

**INTERNATIONAL INDIAN TREATY COUNCIL  
30th ANNIVERSARY CONFERENCE  
AJUMAWI TERRITORY, FALLS RIVER MILLS, NORTHERN CALIFORNIA  
July 8 – 11, 2004**

**Resolution on International Standards for Defending Indigenous Peoples' Rights**

*The delegates to this conference, representing Indigenous Peoples in 16 countries from North, Central, South America, the Pacific, Asia and Africa adopt by consensus the following resolution regarding the international work of the IITC to defend Indigenous Peoples Rights:*

**I. The United Nations Declaration on the Rights of Indigenous Peoples**

Bearing in mind that:

- 1) The International Indian Treaty Council (IITC) and its affiliates have adopted the UN Draft Declaration on the Rights of Indigenous Peoples in its current text, E/CN.4/Sub2/1994/2/Add.1 (1994) as their own document;
- 2) Many other Indigenous Peoples have done so as well;
- 3) The current text was developed in a process that lasted over 12 years, from 1982 – 1994, in the United Nations Working Group on Indigenous Populations, in which hundreds of Indigenous Peoples' representatives as well as states and UN experts participated actively;
- 4) The current text has been adopted by two UN Bodies, the Working Group on Indigenous Populations and the Subcommission for the Prevention of Discrimination and the Protection of Minorities;
- 5) The current text “constitutes the minimum standard for the survival, dignity, and well being of the Indigenous Peoples of the world”, as stated in Article 42; and
- 6) Despite the ongoing attempts by some states to weaken or qualify the rights that the current text upholds, it remains the official UN document, in large part because of the continued resistance of the IITC and other Indigenous Peoples' organizations to defend and preserve it;

***WE THEREFORE RESOLVE THE FOLLOWING:***

**To commit IITC to continue to defend the current official text of the Declaration as adopted by the Subcommission.**

*Towards this end* we authorize IITC's representatives to the two sessions of the Intersessional Working Group on the Draft Declaration (ISWGDD) in September and in November-December 2004, and to all bodies and fora where the Declaration may be discussed to utilize the following:

- 1) to reaffirm the established and agreed upon working methods of the Intersessional Working Group on the Draft Declaration, specifically:

- a) The Subcomission text will be the basis of the discussions in the Working Group
  - b) Nothing is agreed until everything is agreed, including any proposed changes
  - c) No Declaration will be adopted without the consensus of the Indigenous Peoples
- 2) IITC will continue to work actively for the adoption of the original text of the Declaration by the ISWGDD, the UN Commission on Human Rights, the Economic and Social Council (ECOSOC) and finally by the UN General Assembly.
  - 3) IITC's delegations to these bodies may decide not to block a consensus of the Indigenous Peoples' caucus in support of new language if it:
    - a) Either clarifies or strengthens the current text
    - b) Promotes the adoption of the original text and the fundamental provisions it upholds
    - c) AND would not in any way weaken or modify the rights and principles it now upholds
  - 4) If the States or the Working Group President move forward to present an altered, weakened Declaration text to the UN Commission on Human Rights, the IITC will vehemently object and will take all appropriate and affective actions in response, both in and outside of the United Nations, in coordination with other Indigenous Peoples.
  - 5) If IITC assesses that in fact there could be progress towards the adoption of the current text and that the process could be changed to make it more effective, IITC will agree, in consensus with other member so the Indigenous Peoples' caucus, to call for an extension of this process in the United Nations.
  - 6) IITC will continue to work to build unity and improve communications within the Indigenous Peoples' caucus, and will support the reestablishment of previously agreed to methods of work in the caucus towards this end.
  - 7) IITC will continue to educate Indigenous Peoples about the Declaration and the rights it includes, and will disseminate it widely.
  - 8) IITC calls upon Indigenous Peoples, Nations, Tribes, Organizations and Communities to also formally adopt the Declaration in its current text, and to use it to assert their rights on the local, national, regional and international levels.
  - 9) Finally, IITC will assess and review the situation at its next General Assembly, in 2005 in Alberta Canada.

## **II. The Organization of American States (OAS) Declaration on the Rights of Indigenous Peoples**

- 1) We reaffirm the concerns expressed in IITC's Conference resolutions in 1999, 2000, 2002 and 2003 regarding this process.
- 2) IITC will be vigilant and active regarding the progress of this process in order to oppose any proposals that fall below the minimum standards contained in the current United Nations Declaration text.
- 3) IITC will also oppose attempts by States and/or the OAS to push for rapid adoption of an "American Declaration on the Rights of Indigenous Peoples" in order to insure that adequate time is taken to secure the real and effective participation of Indigenous Peoples throughout the hemisphere.

## **III. Unrecognized Indigenous Peoples and Nations**

- 1) The IITC will formally denounce the position of the government of the United States to deny full recognition to Indigenous Peoples and Nations in what is today known as the State of California who are seeking such recognition, who represent historically distinct Indigenous Peoples and who have traditionally inhabited the lands where they are seeking to be recognized.
- 2) IITC will support them in this effort and will address these concerns to appropriate official bodies on the state, national and international levels, in coordination with and at the request of the affected Indigenous Peoples.
- 3) Furthermore, IITC will utilize appropriate international mechanisms to actively address the denial of recognition of Indigenous Peoples by states, and the related issue of the denial of recognition and demarcation of Indigenous Peoples' traditional lands and territories, at the request of Indigenous Peoples who are struggling for such recognition in the United States, Mexico, Canada, Guatemala, India, Kenya and in other countries where these struggles are ongoing.

*Adopted by Consensus July 11, 2004*