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Permanent Forum on Indigenous Issues
Eleventh session
New York, 7 – 18 May 2012

**Recommendations of the North American Indigenous Peoples'
Caucus to the Eleventh Session of the United Nations
Permanent Forum on Indigenous Issues**

Organizational Details

1. The preparatory meeting of the North American Indigenous Peoples Caucus (NAIPC) in anticipation of the 11th session of the United Nations Permanent Forum on Indigenous Issues (UNPFII) was held in the traditional territory of the Haudenosaunee (Niagara Falls Ontario) from March 10 – 11, 2012, and hosted by the Chiefs of Ontario.
2. The NAIPC meeting was attended by 75 delegates representing Indigenous Nations and Peoples, Indigenous Peoples' organizations, and communities from throughout Great Turtle Island. The meeting was opened by a traditional Haudenosaunee Thanksgiving Address.
3. The delegates confirmed the appointment of Debra Harry (Kooyooee Dukaddo) and Arthur Manuel (Secwepemc) to serve as Co-chairs of the meeting. The delegates selected Steve Newcomb (Shawnee/Lenape) and Richard Powless (Mohawk) to serve as Rapporteurs. Notetakers included Joshua Shoemaker, Diane Maracle Nadijwan, Neegann Aaswaakshin, Johanna Pardo Jiminez, Sara West (COO), and Marla Monague (COO).
4. North American Expert to the UNPFII, Ed John provided an overview of the upcoming Eleventh Session of the UNPFII, and UNPFII Secretariat Sonia Smallacombe provided logistical and procedural information to the meeting delegates.
5. In the final hours of the meeting, delegates were presented with a draft report of the meeting, reviewed and made amendments from the floor, and the amended report was adopted by consensus. The full report of the NAIPC is attached and is hereby formally transmitted to the UNPFII Secretariat for inclusion as an official document for the upcoming Eleventh Session of the UN Permanent Forum on Indigenous Issues.
6. Kenneth Deer (Mohawk) a coordinator for the Global Indigenous Caucus Preparatory Meeting provided an overview of the Global Indigenous Caucus meeting that will take place before the 11thth at the UN Church Centre. The NAIPC recommends that the UNPFII Secretariat enable side events to be held during the day so that delegates who cannot get into the Permanent Forum meetings will be able to attend these events.

Agenda Item 3. Discussion on the special theme for the year: “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.)

7. The special theme for the 11th Session of the UN Permanent Forum on Indigenous Issues is “The Doctrine of Discovery: its enduring impact on indigenous peoples and the right to redress for past conquests (article 28 and 37 of the United Nations Declaration on the Rights of Indigenous Peoples).” Given a theme that encompasses the scope of more than five centuries of history, we are providing the following deep structure summary of that historical context for the benefit of

the Permanent Forum members. It is this context that provides the accurate basis for the interpretation of this NAIPC report.

8. 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.
9. Onondaga Faithkeeper, Oren Lyons, provided an historical overview of the creation of the UNDRIP starting in 1977. He said its all about land – we have it and they want it. He urged delegates not to be diverted from the Doctrine of Discovery. He said the work is to emphasize the global impact of the doctrine through the centuries, right up to the present day.
10. Steve Newcomb provided a background to the Doctrine of Christian Discovery and Domination. The original free and independent existence of each and every one of our nations and peoples, and our cultural and spiritual relationship with our territories, long predates any assertions or claims of a right of discovery and domination by the monarchies and nations of Western Christendom during the fifteenth and later centuries. Our original free existence is the source of the sacred birthright bequeathed to us by our ancestors, traced to the beginning of time. Our sacred relationship with Mother Earth and the Sacred Laws of each of our nations and peoples is the basis for our declaration that we shall forever be rightfully free of any and all assertions or claims of dominance by states that trace their political heritage to a long succession of empires from Europe. The pretentious claims laid by states—such as the United Kingdom, Canada, and the United States—to our lands and territories are traced back to self-acknowledged pretensions to create rights of sovereignty in our traditional territories through symbolic and ritualized acts (see Arthur S. Keller, “Creation of Rights of Sovereignty Through Symbolic Acts 1400-1800,” 1939), which are sometimes falsely termed “past conquests.”
11. The documents of domination that we have deeply examined in Latin and English—such as documents issued by the Holy See and royal crown charters of England and Great Britain--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 following quote from the Inter Caetera papal bull of 1493 unequivocally expresses this structure: “*omnes et singulas terras et insulas predictas, sic incognitas, et hactenus per nuntios vestros sub dominio actuali temporali aliquorum dominorum Christianorum constitute non sinct...*” and refers to lands that had at no time been “under the actual temporal domination of any Christian dominator.” 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.

12. 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 this ongoing and dehumanizing tradition of domination and subordination that caused our nations and peoples to enter the international arena in 1977, which resulting in the UN Declaration on the Rights of Indigenous Peoples. 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.
13. Robert Miller, professor of law, raised case law in the US. He identified 10 constituent factors that he sees as making up the Doctrine of Discovery. He pointed out that the U.S. Supreme Court decision in *Johnson v. McIntosh* (part of ‘the Marshall Trilogy’ of U.S. cases) has been used in common law countries (Canada, Australia, New Zealand, and the U.S.) and in other countries as well. He pointed out that the Doctrine of Discovery is global in scope.
14. The World Council of Churches should be commended for their steps towards denouncing the doctrine of discovery. The North America Caucus meeting in Niagara Falls strongly suggest that the members of the World Council of Churches go to the next step of implementing their denunciation of the doctrine of Christian discovery and domination. More specifically, their members should stop investing in any companies that are getting permits, licenses and permission from the colonizer states to go into our territories.
15. The NAIPC recommends that Indigenous Peoples push forward to take this framework of analysis to the next level and encourage an expert group meeting to examine the effects of domination on Indigenous Peoples.
16. 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.
17. 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.)
18. Consistent with the UNPFII February 2010 preliminary study on the Doctrine of Discovery, the NAIPC recommends that an international expert group meeting be convened to discuss in detail the findings and global implications of this preliminary study of the Doctrine of Discovery and to present its findings to the Permanent Forum on Indigenous Issues at its annual session.
19. 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 United Nations Declaration on the Rights of Indigenous Peoples.

20. We acknowledge that the U.S. Supreme Court ruling *Johnson v. M'Intosh* referred to the "extravagant...pretension of converting the discovery of an inhabited country into conquest," thereby claiming on the basis of that pretension underlying title to Indigenous lands and territories. We absolutely reject the idea that Indigenous Nations and Peoples are conquered. For this reason, we recommend that the term "conquest" not be used by the UNPFII in a manner that suggests or implies that conquest has in fact occurred and that Indigenous Nations and Peoples have been conquered. NAIPC recommends that the use of the term conquest be removed from all statements and documents with any connection to the Doctrine of Discovery and that the NAIPC make a clear statement declare and affirm that Indigenous peoples are not conquered.
21. 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.
22. The NAIPC calls upon the UNPFII to recommend that the appropriate UN body embark on an education campaign on the Doctrine of Discovery.
23. 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. Mining companies are requesting permission from provinces and governance under the guise that governments have authority and title to give such sanctions.
24. During the CERD Periodic Review 2012 the CERD asked the government of Canada "What is the legal foundation relied on by the state of Canada to justify their claim to the underlying title to the lands and territories of the Indigenous Nations?" Our research reveals that Canada's assertion of sovereignty and Crown title is based upon the Doctrine of Christian Discovery and Domination which is implemented through a policy negotiation framework and the Comprehensive Claims and Self-Government policies, with the objective of extinguishing aboriginal rights. Evidence of this connection in the Canadian context is found in the ruling *The Delgamuukw v. British Columbia* (also known as *The Delgamuukw v. The Queen*) (1997) 3 S.C.R. 1010, which is regarded as the leading decision of the Supreme Court of Canada where the Court made its most definitive statement on the nature of aboriginal title in the context of the "assertion of British sovereignty," and "the assertion of Crown sovereignty." We recommend that the UNPFII conduct a comprehensive study of the use of the Doctrine of Discovery by states as an underlying basis for such state policies, practices, and laws.
25. 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.

26. State claims of power to grant permits for mineral exploitation—e.g., tar sands oil exploitation, uranium mining, coal bed methane exploitation, and hydrofracking—on traditional territories of Indigenous nations is premised on the claim that Christian discovery gave the “discoverers” the right to “assert sovereignty” relative to the traditional lands and territories of Indigenous nations. The Haudenosaunee calls for a complete ban on the method of natural gas drilling known as “hydraulic fracturing,” or “hydrofracking,” within the traditional territory and treaty lands of the Haudenosaunee Confederacy, and everywhere hydrofracking will contaminate land, air, and water. They also call for a complete ban on tar sands oil exploitation, coal bed methane exploitation, and the construction of the Keystone XL pipeline. We call for the UNPFII to convene an Expert Group Meeting on the issue of how to move off the current fossil fuel habit and how to move as expeditiously as possible to a global energy program that is based entirely on truly renewable, non-polluting energy sources. 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.
27. The NAIPC recommends the United Nations confirm that the doctrine of Christian discovery is factually, legally, and morally wrong. This is partly based on the fourth preambular paragraph of the UN Declaration of Indigenous Peoples, which reads: “*Affirming further* that all doctrines, policies and practices based on or advocating superiority of peoples or individuals on the basis of national origin or racial, religious, ethnic or cultural differences are racist, scientifically false, legally invalid, morally condemnable and socially unjust.” 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.
28. The NAIPC recommends that the United Nations Permanent Forum on Indigenous Issues adhere, safeguard and promote Indigenous Sovereignty in the European derived legal frameworks in its work on the Discovery Doctrine so as not to inadvertently concede it.
29. The NAIPC recommends the Permanent Forum should be encouraged in cooperation with state governments to undertake a complete and comprehensive study on the effects of the doctrine of discovery on the lands and territories of Indigenous Nations and Peoples.

Item 3. UN Expert Group Meeting on Violence against Indigenous Women and Girls

30. Delegates spoke of a new concept that has been discussed in the UN, that is, ‘Environmental Violence’ against Indigenous women. For example, elevated cancer rates in young girls due to use of toxins that are well known to be harmful, yet are purposely used to make profit. The NAIPC recommends that all forms of violence be considered and discussed and specific strategies be developed to effectively address all the forms of dominating violence against Indigenous women. Priority must be given to the issue of direct violence against women.

31. Given the hundreds of missing and murdered Indigenous women in Canada, most of them unresolved and unsolved the NAIPC recommends a recognition of the explicit connection between sexism, patriarchy, paternalism, and so called domination of men over women and the Doctrine of Discovery, as well as the lack of ability to hold non-indigenous people accountable for their violence against Indigenous women.
32. The NAIPC recommends that the Doctrine of Discovery and its paternalistic framework of dominance be examined to understand the root causes and current practices that promote violence against Indigenous women so as to become more effective at ending violent domination against Indigenous women.
33. Based on discussion and feedback from Indigenous women at the recent Assembly of First Nations Justice Forum that included a focused discussion on Violence Against Indigenous Women and Girls, the NAIPC recommends the UNPFII urge States to ensure that Indigenous women and girls need to be actively and increasingly involved in all political, economic, and social processes so as to honour and restore the traditional general roles and responsibilities of women in Indigenous nations.
34. NAIPC recommends the government of Canada establish a national inquiry on the disappearance and murder of hundreds of Indigenous women and girls in Canada, which shall include equal participation and funding for Indigenous peoples' representatives, and that the government of Canada establish a Royal Commission, with equal Indigenous participation, on incidences of violence against Indigenous women and girls.
35. NAIPC recommends the Committee on the Elimination of all Forms of Discrimination Against Women proceed with an inquiry under Article 8 of the Optional Protocol regarding Canada's conduct and the situation of violence against Indigenous women and girls in Canada.
36. The youth suicide rate in Canada is very high, especially in northern communities. There is a direct connection between this and the requirement for indigenous children to attend schools away from their territories due to lack of funding. NAIPC recommends that adequate funding be provided to build schools in First Nations communities.

Agenda Item 4(a) Human rights: Implementation of the United Nations Declaration on the Rights of Indigenous Peoples

37. Sonia Smallacombe indicated that not many states report on their progress on the UNDRIP's implementation. The Permanent Forum wants to hear from Indigenous peoples how the UNDRIP is being implemented, and if not, why not?
38. Delegates expressed their concern that Canada is not implementing the UNDRIP. Border services are interfering with families and causing hardships on Haudenosaunee citizens by imposing Canada's citizenship act on Indigenous Peoples. The NAIPC recommends that Canada's immigration act be changed to comply with Articles 9, 33, and 36 of the UNDRIP and to acknowledge the inherent right of the Haudenosaunee to establish its own residency standards for Haudenosaunee citizens.

39. The NAIPC recommends that Canada does not attempt to determine First Nation citizenship by unilaterally tinkering with the Indian Act, but rather deal with citizenship by consulting and cooperating with First Nations through a UNDRIP process that seeks to achieve Articles 33.1 and 9.
40. The NAIPC also recommends that any further Canadian legislative action involving First Nations be in line with Article 38 of the Declaration, and that Canada in consultation and cooperation with individual First Nations communities work together on any ongoing or other future legislative initiatives.
41. Access to safe and affordable housing has a direct impact on the wellbeing of Indigenous people. The Doctrine of Discovery has a negative impact on Indigenous Peoples access to resources for housing. The NAIPC recommends that states implement articles in the UNDRIP by providing dedicated resources to Indigenous Peoples so they may acquire adequate housing in their territories.
42. The NAIPC recommends that training be provided to young Indigenous People to learn about UNDRIP.
43. The Doctrine of Discovery is inconsistent with the earliest treaties between Indigenous Nations and settler governments, which treated both nations as equals. For example one of the earliest treaties is between the Dutch and the Haudenosaunee. In 1613 the Dutch sought an agreement on how they were to govern themselves as they set foot upon our lands and how relationships would be governed. The Two Row Wampum Belt symbolizes the correct relationship with the Indigenous Nations and Peoples of North America and the Whiteman. One purple row of beads represents the path of the native's canoe which contains their customs and laws. The other row represents the path of the Whiteman's vessel, the sailing ship, which contains his custom and laws. The meaning of the parallel paths is that neither boat should out pace the other, and the paths shall remain separate and parallel forever, as long as the grass grows, the rivers flow and the sun shines. Ever jealous of this arrangement between the native nations and peoples and the Dutch, the King of England sought a similar agreement with native nations and peoples of North America. A similar agreement was accomplished between the native peoples and the King of England in 1664. Today for example, Indigenous Nations such as the Six Nations of the Grand River are physically in possession of less than 5% of their original lands and have no fair or acceptable mechanism for justice due to Canada's extinguishment policies, based on the Doctrine of Discovery, relating to our Land Rights.
44. The NAIPC calls upon the United Nations to call upon Canada to immediately abandon its existing Comprehensive and Specific Claims policies, which extinguish or have the effect of extinguishing our children's rights to their Treaty and Traditional land, territories and resources.

Agenda Item 4(b): Dialogue with the Special Rapporteur on the Rights of Indigenous Peoples and the Chair of the Expert Mechanism on the Rights of Indigenous Peoples.

45. The NAIPC welcomes the visit of the Special Rapporteur James Anaya to the United States, and recommends that Special Rapporteur also schedule an official visit to Canada in 2012 to hear directly from Indigenous Peoples on matters affecting their rights.

Agenda Item 5: Comprehensive dialogue with United Nations agencies and funds.

46. Delegates active in the World Intellectual Property Organization's (WIPO) Intergovernmental Committee on Genetic Resources (IGC), Traditional Knowledge and Folklore (GRTKF) provided an overview on the issues that have been occurring in the WIPO IGC meetings and processes that have undermined the rights and participation of Indigenous peoples, and are attempting to commodify and commercialize Indigenous knowledge, medicine, and other traditional practices.

47. On February 20, 2012 nearly all of the Indigenous delegates in attendance decided to withdrawal from active participation in the WIPO negotiations because the right of Indigenous Peoples, as Peoples and Nations, to participate as equals in the negotiations continues to be denied. Indigenous Peoples have seen a continual process of diminishing Indigenous peoples participation in key small working groups, and our text proposals require the support of at least one state to remain on the table. Without that support, Indigenous Peoples' proposals are ignored. The single most significant demand by Indigenous Peoples is that WIPO amend its rules of procedure to ensure the full and equal participation of Indigenous Peoples in all processes that affect us. Until that change happens, we cannot conscientiously participate in a process that will continue to undermine the rights of Indigenous Peoples, and threaten our future generations.

48. Indigenous Peoples from across North America expressed their outrage at the current negotiations under the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC) which fail to recognize Indigenous Rights thereby forcing Indigenous Peoples to withdraw from the negotiations. They stressed that WIPO has no legitimacy and right to deal with issues related to traditional knowledge.

49. The NAIPC is concerned that there are a small number of Indigenous organizations, some state-funded, that appear willing to participate in the WIPO process.

50. The NAIPC recommends that WIPO be requested to use the proper term, 'Indigenous Peoples', since they are part of the UN inter-organ agency tasked with implementing the UNDRIP throughout the United Nations.

51. The NAIPC recommends that UNPFII make it make it clear to WIPO they do not have the support of Indigenous Peoples when they appear before the Permanent Forum through a clear, vocal and unanimous message.

52. The NAIPC calls on the UNPFII and the United Nations to investigate WIPO and its current negotiations under the IGC on issues of Indigenous Peoples participation and need to take into account Indigenous Peoples' rights to participation.

53. NAIPC recommends that the United Nations make it clear to WIPO that they cannot regulate indigenous traditional knowledge and access to such and associated genetic resources, and that those remain under the control of Indigenous Peoples.
54. NAIPC recommends that UNPFII and the United Nations call for dismantling the WIPO IGC negotiations and to instead mandate negotiations under UNPFII or the CBD to develop international mechanisms to protect indigenous systems for regulating access to traditional knowledge and genetic resources and protecting such.
55. The NAIPC recommends that research on Free trade be done including World Trade Agreements.
56. The NAIPC recommends that alternative funding mechanisms be established so that the NAIPC can have representatives at the WIPO meetings to observe and report back on the matters taking place in WIPO.
57. The NAIPC calls upon the UNPFII to request that WIPO amend its rules of procedure to ensure the full and equal participation of Indigenous Peoples in all processes that are effecting them, and to ensure the full and equal participation of Indigenous Nations and Peoples in all the WIPO processes including the IGC, the General Assembly and Diplomatic Conference.
58. The NAIPC calls upon Indigenous Peoples to withdraw our active participation in the WIPO Processes on GRTKF until the States change the rules of procedure to permit our full and equal participation at all levels of the IGC and until the instruments recognize and are consistent with the existing international frameworks for the rights and interests of Indigenous Peoples and Nations within the scope of the IGC.
59. The NAIPC recommends that Indigenous Nations and Peoples to set their own legal standards for the protection of our traditional knowledge, traditional cultural expressions, and genetic resources and the UN must inform WIPO that it must respect Indigenous Peoples laws on these issues.

Agenda Item 6: Half-day discussion on the right to food and food sovereignty.

60. Food being necessary to sustain human life, food sovereignty is vital to the overall sovereignty of Indigenous peoples. Whenever colonizing societies have wanted to dominate Indigenous nations and peoples, they have worked to weaken them by cutting them off from their traditional and accustomed food supplies. The classic example is the decimation of millions of buffalo by killing them off and thereby depriving the Plains Indigenous nations and peoples of the Great Plains of food.
61. The UN Food and Agriculture organization (FAO) recently took up the call to implement UNDRIP to include Indigenous peoples in a real way – free prior and informed consent. FAO implemented a new global policy on Indigenous peoples. The committee for food security was opened up to two seats for Indigenous peoples pursuant to UNDRIP. Secretary General from FAO wants input from Indigenous peoples on food sovereignty and the implementation of policies. Dealing with pollutants, toxins, environment, treaties, and lands are all vital to Indigenous peoples’ food sovereignty. The half-day discussions will include a representative

from FAO that will speak to the day to day struggles and the revitalization of Indigenous peoples' rights. Indigenous peoples have been successful in shifting the way the UN thinks about food sovereignty for Indigenous peoples, which is rights based

Agenda Item 7: Half-day discussion on the World Conference on Indigenous Peoples.

62. Delegates discussed the UN General Assembly resolution on the 2014 UN World Conference on Indigenous Peoples and a report from the brainstorming meeting of Indigenous individuals held in January 2012 in Copenhagen hosted by the Saami Parliament. Delegates discussed a high level of concern related to structure of the World Conference as a high level plenary rather than that of other world conferences and summits that allow for full-scale preparatory meetings and greater levels of participation by Indigenous Peoples. Delegates also expressed concern about the remoteness of the next proposed global Indigenous preparatory meeting to be held in Alta, Norway in June 2013, preferring a location that is more accessible to all Indigenous Peoples. Delegates agreed that alternative strategies to address the rights of Indigenous Peoples also need to be pursued. The NAIPC confirms that Kenneth Deer and Chief Randy Kapashesit were selected as the principal North American Representatives to the Indigenous global coordinating group on the World Conference on Indigenous Peoples. The alternate is Jessica Danforth. The NAIPC withholds endorsement to any individual as a co-facilitator to the WCIP at this time.

Agenda Item 9: Future work of the Permanent Forum, including issues of the Economic and Social Council and emerging issues.

63. NAIPC recommends that the name of the Permanent Forum be changed to the UN Permanent Forum on Indigenous Peoples.
64. Indigenous peoples in urban areas experience unique challenges in all areas of work of the Permanent Forum on Indigenous Issues, from economic and social development, culture, the environment, education, health and human rights. Unfortunately, these unique challenges are often neglected or overlooked by States to the detriment of Indigenous peoples globally. We appreciate the efforts of UN agencies, such as UN-HABITAT and the Inter-Agency Support Group on Indigenous Issues in examining the human rights and well-being of urban Indigenous peoples. We urge States to create national mechanisms and policies with a designated focal point with the aim of meeting the specific needs, perspectives and rights of urban Indigenous peoples. The standard-setting work in this area that has been completed by UN agencies, including the Permanent Forum, UN-HABITAT, and the Inter-Agency Support Group on Indigenous Issues can provide guidance to these efforts. Further, the North American Indigenous Peoples Caucus recommends that in the future work of the Permanent Forum, the specific perspectives of urban Indigenous peoples be established as a cross-cutting theme to ensure their full consideration and integration.
65. As a method of securing the interest and participation of Indigenous Youth, the NAIPC recommends the UNPFII sponsor an annual writing challenge to post-secondary Indigenous youth to produce a scholarly discussion on the theme for the UNPFII.

Other Matters

66. The NAIPC supports the important work of the UN EMRIP on the Right to participate in decision-making related to extractive industries, and calls on the UN Permanent Forum to continue to address the multiple violations of human rights of Indigenous Peoples in North America and other regions as a result of extractive industries operating in their lands without their free prior and informed consent.
67. The NAIPC affirms that the rights affirmed in Treaties concluded between States and Indigenous Nations and Peoples continues to be of core and vital importance for the ongoing work of Indigenous Nations and Peoples in the UN System. The NAIPC welcomes the plans by the UN office of the High Commissioner on Human Rights to organize a 3rd UN Seminar on Treaties, Agreements and other Constructive Arrangements in July 2012 in Geneva and calls upon the UN Permanent Forum to include a report on its outcomes at its 12th session. The NAIPC also asked that key agenda items include ways in which the UN system can further support the implementation of Article 37 of the UN Declaration on the Rights of Indigenous Peoples and relevant preamble paragraphs, and continue to carry out work in this vital area, in collaboration and coordination with Indigenous Nations and Peoples.