



Native American  
Law Center

**THE UNITED NATIONS  
SPECIAL RAPPORTEUR**  
**on the**  
**RIGHTS OF INDIGENOUS PEOPLES**  
**to hold a consultation at**  
**THE UNIVERSITY OF TULSA**  
**COLLEGE OF LAW**  
**Tulsa, Oklahoma**



On the Morning of May 3, 2012

University of Tulsa  
College of Law

Dean Janet K. Levit and the Co-Directors of the [Native American Law Center](#) at the [University of Tulsa College of Law](#) are pleased to announce that the [United Nations' Special Rapporteur on the Rights of Indigenous Peoples](#), Professor James Anaya, will hold consultations at the College of Law with tribal leaders in our region as a part of his official visit to the United States on the morning of May 3, 2012. We invite Tribal leaders to attend this consultation and make a presentation to the Special Rapporteur concerning the human rights situation of your people during this May 3 consultation.

The United States endorsed the United Nations' [Declaration on the Rights of Indigenous Peoples](#) in 2010. The Declaration sets out the internationally recognized minimal standards necessary for the survival, dignity and well-being of the indigenous peoples of the world. Included within the Declaration are standards for the exercise of self-determination, by which Indian peoples freely determine their political status and freely pursue their economic, social and cultural development. Also included are standards respecting rights to restitution, use, development, and protection of lands, resources, and the environment, enforcement of treaty rights, and rights to education, economic development, culture, language, and other important rights which are set out in the [Declaration](#) and other [human rights instruments](#). An important principle expressed repeatedly in the Declaration is that the federal and state governments should obtain the free, prior, and informed consent of the Indian people affected when it takes certain actions with respect to them, and that the federal and state governments should act in a non-discriminatory manner toward Indigenous Peoples.

The aim of the Special Rapporteur's visit to the United States is to examine the human rights situation of the indigenous peoples of the United States. The Special Rapporteur will be holding meetings and consultations with federal and state officials, as well as with representatives of Indian Tribes, Bands, and Nations and others throughout the country during his official visit. The Special Rapporteur will assess the ways in which the standards of the Declaration are currently reflected in U.S. law and policy, and identify needed reforms or areas that need further attention in light of the Declaration. He is interested in hearing both the successes Tribes have had and the challenges which Tribes face with respect to implementation of these rights. It will be useful for Tribal leaders to identify specific examples showing where conditions are in compliance with the Declaration and where they are not, to identify progress made as well as remaining barriers, problems, violations, and concerns along with specific proposals for needed reforms. This is a rare opportunity for Tribal leaders to be heard at home and abroad concerning the human rights of Indian peoples and other Indigenous Peoples within the United States.

The results of this assessment will be reflected in a preliminary report which will be submitted to the United States for its comments and consideration. A final version of the report will be circulated publicly and presented to the United Nations Human Rights Council. The report will include recommendations to the United States, indigenous governing bodies and, possibly, other interested parties on how to address issues of ongoing concern to the indigenous peoples of the United States.

The consultation will last four hours, and will be followed by an informal luncheon for participating Tribal officials. Issues to be addressed at this consultation may include:

The Right to Self-Determination:



- Barriers to the free determination of political status, structure, decision-making processes, and institution building.
- Barriers to tribal governance: acquisition, use, development, and regulation of Tribal lands and territories.
- Barriers to tribal governance: externally imposed requirements on Tribal decision-making.
- Barriers to recovering lands lost through forced allotment, sales, and other federal policies.
- Barriers to creation of a Tribal tax base and private sector economy to support Tribal governments.
- Failure to honor and observe rights under Treatys, compacts, and other formal or informal agreements.



#### The Right to Freely Pursue Tribal Social Development:

- Issues regarding Food Sovereignty and environmental protection.
- Issues regarding Education, Health and Economic Rights.
- Issues regarding Indian Child Welfare and removal of Indian Children from communities and families.
- Barriers to Religious and Social practices and activities.



#### The Right to Freely Pursue Tribal Cultural Development:

- Issues regarding language, protection of sacred sites, and ceremonial grounds.
- Barriers to access to cultural and religious resources, feathers, plants, other items.
- Issues regarding respect for Tribal ways, names, intellectual properties, songs, performances.

#### The Right to Freely Pursue Tribal Economic Development, including:



- Federal, State, and Judicial impediments to economic development.
- Issues regarding sovereignty over natural resources, including water.
- Issues regarding sustainable development.
- Recognition of Tribally created business entities, and civic organizations.
- Federal and State taxation and regulation of individual, private sector, and tribal businesses.
- Protection of Tribal intellectual properties, names, designs, songs, performances.



#### Other important Issues Relative to the Declaration:

- Implementation of the principle of Free Prior and Informed Consent, Treaty Making.
- Implementation of the principle of Non-Discrimination.
- Implementation of provisions respecting Restitution or Right of Recovery of lands, territory, and resources.
- Other Issues regarding implementation of the Declaration in the United States.

Representatives of Indigenous Nations, organizations and communities will have the opportunity to make oral submissions to the Special Rapporteur within the constraints of time, and to submit written statements to be included in the record. Tribal officials and representatives who wish to make a statement should register by email to [Barbette Veit](mailto:Barbette.Veit@tulsa.edu) at the University of Tulsa college of law, indicating the topic or topics that they wish to address. Those who pre-register will be placed on a presenters list which will be posted prior to the meeting. Participants may also register on site at the University of Tulsa College of Law on May 3rd, 2012. A more detailed agenda will be disseminated and posted prior to the consultation. Please note that it may not be possible for all those wishing to make a statement to do so.

Instead of, or in addition to oral testimony, Indigenous Peoples, Nations, and organizations may submit written testimony to: [Professor G. William Rice](mailto:G.William.Rice@tulsa.edu) for compilation and submission to the Special Rapporteur, or directly to the email [Indigneous@ohchr.org](mailto:Indigneous@ohchr.org). For guidance on how to present written information to the Special Rapporteur, please visit his [page of instructions](#). Written information to supplement the oral presentations will also be accepted at the consultation and is highly encouraged. It is very likely that presenters will be limited to only a few minutes on each agenda item. The written submission is a means to more fully develop your testimony, and to have it placed in the record in the event that time limitations prevent you from having an opportunity to take the floor.

Please R.S.V.P. by April 2, 2012 if at all possible if you wish to participate in this consultation. We also request that you please provide the names of your tribal leadership who plan to attend, whether you will stay for the luncheon, and any preferences or suggestions you have for the format of the session.

Further information may be had at the [Special Rapporteur's page on this visit to the United States](#) found on the website of the United Nations Office of the High Commissioner for Human Rights.

The University of Tulsa College of Law and its Native American Law Center are pleased to be able to host this important visit by the United Nations Special Rapporteur to the Indian peoples in our region. We hope that you will be able to attend this important consultation, and provide input to the work of the Special Rapporteur on behalf of your people.



**Contacts:**

1. To RSVP, to be placed on the speaker's list for any of the listed topics, and to provide information on tribal elected leaders, judicial officials, or other tribal representative attending, please contact

[Barbette Veit](#), Coordinator of Faculty Development  
University of Tulsa College of Law  
3120 East Fourth Place  
Tulsa, Oklahoma 74104-2499  
Tel: 918-631-5604 | Fax: 918-631-2194  
Email: [barbette-veit@utulsa.edu](mailto:barbette-veit@utulsa.edu)

2. To submit written testimony to be compiled and delivered to the Special Rapporteur, and for topical information or special requests, please contact

[Professor G. William Rice](#), Co-Director, Native American Law Center  
University of Tulsa College of Law  
3120 East Fourth Place  
Tulsa, Oklahoma 74104-2499  
Tel: 918-631-2456 | Fax: 918-631-2194  
Email: [gwrice@utulsa.edu](mailto:gwrice@utulsa.edu)

3. To Contact the Special Rapporteur:

Special Rapporteur on the Rights of Indigenous Peoples  
c/o OHCHR-UNOG  
Office of the High Commissioner for Human Rights  
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1211 Geneva 10, Switzerland  
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