoples to promote respect for the Declaration and advise States in this regard; and paragraph 29 inviting the Treaty bodies and the UPR process to focus on implementation of the UN Declaration on the Rights of Indigenous Peoples in their reviews of States compliance with their Human rights obligations.

In this regard the firm commitments to Free Prior and Informed Consent in the outcome document contained in paragraphs 3, 4 and 20 provides the framework for strengthening existing mechanisms, developing new ones as required, and assessing their ongoing effectiveness with the full participation of Indigenous Peoples .

We regret that the final WCIP outcome document did not include a specific reference to the development of an international oversight mechanism for the observance of Treaties, Agreements and other Constructive Arrangements. This recommendation was made in recommendation 2 under this Theme in the Alta Outcome document, and was proposed for inclusion in the Outcome Document at each of the consultations by IITC and other Indigenous Peoples from several regions.

Nevertheless, with its firm commitment in paragraph 4 to uphold and in no way diminish the UN Declaration on the Rights of Indigenous Peoples, we consider that this provision is in fact included in the outcome document based on Article 37 and many other provisions of the UN Declaration affirming Treaty rights, as well as provisions of the WCIP outcome document which affirm such rights. These include, among others, the paragraphs affirming rights to land and resources, subsistence, health, education and free prior and informed consent.

In the next stages of this work for implementation of the WCIP outcome document, the International Indian Treaty Council and our affiliates from several regions look forward to working with States and the UN system to develop and strengthen key international mechanisms as noted above. We fully anticipate and will work to ensure that these efforts will include the commitment to ensure, as stated in Article 37 of the UN Declaration, the “recognition, observance and enforcement of Treaties, Agreements and other Constructive Arrangements concluded with States or their successors and to have States honor and respect such Treaties, Agreements and other Constructive Arrangements”.

Thank you.