

## **United States Review of the UN Declaration on the Rights of Indigenous Peoples**

**Comments** from the Friends Committee on Maine Public Policy Contact person: Diana White, Clerk, 27 Pleasant Street, Fort Kent, Maine 04743 dianaw@maine.edu

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**Summary of Comments:** Friends Committee on Maine Public Policy (Quakers) strongly supports endorsement by the US government of the UN Declaration on the Rights of Indigenous Peoples.

### **Text of Comments**

Friends Committee on Maine Public Policy (FCMPP) is an organization of Quakers (Friends) in Maine with a concern for relations between the native peoples who have lived in the Northeast for thousands of years and those of European descent who arrived four hundred years ago. In Maine, there are four tribes which have relationships with state government and are federally recognized: the Aroostook Band of Micmacs, the Houlton Band of Maliseet Indians, the Passamaquoddy Tribe, and the Penobscot Indian Nation. Friends in Maine recognize an obligation to witness to the problems of environmental, economic, and social injustice which result from historic relationships between the tribes, local, state, and federal governments, and from ongoing disputes about the sovereignty of Maine Indian tribes.

Problems of sovereignty for Indian tribes now within US borders have a long and tangled history. It is clear that a historic contribution to the problem was the papal and monarchical charge to European explorers to appropriate lands occupied by non-Christians and to subjugate those living on the lands. Indigenous peoples around the world have struggled to overcome the difficulties resulting from this as well as other incursions and appropriations of their historic territories and cultural inheritances.

It took over 20 years of international collaboration to frame the UN Declaration, which establishes a universal framework of minimum standards for the survival, dignity, well-being and rights of the world's Indigenous peoples. The Declaration addresses individual and collective rights; self determination; rights to lands and resources; cultural rights and identity; rights to education, health care, employment; the right to use and preserve Indigenous languages, and other important rights. It outlaws discrimination against Indigenous peoples and promotes their full and effective participation in all matters that concern them. It also ensures their right to remain distinct and to pursue their own priorities in economic, social, and cultural development. The Declaration explicitly encourages harmonious and cooperative relations between States and Indigenous peoples.

UN Secretary-General Ban Ki-moon has articulated: "The Declaration is a visionary step towards addressing the human rights of indigenous peoples. It sets out a framework on which States can build or rebuild their relationships with indigenous peoples. The result of more than two decades of negotiations, it provides a momentous opportunity for States and indigenous peoples to strengthen their relationships, promote reconciliation and ensure that the past is not repeated. Indigenous peoples' collective rights are human rights, as affirmed in the Declaration and other international and regional instruments... Like other human rights instruments, the Declaration is necessarily drafted in broad terms. Its provisions can accommodate the different circumstances relating to Indigenous peoples – both now and in the future. ..Clearly, collective rights, environmental rights, and economic and social rights are essential elements of human rights ...International treaty monitoring bodies are referring to the Declaration and using it to interpret the rights of Indigenous peoples and individuals and related State obligations. This practice underlines the significance of the Declaration and its implementation at all levels – international, regional and national."

The UN Declaration represents a first step to create an international framework which can assist nation-states and their constituent governments to recognize and equitably collaborate with indigenous populations which have historically different understandings of sovereignty and territory. Endorsement of the Declaration by the US government would provide guidance to state and local governments struggling with issues which have intertwined historic causes and different understandings of tribal authority.

The United States has taken the position that we are leaders in promoting freedom and justice. As one of the two nations that have not yet endorsed the UN Declaration, we must be mindful that the world is watching whether our commitment to human rights extends to those within our borders.

We believe that endorsement of the UN Declaration by the US government will begin the process in our country of creating a moral and political imperative to discern new ways toward reconciliation and healing justice.

*Comments approved by the Friends Committee on Maine Public Policy at its meeting June 19, 2010 in Waterville, Maine*