

**United Nation Human Rights Council**

**Expert Mechanism on the Rights of Indigenous Peoples 1<sup>st</sup> Session**

**October 1 – 3, 2008**

**Palais de Nations, Geneva Switzerland**

**Intervention by the International Organization of Indigenous Resource Development, Assembly of First Nations Canada, Regional AFN of Treaty 6, 7 & 8 (Alberta)**

**Agenda Item 5: Oral statement presented by Chief Wilton Littlechild October 1<sup>st</sup>, 2008 the EMRIP mandate under CHR resolution L.17 to “assist the Preparatory Committee by undertaking a review and submitting recommendations as contributions to the outcome of the Durban Review Conference”.**

**Thank you Mr. Chairman. We wish to formally associate ourselves with the interventions of the International Indian Treaty Council and the Indigenous Peoples of Australia.**

**I know that you have stated that that this is not a complaint mechanism but with regards to this agenda item I would like to link our intervention to the report of September 29<sup>th</sup>, A/CONF.211/PC.3/2 referenced by Vice Chairman Jose Carlos Morales. There is very little specific mention of Indigenous Peoples in Draft Report of the Intersessional Working Group, in fact only paragraphs: 11, 24 and 73 specifically mention Indigenous Peoples .**

**Mr. chairman I know that this is a serious meeting, but during the preparatory meetings before the Durban Conference I suggested that we should have a “UN Decade on Implementation” . Now maybe I should request that maybe there should be a Decade on “implementing implementation”.**

**Seriously, regarding the objectives of the Review Conference, objective 3 is to “provide a proper consideration of the recommendations of the CERD”, and to assess the implementation by states of CERD recommendations. For example, recently the CERD recommended to Canada that it should immediately endorse the UN Declaration on the Rights of Indigenous Peoples. Also the Special Rapporteur Stavenhagen recommended that Canada should ratify ILO 169.**

**There is a need to establish in the Canadian Parliament either in the House of Commons and/or the Senate a Committee on International Affairs of Indigenous Peoples. There is no domestic monitoring body to ensure compliance with international recommendations.**

**With regard to objective 4, which is to “identify and share good practices in the fight against racism” we simply restate our recommendation to use sports and traditional games as an excellent medium to promote respect.**

**Our concern regards the term Indigenous Peoples as included in paragraph 24 of the Durban Declaration and we join others who have also spoken eloquently this afternoon in expressing concerns about paragraph 24 of the Durban Declaration regarding the position on “indigenous**

**Peoples". This must be updated to reflect the internationally- accepted term "Indigenous Peoples" with no limitations which has been adopted since the Durban Conference.**

**You also stated concerns about mentioning country specific situations but our delegations continue to be concerned that Canada has withdrawn from the Durban Review Conference 2009 process. Canada is a member of the HRC and we would call upon this Expert Mechanism to be mindful of preemptory norms of anti discrimination and to recommend to all CHR member states to participate in the Durban Review Conference. This is one way we can work together in the promotion of better relations as referenced in the UN declaration and indeed restate paragraph 20 of the Program of Action and paragraph 78 which is restated in paragraph 9 of HRC resolution L.17 adopted on September 29<sup>th</sup> 2008.**

**Hai Hai.**

**Chief Wilton Littlechild**