
**UN Expert Mechanism on the Rights of Indigenous Peoples 8th Session
(20-24, July 2015)**

Agenda Item 7: Study and advice on the promotion and protection on the rights of indigenous peoples with respect to their cultural heritage

Statement by the Hopi Tribe, a federally recognized tribe in the United States

Thank you Mr. Chairman,

The Hopi Tribe, a federally recognized tribe in the United States, submits the following recommendations to the U.N. Expert Mechanism on the Rights of Indigenous Peoples on international repatriation for its cultural heritage study, which is a follow-up to the Statement submitted earlier on Agenda Item 4, which the UNEMRIP should also review in this agenda item.

The Outcome Document of the U.N. High Level Plenary Meeting of the General Assembly, known as the World Conference on Indigenous Peoples in Operative Paragraph 27 specifically calls for the creation of mechanisms for international repatriation. The creation of these mechanisms should be considered within the cultural heritage study, in particular, the practical aspects of its implementation, including: 1) the entity that will oversee this implementation and monitor its progress among nation-states and business entities; 2) ongoing funding; and 3) how the UNEMRIP will ensure the human rights of Indigenous Peoples are maintained throughout this process. We recommend that the U.N. create a U.N. Expert Working Group on International Repatriation, composed of Indigenous Peoples, with a mandate to go to Indigenous communities, institutions, private auction houses (located within foreign countries), and other repositories, investigate this human rights issue, and hear from Indigenous Peoples at least twice a year at the U.N. on this issue. Reports with grievances from Indigenous Peoples should be submitted to this body with responses provided by states.

The Hopi Tribe, in particular, would like to see an end to the illicit trade in Indigenous ancestral remains, funerary objects, sacred objects, and objects of cultural patrimony. Inclusive within this industry are the auction houses and the French government through the SARLU EVE and Conseil des Ventes Volontaires or CVV that sold Katsina Friends, which are sacred objects and objects of cultural patrimony to the Hopi Tribe, in 2013, 2014 and 2015. The repatriation of Katsina Friends was supported by U.S. Senators and Representatives, the Hualapai Tribe, Acoma Pueblo, and the Pueblo of Zuni, among others. Yet, the French government and private auction houses refused to consult with the Hopi Tribe or repatriate.

The UNEMRIP must also remember within its cultural heritage study and otherwise that Indigenous consultation is at the heart of the repatriation process. Museums, repositories, and private auction houses must adequately consult with Indigenous Peoples, so that Indigenous Peoples may self-determine the repatriation process to bring their Ancestors, funerary objects, sacred objects, and objects of cultural patrimony home.

Further information regarding issues surrounding Indigenous Peoples in international repatriation should be examined in the document submitted by the Association on American Indian Affairs/International Repatriation Project and the International Indian Treaty Council, with supporting recommendations by the Hopi Tribe.

