

**Statement by the International Indian Treaty Council
Consultation on the Participation of Indigenous Peoples Representatives in the UN
May 3, 2017
Presented by Peter Yucupicio**

Thank you, Mr. Chair. My name is Peter Yucupicio, Vice Chairman of the Pascua Yaqui Tribe presenting for the Yaqui Tribal and Traditional governments in Arizona and Sonora Mexico, as well as the International Indian Treaty Council with affiliates including Traditional and Tribal Nation governments in 11 countries in Latin America as well as in North America, the Caribbean, Pacific and Arctic.

We again thank the Indigenous and State advisors for their efforts to develop a draft resolution that attempts to reflect and incorporate diverse positions and to build consensus in this process. However, at this time we are very concerned with the process as it currently stands. It stipulates that decision making on the final text to be carried out by States only after this final consultation, that falls below the minimum standard of the UN Declaration on the Rights of Indigenous Peoples including Article 18 which stipulates the Indigenous Peoples have the rights to participate in decision making which would affect their rights.

Given this, we are very concerned that the final product may also fall below the International Minimum Standard, the UN Declaration, which was adopted by the General Assembly in 2007 and was then reaffirmed by consensus of all States in the World Conference Outcome Document. Indigenous Peoples will not be in the room when this process impacting our inherent rights is concluded. We therefore withhold our agreement or endorsement until the result of these deliberations does not fall below the minimum standard of the UN Declaration, as the proposed process already does.

Having said that, and in the interest of respect for time, we will reiterate our greatest concern with the current zero draft and again present our proposed amendment which is the current text of Operative Paragraph 41, based on the text of the UN Declaration on the Rights of Indigenous Peoples Article 46.

Indigenous Peoples as well as States, during the entire process of the Declaration's development, consistently affirmed that the UN Declaration must be read in totality, and that its provisions must be understood to adequately balance and reflect the concerns and rights it contains. It is fundamentally a Declaration on the rights of Indigenous Peoples and not of States. The zero draft already underscores obligations under the Charter. By referencing only a portion of only one Article of the Declaration in OP 41, the zero draft serves to diminish the rights affirmed in the UN Declaration, which States committed not to undertake in the UN World Conference Outcome Document.

We recommend that the text of OP 4 of the World Conference Outcome Document, already agreed by consensus of all UN member states, be used instead which references a commitment to promote and advance the entire Declaration, which of course includes Article 46 as well as number of other provisions directly relevant to this process.

Our recommended revision for OP 41 is as follows:

41. We reaffirm our solemn commitment to respect, promote and advance and in no way, diminish the rights of indigenous peoples and to uphold the principles of the Declaration.

Thank you for registering our serious concerns with this process as well as the content of the zero draft,

and considering our recommendation. We will make these comments available to the advisors via email.

Thank you