

RESOLUTION NO. 67,329–N.S.

ENDORSE UPGRADING THE UNITED NATIONS DECLARATION ON THE RIGHTS
OF INDIGENOUS PEOPLES TO A CONVENTION

WHEREAS, the Peace and Justice Commission advises the City Council on all matters relating to the City of Berkeley's role in issues of peace and social justice (Berkeley Municipal Code (BMC) Chapter 3.68.070; and

WHEREAS, on May 19, 2009, the Berkeley City Council passed resolution to Recognize and endorse the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP); and

WHEREAS, the City of Berkeley recognizes the unique history and historical knowledge of and by Indigenous peoples in the region and the world, and

WHEREAS, it is incumbent upon the City of Berkeley to respect and implement internationally recognized treaties, agreements, and declarations of which the United States of America is a signatory, but the term "declaration" is used for various international instruments, and declarations are not always legally binding; and

WHEREAS, a United Nations "Convention" is a source of laws synonymous with the generic term "treaty"; and

WHEREAS, the UNDRIP chronologically moved in 1984 from a mere proclamation in UN working group, to a resolution in the Sub-Commission on Prevention of Discrimination and the Protection of Minorities, to a recommendation from the Human Rights Commission, and finally, to a Declaration from the Economic and Social Council before the General Assembly; and

WHEREAS, UNDRIP was adopted in September 13, 2007 by the General Assembly, testimonies from Indigenous peoples in the seven regions of the world have shown a need for enforcement and monitoring by the UN; and

WHEREAS, the participants of the Symposium "On the Indigenous Peoples at the United Nations: from the Experience of the First Delegates to the Empowerment of the Younger Generations" September 2013 in Geneva, Switzerland urged, "the UN to develop a mechanism to advance the Declaration to Convention," per the historic 1983 Martinez-Cobo Study.

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Berkeley urges United States Ambassador to the United Nations to introduce a resolution in the UN to convert the UNDRIP to a Convention.

BE IT FURTHER RESOLVED that Council direct the City Clerk to send a copy of this resolution to the US Ambassador to the United Nations and to the Secretary General of the United Nations.

The foregoing Resolution was adopted by the Berkeley City Council on December 15, 2015 by the following vote:

Ayes: Anderson, Arreguin, Capitelli, Droste, Maio, Moore, Wengraf, Worthington and Bates.

Noes: None.

Absent: None.



Tom Bates, Mayor

Attest: 

Mark Numairville, City Clerk