

**Assembly of First Nations**

**Submission to the Office of the High Commissioner for Human Rights**

**RE: Call for Inputs on Existing Procedures on the Participation of Indigenous Peoples at the United Nations**

May 10, 2024

About the Assembly of First Nations

The Assembly of First Nations (AFN) is a national advocacy organization that works to advance the collective aspirations of First Nations individuals and communities across Canada on matters of national or international nature and concern. The AFN receives mandates and directives through resolutions directed and supported by the First Nations-in-Assembly (elected Chiefs or proxies from member First Nations). In addition to the direction provided by Chiefs of each member First Nation, the AFN is guided by an Executive Committee consisting of an elected National Chief and Regional Chiefs from each province and territory.

Existing procedures:

**First Nations currently participate in various UN meetings.** However, First Nations participation is limited and they are often classified as Non-Government Organizations (NGOs) or Indigenous organizations, rather than as Indigenous Nations. This classification fails to recognize the Inherent rights and sovereignty of Indigenous Peoples and their distinct status within the international community.

**The modalities of First Nations' participation vary across UN entities.** At some meetings, First Nations can attend, make statements, and organize side events, yet their ability to influence outcomes is restricted. Meaningful, inclusive, and safe participation continues to be a challenge. First Nations often face barriers such as limited financial resources, visa restrictions, and language barriers, which prevent them from fully engaging in UN processes.

**Accreditation criteria for Indigenous participants vary across UN entities, with some allowing participation of Indigenous organizations and others requiring NGO status.** This inconsistency causes confusion and hinders the effective participation by First Nations. Furthermore, the participation of Indigenous women, youth, and persons with disabilities is not consistently guaranteed, despite the unique perspectives they offer and the disproportionate impacts they experience from decisions made at the UN.

**Selection criteria for Indigenous participants are often unclear and inconsistent across UN entities.** This lack of transparency and consistency undermines the legitimacy of First Nations participation and can result in the exclusion of important voices.

Good practices:

**Indigenous Peoples' participation in UN meetings has evolved over time, with increased recognition of their rights and the establishment of dedicated UN bodies like the UNPFII and EMRIP.** These bodies have provided important spaces for First Nations to share their experiences, concerns, and recommendations with the international community.

Some UN entities, such as the UN Development Programme (UNDP) and the Food and Agriculture Organization (FAO), have established Indigenous advisory groups to guide their work and ensure meaningful participation of Indigenous Peoples. These advisory groups have proven effective in promoting Indigenous perspectives and ensuring that UN programs and policies are responsive to the needs and rights of Indigenous Peoples.

**Success factors for Indigenous participation at the UN include the growing recognition of Indigenous rights in international law, the establishment of dedicated UN bodies and mechanisms, and the support of allied Member States.** The adoption of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) in 2007 was a landmark achievement that has provided a framework for advancing Indigenous rights and participation at the UN.

Existing gaps:

**Despite progress in recent years, Indigenous Peoples continue to face significant challenges in participating effectively at the UN.** Primary barriers include the lack of recognition as Indigenous Nations, limited financial resources, and resistance from some Member States who seek to limit Indigenous participation and maintain state control over Indigenous issues.

**While some UN entities have taken steps to address these gaps, such as establishing Indigenous-specific bodies and mechanisms, much more needs to be done to ensure full and effective participation of First Nations.** This includes providing adequate funding and support for First Nations participation, addressing logistical and linguistic barriers, and ensuring that First Nations voices are heard and respected in all relevant UN processes.

**The AFN calls on the UN to establish clear, consistent, and inclusive criteria and procedures for the participation of First Nations across all relevant UN bodies and meetings.** This should include the recognition of First Nations as Nations, with the right to participate through their own representative institutions, in accordance with UNDRIP.

**Lastly, the UN should establish accountability mechanisms** to ensure that Member States respect and support the rights of First Nations to participate in decision-making on issues that affect them, as affirmed in UNDRIP and other international human rights instruments.