

Indian Law Resource Center

Indigenous Peoples' Rights

<https://indianlaw.org/undrip/un-declaration-sets-new-agenda-us-indian-relations>

Campaign and Advocacy

December 16, 2010

Today, the United States government at last officially endorsed the UN Declaration on the Rights of Indigenous Peoples and joined the international community in recognizing that American Indians and other indigenous peoples have a permanent right to exist as peoples, nations, cultures, and societies.

The United States is the last of the four countries that voted against the UN Declaration to reverse its position. This endorsement reflects the worldwide acceptance of indigenous peoples and our governments as a permanent part of the world community and the countries where we live. The Declaration on the Rights of Indigenous Peoples is the most significant development in international human rights law in decades. International human rights law now recognizes the rights of indigenous peoples as peoples, including rights of self-determination, property, and culture.

For me, the United States endorsement of the UN Declaration marks the culmination of over three decades of hard work by indigenous peoples and other members of the international human rights community. In 1976, when the Six Nations and I began the work of drafting and proposing a declaration to be adopted by the United Nations, we did not know that our idea would one day be universally accepted and supported first by indigenous peoples and eventually by the countries of the world. We knew of the terrible inadequacy of legal regimes and the gross violations of indigenous peoples human rights in most countries. We turned to international law primarily because of the need to overcome and improve national laws and practices and because of the desire to regain a place for indigenous peoples in the international community.

Our work to ensure justice for Indian nations in this country begins in earnest with the United States endorsement of the UN Declaration. To see the promise of the Declaration become a reality, we must continue to fight for laws, policies and relationships that take into account the permanent presence of Indian nations in this country, and throughout the world.

The Declaration sets an agenda for the United States and Indian nations to design a reasonable approach to a progressive realization of the duties and responsibilities in it. It serves as a guide for consultations among Indian and Alaska Native nations and U.S. governmental departments and agencies to improve the government-to-government relationship among Indian and Alaska Native nations and the United States.

In our work for Indian rights, we can and should use the UN Declaration on the Rights of Indigenous Peoples as a powerful affirmation of our rights. Only through continued use will its provisions become our reality. We can use the Declaration to evaluate laws that are now on the books and for laws that may be proposed. Does the law measure up to the standards of the Declaration? Does the law or bill satisfy the requirements of the Declaration? It should. And if it does not, then it should be changed or discarded.

The Declaration can also be used as a guide for procedures and processes in dealing with indigenous peoples. Some of the most important rights in the Declaration are the right to participate in the decision-making process and the right to be consulted on important matters relating to indigenous peoples. The rights proclaimed in the Declaration can also be used to defend against proposals and actions that violate Indian rights. The Declaration can be used in this way by all people: Indian leaders, public officials, educators, and others.

The Declaration can also be used to support and advocate for positive legislation and positive government action relating to Indian peoples. In particular, the Declaration can be used as a basis for making demands that the federal government fulfill its responsibilities to tribes and carry out its obligations to promote and respect the human rights of Indian nations and tribes. Congress needs to hold hearings to examine the United States human rights obligations to Indians and to assess whether existing laws and policies adequately respect the rights established in international law.

Continuing to work in this way to ensure justice for Indian peoples is the best way to celebrate and honor the United States endorsement of the UN Declaration on the Rights of Indigenous Peoples. This is a very important first step in the process. We thank all of the advocates, leaders and government officials who have made this vision of freedom and equality a reality.

Chi Megwetch.

Robert T. Coulter

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For further information about the UN Declaration and how you can participate in its implementation, contact us at 202/547-2800 or 406/449-2006 or go to www.indianlaw.org

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practiced Indian and human rights law for more than 30 years.

News articles:

Washington Times: <http://www.washingtontimes.com/news/2010/dec/16/obama-adopts-un-manifesto-on-rights-of-indigenous-/print/>

Reuters: <http://www.reuters.com/article/idUSTRE6BF3RF20101216>

InterPress Service: <http://www.commondreams.org/headline/2010/12/17-8>

Democracy Now: http://www.democracynow.org/2010/12/17/headlines/us_to_sign_un_declaration_on_indigenous_rights

The Phoenix Sun: http://thephoenixsun.com/archives/11878?utm_source=rss&utm_medium=rss&utm_campaign=in-historic-move-us-endorses-un-declaration-on-the-rights-of-indigenous-peoples

Indianz.com: <http://azatty.wordpress.com/2010/12/16/indigenous-rights/>

Turtle Talk: <https://turtletalk.wordpress.com/tag/un-declaration-on-the-rights-of-indigenous-peoples/>

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