

Global Indigenous Peoples Caucus
North American Special Rapporteur
UNPFII (April 22-May 3, 2019)

Issues

- *Whereas* lack of authentic Indigenous representation and participation occurs at the United Nations Permanent Forum on Indigenous Issues;
- *Whereas* Member States have yet to formally, meaningfully, and fully implement the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP);
- *Whereas* the Doctrine of Discovery and *terra nullius* has been used for centuries to justify seizure of Indigenous land and subjugate Indigenous peoples;
- *Whereas* the protection of inherent and collective rights as Indigenous peoples continues to be under threat of extinguishment through Member States assimilative legislation and unilateral resource development including but not limited to dams, mining, clear-cutting, and spraying of pesticides;
- *Whereas* Indigenous languages are deeply connected to non-human relationships including but not limited to earth, air, water, land, animals, ancestors, and the cosmos;
- *Whereas* the intergenerational transfer of traditional and ancestral knowledges is disrupted through unilateral resource development that affects land, waters, and medicines;
- *Whereas* land and water protectors are unjustly discriminated against and imprisoned for exercising their inherent and collective rights to protect land, waters, and medicines; and
- *Whereas* the political voices of vulnerable Indigenous groups such as children, youth, Elders, and women are not recognized by the Member States.

Recommendations

Therefore, the representatives of the Global Indigenous Peoples Caucus recommend that:

- (I) The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) be fully implemented by Member States without qualification.
- (II) The UNDRIP be raised to the level of a convention.
- (III) The implementation of the UNDRIP includes explicit reference to Articles 10, 11.2, 19, 28, 29.2, 32.2 that require the free, prior, and informed consent of Indigenous peoples on all matters related to their lands, territories, waters, and natural resources; cultural, intellectual, and spiritual properties; and administrative measures.
- (IV) Member States repudiate and reverse the ill-effects of the Doctrine of Discovery and *terra nullius*.
- (V) Member States take immediate and official steps to protect Indigenous languages and fully implement the Convention for the Safeguarding of the Intangible Cultural Heritage (UNPFII Recommendations Database, ID 1815, para. 24) and implement comprehensive national Indigenous education policies (ID 39, para. 19; ID 1408, para. 86).

- (VI) The implementation of the UNDRIP includes explicit reference to Articles 13.2, 14.3, 16.1 that protects the rights of Indigenous peoples to revitalize, use, develop, and transmit Indigenous languages to future generations; to control their educational systems in their own languages; and to have access to media in their own languages.
- (VII) The United Nations ensures the full, effective and direct representation and participation of Indigenous peoples, including their forms of governance (UNPFII Recommendations Database, ID 1741, para. 40; ID 1953, para. 07).
- (VIII) Member States respect the fundamental rights of Indigenous peoples, in particular women, children, youth, and Elders, and that they are able to exercise these rights in accordance with international human rights standards (UNPFII Recommendations Database, ID 130, para. 42).
- (IX) Member States also mainstream Indigenous gender issues and knowledge in national environmental policies and programmes (UNPFII Recommendations Database, ID 183, para. 75).
- (X) The United Nations create a mechanism to report and follow-up with Indigenous peoples whose lives are at risk for defending land, waters, and medicines.
- (XI) The United Nations Environmental Assembly address radioactive pollution and include this issue in future assemblies.