

**Consultations organized by the President of the UN General Assembly on possible measures to enable the participation of indigenous peoples' representatives and institutions in relevant United Nations meetings on issues affecting them**

New York, 18 May 2016

**The Arctic Indigenous Caucus' Comments to the Second Compilation**

Thank you.

I speak on behalf of the Arctic Indigenous Caucus.

We would like to thank the PGA's team for providing an updated compilation and for developing the attached discussion paper.

As stated at last week's consultation meeting, we fully support the call for *observer status* at the GA for indigenous governance institutions.

We are encouraged by the increasing support for indigenous peoples' call for effective participation at all levels of the UN, including as expressed by the Nordic States, in their joint statement last Friday in the plenary of the Permanent Forum.

The Arctic Caucus agrees with the PGA's conclusion that there is no rule that would prevent the General Assembly from deciding to establish a new observer category for indigenous peoples, including observer status at the GA. As stated earlier, the question of whether such status is granted to indigenous peoples depends on whether Member States have the necessary political will to do so.

Mr/Madam Chair,

The discussion paper invites States and indigenous peoples to provide views on possible minimum modalities for participation of indigenous peoples at the General Assembly, and/or its subsidiary bodies that could be agreed upon. We appreciate this question, as we believe that the answer to this question will outline the possible outcome of this process.

At last week's consultations, we provided the main reasons for why indigenous peoples' governance institutions should have participatory rights at the GA, similar to the participatory rights of the vast majority of current observers. Several delegations have approached us asking what we mean by the formulation "vast majority of current observers". We are pleased to elaborate further on this issue, as part of our response to your question in the discussion paper.

As you are well aware of, not all observers have been granted the same participatory rights. The Holy See and Palestine can participate in all aspects of the GA's work. The participation of all other observers, those which we have referred to as the vast majority of observers, is more restricted; they can speak in formal meetings, but are not always invited to participate in closed meetings. They cannot co-sponsor resolutions and cannot raise points of order, nor do they have the right to reply. In our view, this could be the initial

modality for the participation of indigenous observers at the General Assembly. This would be in line with the spirit and underlying principles of the Declaration.

With regard to the second element of your question, concerning modalities for participation of indigenous peoples in GA's subsidiary bodies, it should be noted that the rules of procedures established for GA's main committees are often also made applicable to GA's subsidiary bodies. For instance, OP 11 of GA resolution 60/251 - on the Human Rights Council – decides that the Human Rights Council shall apply the rules of procedure established for committees of the General Assembly, as applicable, and that the participation of observers shall be based on arrangements and practices observed by the former Commission on Human Rights.

The process of ensuring effective indigenous participation in the wider UN-family may be a bit more cumbersome and challenging than what is the case for GA's subsidiary bodies. As recognized in the discussion paper, the GA might only be able to encourage indigenous peoples' participation in the various UN programs, funds and specialized agencies. However, observer status in the GA would likely make it easier for indigenous governance institutions to obtain participatory rights in the wider UN-family, compared with a situation where the GA potentially creates a completely new and unknown participatory category for indigenous peoples. This is because the GA observer category is a known category within the UN-system. We fear that the creation of a completely new and stand-alone participatory category for indigenous peoples may make it more difficult to secure participation for indigenous governance institutions in the wider UN-system.

In other words, the granting of observer status to indigenous governance institutions, in the General Assembly, would not only allow indigenous peoples to participate at all levels within the United Nations, as it would also facilitate easier access to wider UN-system.

Finally, we would like to address the unfounded fear that enhanced participation for indigenous governance institutions could contribute to unmanageable problems for the UN, because this could result in an influx of indigenous observers. The Arctic Caucus does not share these concerns. We are confident that these challenges will be managed, without any major problems; in the same way as the UN-system - in particular ECOSOC - successfully manages a consultative relationship with thousands of non-governmental organizations.

Thank you.