The participants strongly condemned the decisions of the USA and Canada to vote against the adoption of the UN Declaration at the UN General Assembly and their subsequent false claims that the UN Declaration does not apply in Canada or the USA. The participants called upon the UNPFII7 to recommend that these States, along with New Zealand, join the rest of the international community and support the UN Declaration. The participants further called upon the UNPFII7 to confirm that the UN Declaration, as an international human rights standard adopted by the UN General Assembly with overwhelming State support, is applicable in all UN member States.

Indigenous Nations and Peoples around North America are experiencing the impacts of climate change in their communities and traditional lands. These include the disappearance of traditional subsistence foods, including wild game, fish, berries, wild plants and traditional food crops and plant medicines. Water levels are rising in coastal areas. Inland water tables, lakes, streams, rivers and springs are diminishing. Arctic sea ice is rapidly disappearing. New diseases affect the food chain and human health.

Clearly, climate change is violating Indigenous Peoples’ rights to self-determination, peace and security, right to development, right to food, Treaty rights, cultural integrity, right to health and a range of other fundamental human rights, including many that are affirmed in the UN Declaration.

Participants noted that although Canada, in particular, has committed to realizing the Millennium Development Goals (MDGs) in other countries, it is not working towards the implementation of the MDGs within Canada. For example, with respect to MDG 1 and MDG 4, Indigenous Peoples in Canada experience hunger, malnutrition and poverty, especially child poverty,
and Indigenous communities suffer from disproportionately high infant mortality rates and a range of other health concerns related to poverty.

- The UNPFII recommend to the Economic and Social Council and the Human Rights Council that the Expert Mechanism on the Rights of Indigenous Peoples conduct a thematic study on climate change. The study should adopt a rights based approach consistent with the UN Declaration and identify the impacts on the rights of Indigenous Peoples and the corresponding obligations of States. This study should include input and participation of Indigenous Peoples and be coordinated with the UNPFII and the Special Rapporteur on the situation of human rights and fundamental freedoms of Indigenous peoples.

- That the UNPFII strongly recommend that the CBD COP endorse and uphold the UN Declaration in its decisions and procedures. The UNPFII should recommend that the CBD COP ensure that the rights of Indigenous Peoples set out in the UN Declaration regarding self-determination, lands and resources, Treaties, FPIC and protection and control of Indigenous Peoples’ genetic resources are recognized in the CBD’s ongoing negotiations, especially on ABS.

- The participants emphasized that the UN Declaration is the minimum standard upholding a range of social and economic rights. They reiterated that the rights affirmed in the UN Declaration must now be applied as the operative framework and criteria for the interpretation and implementation of the MDG’s in this regard.

**UNPFII Seventh Session UNDRIP Implementation Recommendations**

- **International expert group meeting on the implementation of article 42 of the United Nations Declaration on the Rights of Indigenous Peoples** - the Economic and Social Council decides to authorize a three-day international expert group meeting on the implementation of article 42 of the United Nations Declaration on the Rights of Indigenous Peoples and requests that the results of the meeting be reported to the Permanent Forum at its eighth session.

- The Permanent Forum affirms that the UNDRIP will be its legal framework. The Permanent Forum will therefore ensure that the Declaration is integrated in its own recommendations on the seven substantive mandated areas — economic and social development, environment, health, education, culture, human rights and the implementation of the Declaration — as well as in the Forum’s work under the special theme for each session and in its ongoing themes and priorities.
The Permanent Forum calls for the cooperation of all States, indigenous peoples, the United Nations system and other intergovernmental organizations in its task of ensuring that the Declaration reaches indigenous peoples in their communities by appropriate dissemination of the text in indigenous peoples' own languages. In this connection, the Forum welcomes the measures decided upon by the Inter-Agency Support Group on Indigenous Issues for the dissemination of the Declaration.

The Permanent Forum requests that the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises and the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people identify the actions of transnational corporations that may breach the inherent rights detailed in the UNDRIP and invites them to present a joint report to the Permanent Forum at its eighth session in 2009.

The Permanent Forum requests that the specialized agencies of the United Nations, in accordance with articles 41 and 42 of the UNDRIP, review their policies and programmes in order to comply with the provisions contained in the Declaration ensuring respect for the right to self-determination of indigenous peoples and the right to free, prior and informed consent.

The Permanent Forum, the expert mechanism on the rights of Indigenous Peoples and the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people should evaluate whether existing and proposed climate change policies and projects comply with the standards set by the UNDRIP. These bodies, together with the members of the Inter-Agency Support Group on Indigenous Issues, should collaborate with States and indigenous peoples to effectively ensure that the implementation of the Declaration is central to the design and implementation of climate change policies and programmes.

The Permanent Forum recommends that the United Nations system promote understanding of the United Nations Declaration on the Rights of Indigenous Peoples among decision makers, public officials, justice systems, national human rights institutions and non-governmental organizations.

EIGHTH SESSION- Review Year

North American Caucus

Issues/Recommendations:
The rights recognized in Treaties, Agreements and Constructive Arrangements with Indigenous Peoples and affirmed in article 37 of the UNDRIP also have a direct impact on a range of economic and social as well as cultural rights for Indigenous Peoples. These rights must also be upheld by States. Participants noted that three of the four States which voted against the UNDRIP at the UN General Assembly have many Nation to Nation Treaties with Indigenous Peoples which continue to be violated to this day, with devastating impacts on the social, economic, cultural, spiritual, political, legal and environmental rights of Indigenous Peoples in the United States, Canada and New Zealand.

Request to have members of the UNPFII, in particular the Indigenous expert from North America, ask the representatives of the UN Development Programme (UNDP) and UN Food and Agriculture Organization (UN FAO) and the UN Environment Programme (UNEP), the agency coordinators of the UN REDD program, to explain the steps they have taken to implement article 42 of the UNDRIP in the development and implementation of this program. Focus specifically, in their response on implementation of article 26 relating to rights to lands and natural resources and full recognition of Indigenous Peoples’ legal title to traditionally-owned and used land and resources, as well as article 32 pertaining to FPIC regarding development projects affecting traditional lands, waters and natural resources.

Participants affirmed the right to free, prior, and informed consent and other rights in the UNDRIP must be upheld in fully addressing the human rights violations of Indigenous Peoples, Indigenous Nations, and local communities who continue to suffer from the terrible legacy of development uranium mining. Numerous studies have clearly documented Indigenous Peoples’ suffering from a range of diseases as a result of uranium mining. Participants call upon the UN Permanent Forum to continue to prioritize these human rights violations until all Indigenous lands and territories including our water have been fully reclaimed.

Participants called for a moratorium stopping all new uranium projects on Indigenous lands in North America including the nuclear waste storage project at Yucca Mountain, Nevada. The UNPFII was urged to call for a halt to uranium mining, in particular on Indigenous Peoples’ lands, as a global initiative.

Participants calls upon the UNPFII to support Indigenous Nations and organizations that are making the issue of disproportionate detainment, sentencing, and incarceration of Indigenous Children and Youth under county, state and federal custody in North America a priority. This request is
directly related to the compliance and enforcement of articles 7, 11, & 12 of the UNDRIP.

- **Climate change** is a global crisis confronting the world community, but its impacts and effects are disproportionately felt by Indigenous Peoples. Indigenous Peoples must be sovereign and equal partners in assessing and addressing Climate Change, its impacts and solutions. Their rights as set forth in the UNDRIP and other international law must be recognized, respected, protected and upheld. Participants expressed concern that many strategies promoted for the mitigation and adaptation of climate change in North America and around the world are being implemented without respect for the cultural, social, environmental, economic and political rights of Indigenous Peoples.

- **Articles 10, 31 and 32 of the UNDRIP** set the minimum standard for FPIC by Indigenous Peoples and these articles must be fully respected by UNFCCC as well as any REDD or any other carbon trading and carbon offset initiative that has an impact on the rights of Indigenous Peoples.

- Participants in the North American Region specifically **called upon Canada and the US to immediately and publically endorse the UNDRIP**, and begin work with Indigenous Peoples to establish timelines and adequate resources to ensure the full implementation of the norms and standards contained therein.

- Participants **called upon Canada and the US** to apply the provisions of the UNDRIP as the minimum norms and standards to guide the application of all laws and policies affecting its relations with Indigenous Peoples in Canada and the US and in other territories. All levels of government must be called upon to work with Indigenous Peoples to establish clear, binding requirements for consultation and accommodation that fully respect the rights of Indigenous Peoples under international and national law and to bring all other laws, policies and procedures into line with these requirements.

- Participants also **encouraged and urged Indigenous Peoples around the world to adopt, implement and put into practice the UNDRIP** and the rights it affirms in their tribes, communities and Nations and to use and assert the UN Declaration on the Rights of Indigenous Peoples and its provisions in their legal arguments, court cases, dialogues with local, state and federal government agencies, and to support their struggles for rights and justice at all levels.

- Participants called upon **the UNPFII to fully support** the efforts of Indigenous Peoples, organizations and communities to provide and receive training and capacity building regarding their human rights and the implementation of the UNDRIP, as well as international mechanisms such
as the UN CERD, the UN Expert Mechanism, UN Rapporteurs and the OAS Interamerican Human Rights System for defending and upholding their rights and holding states accountable for violations.

- Participants called for the implementation of the legally binding recommendations of the UN CERD regarding Canada in 2007 and the US in 2008, which call upon these states to monitor human rights violations committed against Indigenous Peoples both in and outside of these countries by corporations they have licensed, including mining companies, and to adopt the UNDRIP.

- Participants acknowledged that since the World Conference against Racism in Durban where Indigenous Peoples were not recognized as Peoples in the Outcome Document, advances have been made, including the adoption of the UNDRIP. The participants recommend that the UNPFII8 support the recognition of Indigenous Peoples as Peoples in the DRC Outcome Document, consistent with international law, including the UN Declaration on the Rights of Indigenous Peoples. Without this acknowledgment, racism, xenophobia and related forms of intolerance and discrimination will continue.

UNPFII Eighth Session UNDRIP Implementation Recommendations

- International expert group meeting on the theme “Indigenous peoples: development with culture and identity: articles 3 and 32 of the United Nations Declaration on the Rights of Indigenous Peoples”. The results of the meeting be reported to the Permanent Forum at its ninth session.

- Pursuant to article 38 of the UNDRIP, the Permanent Forum reiterates its invitation to States to provide the Permanent Forum with substantive information on the implementation of the Declaration and an assessment of the effectiveness of the Declaration at the national and local levels.

- The Permanent Forum recommends that the relevant treaty bodies take into account the Declaration and urges States to include information regarding its implementation in their reports to the universal periodic review of the Human Rights Council.

- The Permanent Forum recommends that States establish, where it does not already exist, a national dialogue with indigenous peoples on human rights, based on the Declaration.

- The Permanent Forum recommends that the Secretary-General provide adequate human and financial resources for the purpose of meeting the requirements of articles 41 and 42 of the Declaration as they apply to the Permanent Forum.
o The Permanent Forum recommends that all United Nations agencies, funds and programmes, as well as the African Commission on Human and Peoples' Rights, integrate relevant provisions of the Declaration into their policies, programmes, projects and strategies.

o The Permanent Forum recommends that States support the creation of indigenous language and cultural studies centres in universities and encourage universities to provide permanent teaching positions for indigenous peoples in those study centres; urges States to adopt a policy of free university tuition for all indigenous peoples; encourages those universities that have not already done so to establish designated places and scholarships for indigenous students; and encourages UNESCO to support those initiatives where applicable.

o The Permanent Forum calls on States to consult with indigenous peoples in a manner that fully respects their obligations under the Declaration and fully responds to the goals, needs and rights of indigenous peoples in the development and design of relevant legislation.

o The Permanent Forum reiterates its previous recommendations that those States that have not already done so adopt or endorse, where applicable, the Convention on the Rights of the Child, ILO Convention No. 169 and the UNDRIP.

NINTH SESSION- Indigenous peoples: development with culture and identity; articles 3 and 32 of the United Nations Declaration on the Rights of Indigenous Peoples

North American Caucus

Issues/Recommendations:

o That the Inter-agency Support group meet with Indigenous peoples and organizations in North America to address the needs of North American Indigenous Peoples within UN agencies.

o That the UNPFII set up a process that addresses specific violations of human rights of Indigenous Peoples as a result of ecologically and culturally destructive modes of development.

o That the UNPFII consider concepts of restorative development, repairing and healing the earth, through languages and ceremonies.
That the UNPFII promote a **fuller discussion** and debate regarding the **difference between ecologically unsustainable patterns of economic development and Indigenous-oriented ecologically sustainable economic development** patterns that remain mindful of the needs of future generations.

That the UNPFII – 9 ensure that water must be a focus of discussion within the main theme of development according to culture and identity.

The **UNPFII must encourage public and private interests** to expand beyond only considering profit as the primary motivator for development but also **consider the expense profit has on the land, water and Indigenous Peoples**. The UNPFII must make strong recommendations in all venues in order for Indigenous Peoples to ensure that the UNDRIP is accepted as the minimum standard by State governments on a nation-to-nation and government-to-government basis.

That the following **subjects be included in the half day discussion on North America**:
- treaty rights and aboriginal rights/title, border crossing, the doctrine of discovery, and the Canada/US position on the UNDRIP, water and environmental health and protection.

That the **United States and Canada unconditionally endorse UNDRIP, and follow-up with steps** to ensure that their laws and policies are made consistent with UNDRIP. Delegates expressed their readiness to work with the United States and Canada in that regard.

That **Canada revise its Comprehensive Claims Policy and abandon its policy of de facto extinguishment of Aboriginal Title and Rights**. They recommended that Canada and the United States adopt a policy based on the recognition of inherent Indigenous land rights, meeting the minimum standards set out in UNDRIP.

That current **government processes on land and treaty rights should not continue** until there is full recognition of inherent land rights and treaty rights and implementation on the ground.

That States sit down directly with the Indigenous nations and peoples to discuss and review the implementation of the UNDRIP.

That **Indigenous peoples from North America endorse and adopt the UNDRIP, translate it into their own languages and take steps** to document their implementation of the UNDRIP on the ground as examples that can be replicated by other Indigenous peoples.
o That the following recommendations of the Report of the international expert
group meeting on the role of the UNPFII in the implementation of Article 42
(E/C.19/2009/2) be implemented:
   a. Creation of a procedure within the UNPFII to facilitate a constructive
dialogue with States on the challenges, achievements and future action
that Indigenous issues require in each country under UNDRIP.
   b. A mechanism be implemented to remind States of the binding
characteristics of human rights.
   c. Training programs for national parliamentarians, staff within national
institutions such as human rights commissions and other agencies to
result in transforming the Declaration into national policies.

o That the UNPFII engage all proper UN agencies to initiate work on a true
environmental protection instrument that is based on Indigenous laws,
protocols and knowledge and protects the Indigenous right to water, land and
air. Delegates further recommended that traditional Indigenous laws be
respected as the fundamental law of the land.

o That Canada and its provincial governments stop criminalizing Indigenous
peoples who exercise their rights to protect their lands and territories; and
that the governments engage with Indigenous peoples on the basis of recognition
of the land and territorial rights of Indigenous nations and peoples.

o That the UN Voluntary Fund fund North American Indigenous participation in
proportionate numbers.

o That Canada and the United States contribute to the Voluntary Fund.

o That the UNPFII call upon Canada and the United States to report on the list of
issues that were focused on by the Committee on the Elimination of Racial
Discrimination.

o That a future special theme of the UNPFII be “Violence against Indigenous
Women”.

o That the issue of water be included as future work of the UNPFII and that a
UN expert meeting focus on water, its sanctity, and its protection for future
generations.

UNPFII Ninth Session UNDRIP Implementation Recommendations:

o Treaties and treaty principles should be included in the consideration of the
issue of indigenous peoples’ development with culture and identity.
Therefore, articles 3 and 32 of the UNDRIP should be read together with
preambular paragraphs 7, 8, 14, 15, article 37 and the Declaration on the Right
to Development.
o The Permanent Forum **endorses the report and recommendations** of the international expert group meeting on the theme **“Indigenous peoples: development with culture and identity: articles 3 and 32 of the United Nations Declaration on the Rights of Indigenous Peoples”**

o The Permanent Forum recommends that **States, the United Nations system** and other intergovernmental organizations provide political, institutional and, in accordance with article 42 of the UNDRIP, **financial support** to the efforts of indigenous **peoples so that they may consolidate their own development models and concepts and practices of living well** which are underpinned by their indigenous cosmologies, philosophies, values, cultures and identities, as well as link efforts to implement the Declaration.

o The Permanent Forum recommends that the **efforts undertaken to develop the indicators of sustainability and well-being of indigenous peoples should be continued and supported by States**, the United Nations system and intergovernmental bodies.

o The Permanent Forum calls on Member States, UNDP and other relevant organizations to **effectively involve indigenous peoples in the review processes of the implementation of the Millennium Development Goals** at the national and local levels.


o The Permanent Forum recommends that **UNDP include indigenous peoples in its programme of democratic governance** in order to support and strengthen indigenous institutions and enable indigenous peoples to enjoy their **right to political participation** and fortify their capacities for political conflict prevention and resolution.

o The Permanent Forum recommends that the **International Council on Mining and Metals provide a list of at least 10 projects that they recommend as good practices in the involvement of indigenous peoples** in mining operations. Indigenous Peoples are encouraged to visit such sites and report back.

o The Permanent Forum recommends that **States, United Nations agencies, financial institutions and donors promote and support development processes led and carried out by indigenous women’s organizations**, in accordance with articles 3 and 32 of the Declaration, for instance, leadership
and capacity-building schools and the creation of funds managed by indigenous women.

- The Permanent Forum **urges the Governments of Canada and the United States to work in good faith with indigenous peoples for the unqualified endorsement and full implementation of the UNDRIP**, and urges that such endorsement and implementation honour the spirit and intent of the Declaration, consistent with indigenous peoples’ human rights.

- The Permanent Forum **urges the Governments of Canada and the United States to respect the right of indigenous nations to determine their own membership**, in accordance with article 33 of the UNDRIP.

- The Permanent Forum recommends that UNDP, OHCHR and ILO facilitate dialogue and provide support to indigenous peoples in the areas of crisis prevention and democratic governance as they relate to extractive industries operating in indigenous territories in order to achieve more effective implementation and protection of indigenous peoples' rights.

**TENTH SESSION- Review year**

North American Caucus

**Issues/Recommendations:**

- **The US and Canada** have endorsed the UNDRIP, however they have issued official documents that appear to limit and to qualify their endorsement of UNDRIP, and to impose a narrow and unjustifiable reading of the UNDRIP, with possible global implications. Specifically, these two countries have attempted to unilaterally rewrite and to redefine essential recognitions of the rights of Indigenous Peoples, inter alia, the international legal character of Indigenous Peoples; our inherent right to self-determination; the right to identify ourselves and the citizens of our nations; the recognition of the international character and enforcement of treaties between settler states and Indigenous Peoples; the requirement of obtaining the free, prior and informed consent of Indigenous Peoples prior to the execution of any state or corporate policy that affects Indigenous Peoples; the right to control our traditional knowledge and intellectual property, our sacred medicines, sites and ceremonies; and our Indigenous Peoples’ control of our territories and the natural resources on, beneath, or through those territories. We strongly reject the attempted qualifications on the implementation of UNDRIP by the US and Canada.
o NAI PC urges the UNPFII and all bodies within the United Nations system, remind the United States and Canada, and all states, that they do not have the right unilaterally to define, to rewrite, or to interpret the UNDRIP.

o The NAI PC supports Proposals 4 and 5, of the Expert Mechanism on the Rights of Indigenous Peoples’ Report, 12-16 July 2010 (2010 EMRIP Report) (A/HRC/15/36), which propose that the EMRIP conduct an annual review on the manner in which the UNDRIP is being interpreted, represented and implemented.

o The NAI PC supports the recommendations set forth by the UN Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people, James Anaya, in his Interim Report of 9 August 2010 to the General Assembly (A/65/264), in which paragraphs 64-69 provide useful recommendations for “minimal practical steps toward the implementation of UNDRIP”.

o The NAI PC requests that the UNPFII call upon all UN agencies and processes to implement Article 42 of the UNDRIP, including the full right to participate in decision making as stipulated by Article 18 and all the Declaration’s provisions affirming and upholding Free Prior and Informed Consent. That the UNPFII request clarification from these agencies as to what steps they are taking to include the formal participation of Indigenous Peoples in their decision-making processes, including, but not limited to, providing an official seat and voice for the UNPFII in their proceedings.

o Of particular concern to NAI PC is the failure of key UN processes to provide mechanisms and procedures for Indigenous Peoples’ full and effective participation, and a meaningful role in their decision-making and policy development. These include, inter alia, the UN Framework Convention on Climate Change, the Stockholm Convention on Persistent Organic Pollutants, the Convention on Biological Diversity, the World Intellectual Property Organization and the International Maritime Organization (IMO).

o The NAI PC recommends the creation, under the auspices of the UNPFII, of a searchable database of best practices demonstrating the ways in which the Declaration is being implemented.

o The NAI PC recommends that the UNPFII create courses emphasizing ongoing training and knowledge dissemination in order to gain crucial understandings related to the history and future of the UNDRIP, and with a special focus to discern what a more hands-on approach to the education about the UNDRIP could mean to the empowerment of Indigenous youth. Finally, and significantly, for our future generations, affirming that our children are the seeds of our peoples and hence our greatest gift as societies of Indigenous Peoples, that in order to strengthen Article 14 of the UNDRIP relating to the
right to establish and control our own educational systems, the UNPFII encourage states to ratify the Convention on the Rights of the Child and its optional protocols.

- The NAIPC recommends that the UNPFII conduct a study on the issues facing Indigenous children and families, including but not limited to housing and limited standards, access to food and clean water, forced migration, labour exploitation, forced conscription into the military, deportation, forced displacement and severance from parents and families, sex traffic and other violent informal labour systems, and exposure to harmful pharmaceuticals, pesticides, herbicides and toxins.

- The NAIPC strongly urges the UNPFII to call upon all states to immediately abandon existing policies which claim to extinguish or have the effect of extinguishing indigenous children’s rights to the land, territories and resources, in particular, policies such as Comprehensive and Specific Claims policies. The NAIPC requests the UNPFII to urge Canada to terminate its Comprehensive and Specific Claims Policies that require the extinguishment of Aboriginal and Treaty Rights as a prerequisite to Land Rights settlements.

UNPFII Tenth Session UNDRIP Implementation Recommendations:

- International expert group meeting on the theme “Combating violence against indigenous women and girls: article 22 of the United Nations Declaration on the Rights of Indigenous Peoples”

- The Permanent Forum calls upon States, in conjunction with indigenous peoples, to establish national initiatives, programmes and plans of work to implement the Declaration with clear timelines and priorities. States and indigenous peoples should report regularly to their national legislative bodies and to the Forum on the progress and shortcomings in implementing the Declaration.

- The Permanent Forum urges all levels of government to ensure that relevant staff as well as the broader public are aware of the UNDRIP, in order to promote and ultimately achieve a framework for justice, reconciliation and respect for the human rights of all.

- The Permanent Forum calls upon all member States and United Nations agencies to respond to the annual questionnaire from the secretariat of the Permanent Forum in order to provide information on reliable practices that lead to the full and effective implementation of the Declaration. Further, the Forum recommends that the secretariat of the Permanent Forum include questions that particularly focus on indigenous children and youth.

- It encourages the parliamentarians and other elected indigenous representatives from national, regional and local decision-making bodies to establish an
international network or organization in order to share common experiences, including those related to the implementation of the Declaration in legislative and other democratic bodies. It further encourages the Inter-Parliamentary Union to install a liaising body with the indigenous parliamentarians to strengthen awareness of the Declaration. The Forum calls upon indigenous parliamentarians to promote the necessary legislative reforms for implementation of the Declaration.

- The Permanent Forum recommends that the secretariat of the Permanent Forum, UNICEF, the United Nations Institute for Training and Research, UNDP and the United Nations Programme on Youth cooperate closely with the Global Indigenous Youth Caucus to conduct and support regional and international human rights training programmes to build the capacity and advocacy skills of indigenous youth.

ELEVENTH SESSION- "The Doctrine of Discovery: its enduring impact on indigenous peoples and the right to redress for past conquests (articles 28 and 37 of the United Nations Declaration on the Rights of Indigenous Peoples)".

North American Caucus

Issues/Recommendations:

- At the request of the Permanent Forum at its 9th Session, North American representative Tonya Gonnella Frichner delivered to the Forum at its 10th Session a preliminary study entitled: “Impact on Indigenous Peoples of the International Legal construct known as the Doctrine of Discovery, which has served as the Foundation of the Violation of their Human Rights.” (E/c.19/2010/13). That report clearly documents “the Framework of Dominance,” which is a currently existing global structure of domination maintained by a language of domination and subordination. What has been commonly called the Doctrine of Discovery is an historical manifestation and outgrowth of that language and global structure.

- The documents of domination contain an underlying structure of domination and subordination that exists to this day and results in current, persistent, and lethal effects of domination on our nations and peoples. The pope gave Christian monarchs that authorization “imperii Christiani propagationem..” so as “to propagate the Christian empire.” The English Crown followed this model by promulgating its own royal crown charters of discovery and domination relative to non-Christian lands.

- It was such language in many Church-State and State-Church documents that supposedly authorized monarchs of Christendom “to dominate”
(‘deprimantur’ in Latin) non-Christian nations and peoples throughout the globe. Over more than five centuries this language system of domination and subordination has destructively impacted nations and peoples in Africa, Asia, Oceania and the Pacific Rim, South, Central, Northern Europe, and particular in our region of Mother Earth, North America. It was brought to the attention of the UNPFII representatives that the use of the word “conquest” has specific legal connotations, and some background information was requested on the use of this term.

- The NAIPC recommends that Indigenous Peoples encourage an expert group meeting to examine the effects of domination on Indigenous Peoples.
- The NAIPC recommends that a comprehensive panel of legalists and jurists be assembled to review all the actions under the doctrine of discovery and domination (e.g. residential schools, Indian Act, etc.). Fleshing out these concepts is important, and such an academic review would contribute to a general understanding of the doctrine of discovery and domination.
- The NAIPC recommends that Indigenous nations and peoples that have relations with English common law countries use dominating society court systems to argue against the Doctrine of Discovery root principles that have been globally adopted from Johnson v. M'Intosh (Canada, Australia, New Zealand, and U.S.A.)
- The NAIPC recommends that the UNPFII urge States to repeal laws, policies and processes based on the Doctrine of Discovery and jointly develop with Indigenous Peoples laws, policies and processes consistent with Articles 28 and 37 of the UNDRIP.
- The NAIPC recommends the Intergenerational impacts of the Doctrine of Discovery on Indigenous children be taught in schools and that there needs to be educational opportunities to be informed of the Doctrine of Discovery so that they have an opportunity to resist and refute the doctrine.
- The NAIPC calls upon the UNPFII to recommend that the appropriate UN body embark on an education campaign on the Doctrine of Discovery.
- The delegates discussed the fact that Indigenous Peoples have inherent collective rights as Nations and Peoples that are beyond individual rights. The government of Canada has a comprehensive claims policy that does not explain or justify the basis for the Canadian government’s claim of underlying title to the territories of Indigenous Nations and Peoples.
- NAIPC recommends the World Bank and other monetary institutions be made aware that companies that are mining or developing in Indigenous territories are acting in violation to Indigenous peoples’ rights and these companies should be boycotted and financially penalized. Indigenous
peoples must proceed with the mentality that these are all our territories, regardless of any occupation/colonial use of our lands and territories.

- We call upon the UNPFII to convene an **Expert Group Meeting on the issue of hydraulic fracturing, otherwise known as "hydrofracking," tar sands, coal bed methane and the Keystone XL pipeline to examine the ways that Indigenous peoples are being impacted or potentially impacted** by these extraction methods, and report to UNDP, UNEP, and other appropriate UN agencies with a responsibility for environmental and human rights protections.

- The NAIPC **recommends the United Nations confirm that the doctrine of Christian discovery** is factually, legally, and morally wrong. The NAIPC calls upon the United Nations to declare that the doctrine of discovery is illegal and cannot be relied upon by state governments in law making, policy development or in litigation.

**UNPFII Eleventh Session UNDRIP Implementation Recommendations:**

- The Economic and Social Council decides to authorize a three-day international **expert group meeting** on the theme "**Indigenous youth: identity, challenges and hope: articles 14, 17, 21 and 25 of the UNDRIP**".

- The Permanent Forum calls upon States to repudiate such doctrines as the basis for denying indigenous peoples' human rights.

- An ongoing **manifestation of dispossession doctrines is the concept of extinguishment**, found in the regulations, policies and court decisions in which States have purportedly “extinguished” the rights of indigenous peoples to their lands, territories and resources, their right to self-determination, their languages, religions and even their identities and existence through the notion of “recognition”, that is by recognizing some and not recognizing others as indigenous. No other peoples in the world are pressured to have their rights "extinguished".

- **Article 26 of the UNDRIP**, treaty body jurisprudence and case law from all major international human rights institutions confirm that indigenous peoples hold collective rights to the lands, territories and resources that they have traditionally owned, occupied or otherwise used, and that respect for their customs, traditions and land tenure systems is owed to them. Such rights have the **same legal status as all other property rights to lands, territories and resources**.

- The Permanent Forum recommends that **States include in all education curricula, in particular the school system, a discussion of the doctrine of discovery/dispossession and its contemporary manifestations, including land laws and policies of removal.**
The Permanent Forum welcomes the recommendation to establish a voluntary international mechanism to receive and consider communications from indigenous peoples specifically concerning their claims to, or violations of, their rights to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.

The Permanent Forum recommends that States and the United Nations system, with particular attention to the activities of the United Nations Children’s Fund (UNICEF) and the World Health Organization (WHO), introduce indigenous youth perspectives into existing youth policies and plans, including the five-year action agenda of the Secretary-General to address health issues. In addition, there should be a distinct focus on indigenous youth by improving participation in decision making and by introducing and including mental health services for young people, with particular efforts to address suicide among indigenous youth.

The Forum expresses its concerns regarding continued violence against women and, owing to the seriousness of these conditions, reiterates its previous recommendations regarding: human and sex trafficking; prostitution and trans-border issues; the disappearance, or murder, of aboriginal women; issues related to identification and birth certificates; environmental violence; intergenerational trauma; youth suicide; peace and security; conflict prevention and resolution; cultural practices such as female genital mutilation or cutting; bride price and promised brides; racism and discrimination; and data disaggregation.

The Forum endorses the report and recommendations of the three-day international expert group meeting on the theme “Combating violence against indigenous women and girls: article 22 of the United Nations Declaration on the Rights of Indigenous Peoples” (E/C.19/2012/6).