



**INTERNATIONAL INDIAN TREATY COUNCIL  
40<sup>th</sup> ANNUAL CONFERENCE  
PHILLIP DEERE FAMILY ROUNDHOUSE  
OKEMAH OKLAHOMA  
SEPTEMBER 10<sup>TH</sup> – 12<sup>TH</sup>, 2014**

**Resolution on Treaties and implementation of the UN  
Declaration on the Rights of Indigenous Peoples and other  
International Human Rights Standards**

**The delegates at this conference representing Indigenous Peoples from North, Central, and South America, the Caribbean and the Pacific, adopt by consensus the following resolution to defend the Rights of Indigenous Peoples:**

1. ***IITC reiterates and affirms*** the resolutions adopted by IITC at the Guatemala (2008) Panama (2009), and Oaxaca (2012) Treaty Conferences supporting and calling for the full and unqualified implementation of the UN Declaration on the Rights of Indigenous Peoples. This includes but is not limited to the inherent rights it affirms in Articles 37 on Treaties, 3 on Self-Determination, 26 on Land and Resource rights and all provisions affirming Free Prior and Informed Consent;

2. ***IITC also affirms*** the call in Article 23 of the Organization of American State proposed American Declaration on the Rights of Indigenous Peoples as adopted by consensus on April 12, 2012 for an international oversight process to ensure the implementation of Treaties in accordance with their original spirit and intent as understood by IPs as follows:

***1. Indigenous peoples have the right to the recognition, observance, and enforcement of the treaties, agreements and other constructive arrangements concluded with states and their successors in accordance with their true spirit and intent, in good faith, and to have the same be respected and honored by the States. States shall give due consideration to the understanding of the Indigenous Peoples in regards to treaties, agreements and other constructive arrangements.***

***When disputes cannot be resolved between the parties in relation to such treaties, agreements and other constructive arrangements, these shall be submitted to competent bodies, including regional and international bodies, by the States or indigenous peoples concerned.***

***2. Nothing in this Declaration may be interpreted as diminishing or eliminating the rights of indigenous peoples contained in treaties, agreements and other constructive arrangements***

3. Regarding the High Level Plenary meeting of the UN General Assembly to be known as the World Conference on Indigenous Peoples (WCIP),

a. **IITC endorses** the inclusion of language in the WCIP outcome document consistent with the Alta outcome document regarding such an oversight body and process for implementation of the UN Declaration on the Rights of Indigenous Peoples and, specifically, the Rights affirmed in Treaties, Agreements and other Constructive Arrangements as follows:

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

b. **IITC further affirms** that new or strengthened UN mechanisms to monitor implementation by States of the UN Declaration on the Rights of Indigenous Peoples include a focus on its provisions regarding Treaties and Treaty rights.

c. **IITC supports** the call for the UN Treaty Bodies, including the Committee for the Elimination on Racial Discrimination (CERD) and the Human Rights Committee (HRC) to focus additional consistent attention on holding States accountable for implementation of the UN Declaration on the Rights of Indigenous Peoples including the rights affirmed in Treaties concluded between States and Indigenous Peoples. Further, IITC supports the development of other international oversight bodies and processes in this regard including strengthening the role of UN Expert Mechanism on the Rights of Indigenous Peoples (EMRIP) and including implementation of the UN Declaration on the Rights of Indigenous Peoples and enforcement of Nation to Nation Treaties in the UN Human Rights Council's Universal Periodic Review Process (UPR).

d. **IITC opposes and rejects** any language regarding Treaties in the WCIP outcome document that falls below the minimum standard of the UN Declaration on the Rights of Indigenous Peoples Article 37, as well as the OAS Article 23 and the UN Declaration overall.

e. **IITC calls** on the WCIP Outcome Document to uphold the language regarding the Status of Indigenous Peoples and their governments as contained in the Alta Outcome Document from the Global Preparatory meeting of Indigenous Peoples in Alta Norway, June 2013 as follows:

***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;***

**IITC further commits** to explore the possibilities of moving forward to secure this status for Indigenous Peoples' governments via the Economic and Social Council (ECOSOC)

4. **IITC calls upon** the United Nations Post-2015 Sustainable Development Agenda Process and the Sustainable Development Goals to respect and include the proposals and contributions of Indigenous Peoples including respect for self-determination, land and resource rights, cultural rights, subsistence and food sovereignty, Free Prior and Informed Consent as well as full participation in Sustainable Development implementation processes and programs on all levels.

5. **IITC will undertake** an analysis of the pros and cons of as well as the legal implications of initiating work on an international Convention for the Rights of Indigenous Peoples, including the potential impacts on the UN Declaration on the Rights of Indigenous Peoples as the internationally-accepted minimum standard.

6. **IITC will commit** to advance, affirm and utilize Treaties and Treaty rights in support of struggles to protect their lands, waters, health, ecosystems and food sovereignty from non-sustainable development and environmental contamination. IITC reaffirms our continuing opposition to the Tar Sands Development, Keystone XL Pipeline and other non-sustainable development projects that violate Treaty Rights to land, food, water, health, FPIC and others.

7. **IITC supports** Treaty Making and mutual recognition processes between and among the Sovereign Indigenous Nations of the world

8. **IITC opposes** the designation as terrorists, criminals and/or "enemies of the State" of Indigenous human rights defenders who are working to oppose environmental violence and destruction and contamination of their lands, resources, cultural rights, sacred places and health as well as violation of their Treaty rights by non-sustainable imposed development. IITC will work to support, protect and defend Indigenous human rights defenders utilizing international processes and bodies. Further, IITC will work for the creation of and access to

just and participatory mechanisms for redress and remedies for Indigenous Peoples who are impacted by non-sustainable development and corporate human rights violations.

9. ***IITC recognizes*** that the health level of Indigenous Peoples in the Americas, the Caribbean and the Pacific is lower than that of non-Indigenous or mainstream societies. Land grabs, natural resource appropriation, as well as environmental contamination, degradation and destruction has significantly impacted the physical, mental, emotional and spiritual health of Indigenous Peoples.

***IITC resolves*** to raise international attention, through UN mechanisms dedicated to Indigenous Peoples as well as other UN and World Health Organization (WHO) mechanisms, about the multitude of issues, health determinants, and overall health of Indigenous Peoples, including the impacts of environmental contamination and resource extraction, considering that no specialized study or session has been dedicated to the health of Indigenous Peoples in recent history of the UN mechanisms focused on Indigenous Peoples.

***Adopted by Consensus September 12<sup>th</sup> 2014,  
Okemah Oklahoma***