

United Nations

Human Rights Council

1st session

Geneva

15 - 26 June 2006

INDIGENOUS DECLARATION

[Working Group of the Commission on Human Rights to elaborate a draft declaration in accordance with paragraph 5 of the General Assembly resolution 49/214 of 23 December 1994 “United Nations Declaration on the Rights of Indigenous People”]

STATEMENTS BY

REGIONAL CAUCUSES OF INDIGENOUS PEOPLES

AND

NGO JOINT STATEMENT

27 JUNE 2006

DECLARACION CONJUNTA DEL CONCLAVE INDIGENA DE AMERICA LATINA

Señor Presidente, Embajador Luis Alfonso de Alba
Señores representantes de los Estados miembros del Consejo de Derechos Humanos
Hermanos y hermanas indígenas, señoras y señores:

Esta es una declaración conjunta de más de 200 pueblos y organizaciones indígenas de América Latina.

Durante más de 20 años, los pueblos indígenas hemos venido participando activamente en la elaboración de una Declaración de las Naciones Unidas sobre los Derechos de los Pueblos Indígenas, especialmente en el Grupo de Trabajo intersesional creado para tal fin por la extinta Comisión de Derechos Humanos. El resultado de las labores está contenido en el Informe del Presidente del XI período de sesiones del Grupo de Trabajo. Este informe ha presentado una propuesta final de Declaración, que constituye un documento de compromiso que atiende de manera equilibrada y razonable las justas reivindicaciones de nuestros pueblos y las preocupaciones de los Estados. Se trata de un documento consecuente con el desarrollo progresivo del derecho internacional de los derechos humanos y es el resultado de los más altos consensos entre los pueblos indígenas y los Estados.

Señor Presidente y miembros del Consejo, en sus manos y en su conciencia está el destino de más de 350 millones de indígenas de todo el mundo. Confiamos en ustedes, la posibilidad de una vida digna y justa para nuestros pueblos y de las futuras generaciones a partir del reconocimiento de la diversidad. La Declaración busca eliminar progresivamente la discriminación que vivimos los pueblos indígenas y es congruente con los objetivos del Milenio de la ONU para la erradicación del hambre y la pobreza que tanto dolor trae a la humanidad, en especial a nuestros pueblos y contribuirá a que haya una nueva relación entre pueblos indígenas y Estados basados en el respeto mutuo.

Señores miembros del Consejo, denunciamos la campaña insensible e incomprensible encabezada por los gobiernos de Canadá, Estados Unidos, Nueva Zelanda y Australia para tratar de postergar la adopción de la Declaración. Los representantes de los Estados y de los pueblos indígenas comprometidos con los derechos humanos sabemos perfectamente que sus intenciones no son “consensuar” ningún tipo de textos. **Por esta razón, rechazamos energicamente la enmienda que Canadá está promoviendo con el cual pretende alargar las discusiones, ya que constituye una “moción de no acción disfrazada” para destruir la Declaración.**

En nombre de los más de 50 millones de indígenas en las Américas instamos a todos los miembros del Consejo, especialmente al GRULAC, para que reafirmen su compromiso con los pueblos indígenas, votando favorablemente la Resolución presentada por Perú a fin de adoptar en esta sesión del Consejo la Declaración y que una vez aprobado, se recomiende a la Asamblea General que lo adopte en su 61 período de sesiones.

Ha llegado la hora de saldar la deuda histórica con los pueblos indígenas y de atender los justos y dignos reclamos de nuestros pueblos. Este nuevo Consejo de Derechos Humanos tiene que mandar un mensaje positivo a la humanidad aprobando en su primera sesión la Declaración de las Naciones Unidas sobre los Derechos de los Pueblos Indígenas. Gracias.

**FIRST SESSION OF THE HUMAN RIGHTS COUNCIL
GENEVA 19 – 30 JUNE 2006.**

AFRICAN INDIGENOUS PEOPLES CAUCUS STATEMENT

We, the African Indigenous Peoples Caucus, have come in hope to this historic first session of the Human Rights Council. Our hope rests on the vision of the African diplomatic caucus set out in Swaziland in 2005 on how Africa wishes to see the restructuring of the UN. A vision that is in line with that of the Secretary-General that Human Rights, Peace and Security and Development are equal legs of the three-legged pot of human progress.

Our hope is that this august body, in its first session, will adopt the Declaration on the Rights of Indigenous Peoples a universal standard setting, non-binding instrument that will demonstrate to the world a break from the discredited past.

We urge African countries not to allow states, who have twice voted against the Declaration on the Right to Development and have also voted against the Durban Declaration on Racism, to derail the continent from its own progress on this issue as embodied in the resolutions of the African Commission on Human and Peoples Rights. These countries now want Africa to support them against the adoption of the Declaration on the Rights of Indigenous Peoples, a double standard which is unacceptable.

We draw the attention of this body to the fact that several African countries, inspired by the First Decade on the Rights of Indigenous Peoples, and the effective, principled and peaceful mobilization by African Indigenous Peoples organizations, have adopted important domestic legislation, protocols and policies to protect and promote the rights of Indigenous Peoples.

Morocco and Algeria have recognized the Amazigh culture, language and identity and have created institutions for the integration of the Amazigh language and culture in the educational system.

Burundi has included the protection of political rights for the Batwa Peoples in its 2005 Constitution that was passed by a referendum. Similarly, the Congo has recognized the Batwa Peoples.

South Africa has established an inter-departmental working group, an advisory structure for the Cabinet and relevant ministries on Khoe and San issues, while its constitution protects and promotes language and cultural rights of the Khoe and San peoples. Both Gabon and Cameroon have adopted the United Nations Environmental Programme Operational Directive 4.1 on Indigenous Peoples.

And finally, the African Commission on Human and Peoples Rights adopted a resolution in 2003 to recognize and promote the Rights of Indigenous Peoples in Africa. Indigenous Peoples issues feature as a permanent agenda item on the African Commission.

We urge the Human Rights Council **to adopt** the Declaration on the Rights of Indigenous Peoples and **to support the resolution proposed by Peru and their co-sponsors** in this session.

We appeal to the members of the Human Rights Council **not to vote in favour of any amendment** that will delay the adoption of the Declaration so that in the words of the Secretary-General Kofi Anan the Human Rights Council should adopt the Declaration on the Rights of Indigenous Peoples so that it starts its work with a tangible achievement.



United Nations
Human Rights Council
1st Session
16 – 30 June 2006

Statement from Les Malezer, on behalf of the Pacific Regional Caucus of Indigenous Peoples

Mr President,

Let me begin by thanking the Chairman-Rapporteur of the Working Group, Mr Chavez, for his last report and add our view that the proposed text for the draft declaration, as attached in the annex, is the collective outcome of all participants, and not an invention of the Chairperson-Rapporteur. While we are not satisfied that all Indigenous Peoples' interests are accommodated, we are prepared to share collective responsibility for the outcome of participants and contributors.

Mr President,

The Pacific region is an indigenous region. We have many States in the Pacific, all of whom have Indigenous Peoples. Yet our Indigenous Peoples are not represented on this Council through those States. In the past, the governments of Australia and New Zealand, in the Western and European Group, seemed to have been the representatives of our region on human rights matters.

Now, in the regional make-up of the Human Rights Council, our regional interests seem to be tied up in the membership of Canada.

We are not comfortable with that arrangement but we hope that Canada listens closely to, and takes due account of, our presentation with our conclusions on this draft declaration.

The Pacific Regional Caucus of Indigenous Peoples supports the immediate adoption of the Draft Declaration as proposed in the Working Group report.

Our position is arrived at in recognition, inter alia, of the conclusive report of the Working Group, the authoritative recommendations of the United Nation bodies and experts including the Permanent Forum on Indigenous Issues and the relevant 2005 and 2006 Reports of the Special Rapporteur on the situation of the human rights and fundamental freedoms of Indigenous Peoples.

We also support and highlight to members of the Council the collective statement, organised by the Grand Council of the Crees and signed by over 150 Indigenous organisations from all regions around the world, calling for immediate adoption, without change, of the proposed text.

Mr President,

Maori of Aotearoa require discussions on the text to occur with Maori people. However, they make it clear they do not support the position of the government of New Zealand which has not consulted

with Indigenous Peoples and which unilaterally opposes the proposed draft declaration without Maori representation.

The Pacific Caucus of Indigenous Peoples joins with all other regional caucuses of Indigenous Peoples to call for immediate adoption of the draft declaration.

We consider this text of the draft declaration is the best outcome that can be achieved.

We have listened to the positions presented by States who are opposed a consensus and we remain unconvinced that their positions support a declaration in any form.

Two of these States (Australia and New Zealand) are former colonisers of Indigenous Peoples in the Pacific region.

We note the few States expressing intransigent opposition for the past few years have domestic situations which have been found, under the race convention, to be discriminatory against Indigenous Peoples.

We are convinced these few States are opting to defend self-interest and forsake equal human rights for Indigenous Peoples.

We have no indication or reason to believe those States will change their viewpoints to support a consensus on any reasonable, non-discriminatory standard for Indigenous Peoples now or at any time in the future.

The adoption of the Declaration is the priority action for the United Nations to take to end the abuses of the human rights of the Indigenous Peoples of the world.

The Pacific Caucus of Indigenous Peoples considers the adoption of the Declaration is a necessary component for a successful Second Decade of the World's Indigenous Peoples.

The Pacific Caucus considers this human rights standard is necessary to adequately address the continuing abuses of the human rights of Indigenous Peoples around the world.

The Pacific Caucus of Indigenous Peoples considers the Declaration is necessary to alleviate poverty, and to create economic opportunity and development for Indigenous Peoples around the world.

The Human Rights Council, and the United Nations in general, are well aware that this declaration is overdue and in need of urgent finalisation.

The Pacific Caucus recommends to all members of the Council, if you are uncertain, if you are confused, if you are hesitant, to look to the authoritative reports, findings and recommendations of the expert bodies, all of which support the adoption of the draft declaration. We provide a list of relevant extracts on UN positions with our statement for your scrutiny.

The Pacific Caucus again affirms the overwhelming support by Indigenous Peoples organisations for the adoption of the draft declaration, from all regions of the world.

The Pacific Caucus of Indigenous Peoples asks the Government of Canada, as an inaugural and full-term member of the Human Rights Council to accept the proposed text and the adoption of the draft declaration by consensus during this historic session of this superior human rights body.

STATEMENTS SUPPORTING URGENT ADOPTION OF THE INDIGENOUS DECLARATION
(Page 1 of 2)

GENERAL ASSEMBLY	The General Assembly ... urges all parties involved in the process of negotiation ... to present for adoption as soon as possible a final draft United Nations declaration on the rights of indigenous peoples;	<i>General Assembly A/RES/59/174 24 February 2005</i>
ECOSOC	The Economic and Social Council ... authorizes the establishment ... of an open-ended inter-sessional working group ... with the sole purpose of elaborating a draft declaration, considering the draft United Nations declaration on the rights of indigenous peoples ... for consideration and adoption by the General Assembly within the International Decade of the World's Indigenous People ;	<i>Economic and Social Council resolution 1995/32 1995</i>
COMMISSION ON HUMAN RIGHTS	The Commission on Human Rights ... urges all parties involved in the process of negotiation to do their utmost to carry out successfully the mandate of the working group and to present for adoption as soon as possible a final draft United Nations declaration on the rights of indigenous people; ... recommends that the working group meet for ten working days prior to the sixty-second session of the Commission, ... also invites the Chairperson-Rapporteur of the working group and all interested parties to conduct broad informal intersessional consultations with a view to facilitating progress in concluding a declaration on the rights of indigenous people at the next session of the working group ;	<i>Commission on Human Rights Res. 2005/50, 2005</i>
UN SECRETARY GENERAL	This is a day of celebration. We have gathered to welcome the General Assembly's adoption of a landmark document -- the Programme of Action for the Second International Decade of the World's Indigenous People ... They pledged to keep advancing the human rights of indigenous peoples, and to present for adoption a UN declaration on indigenous peoples' rights as soon as possible .	<i>New York, 15 May 2006. Secretary-General on Second International Decade of the World's Indigenous People</i>
HIGH COMMISSIONER FOR HUMAN RIGHTS	As noted in the World Summit Outcome Document, the early adoption of the draft United Nations declaration on the rights of indigenous peoples must be a priority of Member States .	<i>E/CN.4/2006/10 28 February 2006 Report Of UNHCHR</i>
PERMANENT FORUM ON INDIGENOUS ISSUES	'The Forum is convinced that a Declaration on the Rights of Indigenous Peoples will be an instrument of great value to advance the rights and aspirations of the world's indigenous peoples. The Forum therefore recommends the adoption without any amendments of the draft Declaration on the Rights of Indigenous Peoples ... by the General Assembly during its sixty-first session, in 2006 . It would represent a major achievement for the Second International Decade of the World's Indigenous Peoples.'	<i>Recommendation, Report of the 5th Session, UN Permanent Forum on Indigenous Issues, (15 – 26 May 2006)</i>
CHAIRPERSON, WG ON THE INDIGENOUS DECLARATION	The Chairperson-Rapporteur concluded that the revised Chairman's proposals would be presented to the Commission on Human Rights with the hope that it would be considered as a final compromise text .	<i>E/CN.4/2006/79 Report of the working group ... 22 March 2006</i>
VIENNA DECLARATION AND PROGRAMME OF ACTION	The World Conference on Human Rights recognizes the inherent dignity and the unique contribution of indigenous people to the development and plurality of society and strongly reaffirms the commitment of the international community to their economic, social and cultural well-being ... States should, in accordance with international law, take concerted positive steps to ensure respect for all human rights and fundamental freedoms of indigenous people , on the basis of equality and non-discrimination, and recognize the value and diversity of their distinct identities, cultures and social organization.	<i>Para 20, Vienna Declaration and Programme of Action World Conference on Human Rights 25 June 1993</i>
DURBAN DECLARATION AND PROGRAMME OF ACTION	Calls upon States to conclude negotiations on and approve as soon as possible the text of the draft declaration on the rights of indigenous peoples, under discussion by the working group of the Commission on Human Rights to elaborate a draft declaration ... in order for indigenous peoples freely to express their own identity and exercise their rights, they should be free from all forms of discrimination, which necessarily entails respect for their human rights and fundamental freedoms.	<i>Durban Declaration and Programme fo Action, World Conference against Racism, Durban, South Africa, (31 August to 8 September 2001)</i>

STATEMENTS SUPPORTING URGENT ADOPTION OF THE INDIGENOUS DECLARATION
(Page 2 of 2)

COPENHAGEN DECLARATION	Governmental responses to special needs of social groups should include promoting and protecting the rights of indigenous people , and empowering them to make choices that enable them to retain their cultural identity while participating in national, economic and social life, with full respect for their cultural values, languages, traditions and forms of social organization; (Para 75g)	<i>Para 75(g), Copenhagen Declaration on Social Development and Programme of Action 6-12 March 1995</i>
REPORT ON THE WORLD SOCIAL SITUATION	Indigenous peoples have been discriminated against throughout history and are still frequently denied their basic human rights , in particular their cultural rights and the right to exercise control over their land and natural resources. They are often excluded from the political process. ... In many developing countries, ... dominant groups attempt to subdue and marginalize indigenous and tribal peoples that reside in verdant areas in order to secure access to their land and resources.	<i>A/60/117 General Assembly 13 July 2005 Report on the World Social Situation, 2005</i>
RIO DECLARATION	Indigenous people and their communities and other local communities have a vital role in environmental management and development because of their knowledge and traditional practices. States should recognize and duly support their identity, culture and interests and enable their effective participation in the achievement of sustainable development.	<i>Principle 22 Rio Declaration On Environment And Development (Rio de Janeiro, 3-14 June 1992)</i>
BEIJING DECLARATION	We, the Governments participating in the Fourth World Conference on Women ... are determined to ... intensify efforts to ensure equal enjoyment of all human rights and fundamental freedoms for all women and girls who face multiple barriers to their empowerment and advancement because of such factors as their race, age, language, ethnicity, culture, religion, or disability, or because they are indigenous people;	<i>Para 32, Fourth World Conference on Women, Beijing Declaration</i>
MANILLA DECLARATION	Indigenous people have the right to the conservation, restoration and protection of the total environment and the productive capacity of their lands and resources. ... There should be national dispute-resolution procedures to deal with concerns about the settlement of land and use of resources. ... Countries should adopt laws and policies to preserve customary practices, and protect indigenous property, including ideas and knowledge . Indigenous people should be allowed to participate actively in shaping national laws and policies on the management of resources or other development processes that affect them.	<i>A/51/293 Report to United Nations General Assembly</i>
SPECIAL RAPPORTEUR ON THE SITUATION OF INDIGENOUS PEOPLE	It is very important for the indigenous people that the draft United Nations declaration on the rights of indigenous peoples, prepared by the working group on indigenous people and adopted by the Sub-Commission on the Promotion and Protection of Human Rights, should be adopted ... The international movement of indigenous peoples is calling — rightly, in the Special Rapporteur's view — for this right [of self determination] to be recognized and respected, but various reasons of State have been brandished by their opponents in yet another episode of the old debate between human rights and State interests .	<i>A/59/258 12 August 2004 Report - The situation of human rights and fundamental freedoms of indigenous people</i>
COORDINATOR, SECOND DECADE OF THE WORLD'S INDIGENOUS PEOPLES	The [2005 World Summit] Outcome Document commits all Member States to make "progress in the advancements of the human rights of the world's indigenous peoples, including through consultation and collaboration with them, and to present for adoption a final draft United Nations declaration on the rights of indigenous peoples". The adoption of the Declaration ... will be one of the top priorities of the newly created Human Rights Council . The history and current realities of indigenous peoples clearly require that the promotion and protection of indigenous peoples' human rights continue to be high on the international agenda.	<i>Mr. José Antonio Ocampo, Under- Secretary-General for Economic and Social Affairs Fifth Session of the United Nations Permanent Forum on Indigenous Issues New York 15 May 2006</i>

**JOINT STATEMENT OF THE ASIAN INDIGENOUS PEOPLES CAUCUS ON
THE REPORT OF THE COMMISSION ON HUMAN RIGHTS WORKING
GROUP ON THE DRAFT DECLARATION ON THE RIGHTS OF INDIGENOUS
PEOPLES (E/CN.4/2006/79)**

27 June 2006, Palais des Nations, Geneva

PRESENTED BY VICTORIA TAULI-CORPUZ OF TEBTEBBA FOUNDATION

Mr. Chairman, thank you for the opportunity to present to you the views of the Asian Indigenous Peoples' Caucus, which is composed of more than 1000 indigenous peoples' organizations all over the region. The caucus has met several times during the last session of the Working Group on the Draft Declaration and before and during the 5th Session of the Permanent Forum on Indigenous Issues to agree on a position regarding the current text of the Draft Declaration on the Rights of Indigenous Peoples. The various members of the Caucus have also been apprised of the present developments here at this first session of the Human Rights Council.

We would like to report to you where we stand on Draft Declaration on the Rights of Indigenous Peoples as enunciated in the Annex of the Document E/CN 4/2006/79) and on the latest developments here at this session.

1. We fully support the adoption of this text by the Human Rights Council and the General Assembly at its 61st Session.
2. We fully support the Resolution tabled by the Government of Peru (Doc. A.HRC.1. L3) calling on the Human Rights Council to adopt the United Nations Declaration on the Rights of Indigenous Peoples as proposed by the Chairman-Rapporteur in the annex of document E/CN.4/2006/79 and recommending that the General Assembly adopts this at its 61st Session.
3. We are against any amendments proposed to change the content of the resolution tabled by the Government of Peru.

Mr. Chairman,

We participated in most of the meetings of the Working Group on the Draft Declaration and presented our own proposals for changes in the language of each of the preambular paragraphs and operative articles. We believe that 80% of the present text has been reached by consensus and the remaining 20% as formulated by the Chairperson-Rapporteur is acceptable to us. Having gone through the processes where this draft has been negotiated, we believe that we cannot go further to reach a consensus on the remaining 20%. This text which we have before us, represents the floor or the minimum standards which indigenous peoples in Asia can live with. This is not a perfect draft but it does capture the basic aspirations and rights that indigenous peoples in Asia would like their governments to protect and respect. In no way, can we accept a declaration that will go lower than this.

Therefore, any proposal pushing for more negotiations to reach consensus is at best, an illusion, and at worst, a deceptive ploy to kill the adoption of this present text by the Human Rights Council. We do not trust the governments who are putting this proposal as records would show that they are the same ones who made it difficult to arrive at consensus on the most important articles in the Declaration. They are also the ones who voted against the Declaration on the Right to Development and the Durban Agreements, which are very important for indigenous peoples.

Even Canada, which we thought all along was sincerely working with us towards a positive conclusion of this process, now shows a totally opposite face by proposing that we postpone the consideration of the Declaration for the future. We cannot comprehend the shift in her position. What we know is that her credibility, especially with indigenous peoples and even with governments has gone down to zero because of these latest moves. We do not, for a moment, believe that CANZUS (Canada, Australia, New Zealand and the US) will work to further strengthen the Declaration.

We are appealing therefore to all the remaining members of the Human Rights Council, in particular Asian governments, to vote against any amendments pushed by the CANZUS. We strongly urge you to adopt the Universal Declaration on the Rights of Indigenous Peoples now, in this First Session of the Human Rights Council. This is one important test of your sincerity to carry out your pledge to uphold the highest standards in the promotion and protection of human rights. We are aware that many of you have not taken active part in the negotiations so you might not have an appreciation of the dynamics and the great efforts put by representatives of Asian indigenous peoples' organizations into this. But your absence in these processes should not be used by you as an excuse that you need more time to consider the Draft and therefore fall for the Canadian proposal. Indigenous peoples should not suffer further because of your absence in these negotiations.

Your act of adopting the Universal Declaration on the Rights of Indigenous Peoples at this First Session of the Human Rights Council will be recorded in history and indigenous peoples of the present and future generations will remember all the governments who have voted yes for this Declaration.

This Declaration will be the fundamental framework which will define how we will implement the objectives of the Second Decade of the World's Indigenous People and how we can bring about "partnership in action and dignity" which is the theme of the Decade. There is still a long way to go before we reach a satisfactory situation where indigenous peoples' rights are respected and peace, stability and genuine development prevail in indigenous peoples' territories. But there is always a brave first step which can be taken and the adoption of this Draft is that brave first step.

Thank you, Mr. Chairman.

UNITED NATIONS HUMAN RIGHTS COUNCIL

First session, Geneva

June 19 – 30, 2006

Report of the Working Group on the Declaration for the Rights of Indigenous Peoples

Russian Region Indigenous Peoples' joint statement

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27 June, 2006

Mr. Chairman!

I am taking the floor on behalf of the Indigenous Peoples of the North, Siberia and the Far East of the Russian Federation (RAIPON), which unites more than 40 Indigenous Peoples of the North, Siberia and the Far East. Our peoples live in 27 regions of the Russian Federation, which amounts to 2/3 of Russia's territory.

Today I have the honour to address the distinguished members of the Human Rights Council on behalf of, and in the service of, the leaders of Indigenous Peoples of the North, Siberia and the Far East of the Russian Federation, who held their meeting in Moscow on June 5-6, 2006. Twenty-three organisations of Russia Indigenous Peoples supported the statement by a large group of the world's Indigenous Peoples to adopt, as soon as possible, the UN Declaration on the Rights of Indigenous Peoples as recommended by the UN Permanent Forum on Indigenous Issues.

I am charged to appeal to all member States of the UN and all members of the Human Rights Council to give their full support for the adoption of the Draft Declaration on the Rights of Indigenous Peoples, as proposed by Mr. Luis-Enrique Chavez, Chair of the inter-sessional Working Group on the Draft Declaration, whose statement we have heard today.

Many of the persons present here have taken an active part in the Working Group debates. We all remember very well the difficulties of the negotiation process between Governments and Indigenous Peoples. We know the price of compromise formulas. But it was clear for everybody that full consensus would be difficult to reach. And this is primarily because of the opposition of a small group of states such as the USA, Australia and New Zealand.

Indigenous Peoples of the North of the Russian Federation consider that the text presented by the Chairman does the best job of balancing the interests of States and Indigenous Peoples. This text is supported by many States. Indigenous Peoples also give their full support to the Draft Declaration on the Rights of Indigenous Peoples as proposed by the Chairperson.

It is my pleasure to express my gratitude and support to the initiative presented by Peru's government, as well as to the large group of States that elaborated the Human Rights Council draft resolution on the adoption of the Declaration on the Rights of Indigenous Peoples.

Indigenous Peoples of the North of the Russian Federation are disappointed by the absence of the Russian Federation in this group of States. During all the years past, Russian diplomats reassured us that they would be giving their support to Indigenous Peoples rights, and to the necessity to adopt, as soon as possible, the Declaration on the Rights of Indigenous Peoples. Today we are surprised to learn that the Russian position has changed. With the end of the 21-year process of elaborating the Declaration being over, and the time having come to adopt it, the Russian delegation proposes to return to the negotiating table.

On behalf of RAIPON and Indigenous Peoples leaders of the North of the Russian Federation, I appeal to the Russian delegation to abstain from this resolution.

Thank you for your attention !

**United Nations Human Rights Council, 1st Session
June 19 – 30, 2006, Geneva Switzerland
Report of the Working Group on the Declaration for the Rights of Indigenous Peoples
North America Region Indigenous Peoples' joint statement , edited as read
Presented by Willie Littlechild, IOIRD, June 27, 2006**

Thank you Mr. President, and greetings on behalf of some 700 Indigenous Peoples, First Nations and tribal governments and organizations from the United States and Canada.

In her opening statement to this body on June 19th, the UN High Commissioner for Human Rights Ms. Louise Arbour called upon the Council to “search for, articulate and implement a broad concept of universality of rights and freedoms...rather than cater to the narrow pursuit of national self interest and regional factualism”.

In the same session, UN Secretary General Kofi Annan reminded member states that “they have made pledges both to respect human rights at home and abroad”. We also recall that in the *2005 World Summit Outcome*, the Heads of State and Government committed themselves to collaborate with Indigenous peoples “to present for adoption a final draft United Nations declaration on the rights of indigenous peoples as soon as possible.”

Unfortunately, during this historic first meeting of the Council, a member and an observer state from our region have failed to honor these calls with their positions on the UN Declaration for the Rights of Indigenous Peoples. They continue to promote a double standard when it comes to the rights of Indigenous Peoples, based on their narrow domestic, political and economic interests rather than the universality of human rights and freedoms for all Peoples.

The text proposed by the Chairman of the Intersessional Working Group on the UN Declaration for the Rights of Indigenous Peoples Mr. Luis Enrique Chavez is the result of many long and difficult years of debate and discussion among states and Indigenous Peoples. Most of its provisions were agreed to by consensus of all parties.

In the few areas where consensus was not possible, the Chairs' text takes into account the concerns of states and third parties while also not diminishing the fundamental rights of Indigenous Peoples included in the text approved by the Sub-Commission on the Prevention of Discrimination and the Protection of Minorities.

It is ironic and sad that, while pointing their finger at other states with accusations of human rights violations, these states continue to violate, extinguish and deny the rights of Indigenous Peoples, including Treaties and Treaty rights, Indigenous title to lands, territories and natural resources and the very same political, social, cultural and economic rights that the UN Declaration on the Rights of Indigenous Peoples seeks to recognize.

We emphatically urge the Council to reject any proposals presented at this session for an extension of the process, whether they are presented under the pretext of allowing more time to build consensus, to make additional changes to the text or by means of procedural maneuvering.

Based on our many years of experience in this process, as well as UN history regarding other standard-setting processes, we are convinced that further deliberation would not produce a stronger text of the Declaration. In fact, an extension of this process has every likelihood of moving both states and Indigenous Peoples further away from the consensus which has been built. It would not produce a Declaration that could meet the basic needs and minimum requirements of Indigenous Peoples and at the same time reflect the positions of the few states that refuse to accept the principles of equality, non-discrimination and the full recognition of rights for Indigenous Peoples.

We also stress to this Council that Indigenous Peoples will never accept the establishment of any process which seeks to exclude us or diminish our participation in debates that affect the lives of our families, our Peoples and our future generations.

We recognize that some Indigenous Peoples in our region and elsewhere continue to prefer a stronger text which would go further than the Chairman's text in its recognition of the rights of Indigenous Peoples. We also recognize that a great many Indigenous Peoples from around the world see it as an acceptable compromise which upholds basic principles such as Treaty rights, self-determination, land rights and Free Prior and Informed Consent. These are necessary requirements for any Declaration to be considered an acceptable minimum standard for the survival, dignity and well-being of Indigenous Peoples and a basis for honest partnership, improved relations and much-needed reconciliation between states and Indigenous Peoples.

We therefore reiterate the call made to the Council by the UN Permanent Forum on Indigenous Issues in its 5th session, to adopt in its first session the text as presented by the Chairman without amendment.

We call upon this Council to stand in defense of the most marginalized and threatened of Peoples, and resist any attempts to be made into accomplices in denying rights for over 350 million Indigenous Peoples around the world.

Thank you, for all our relations.

STATEMENT OF THE
INUIT CIRCUMPOLAR CONFERENCE AND SAAMI COUNCIL
June 27, 2006

Thank you Mr. President. My name is Dalee Sambo Dorrough and I am speaking on behalf of the Arctic Caucus, which represents the Indigenous peoples of the Arctic.

Our central message to all members of the Council is the urgent need to support the resolution presented by the Government of Peru calling for the adoption of the *United Nations Declaration on the Rights of Indigenous Peoples* at this session. Therefore, we respectfully request that states soundly reject any proposal by Canada containing vague objectives regarding re-opening discussions on both process and substance.

Our representatives have played a pivotal role in the drafting of this Declaration. We have advanced positions and proposals that are consistent with international law and human rights standards.

Unfortunately, the same cannot be said for a minority of states, who still repeatedly insist upon double standards in the context of our fundamental human rights. Despite our proposals to accommodate state concerns, which are contained in the present Declaration, the United States, Australia and New Zealand remain entrenched in their extremism and absolutist interpretation of the text. It is widely understood that human rights are relative and not absolute in nature. Yet, the US, Australia and New Zealand opt to convey an alarmist perspective. They continue to be intent upon undermining this crucial human rights instrument.

Even more unfortunate, these states have now been joined by the new Harper government in Canada, which is also keen to demonize the Declaration. Canada has recently stated that the Declaration is a “radical” document. To date, Canada has not disclosed their specific concerns despite our repeated requests. Yet, they are asking states and Indigenous peoples to give them time to examine the text further through a potentially never ending and uncertain process.

Even a cursory review of their current policies and their respective human rights’ records would reveal to anyone that re-opening negotiations with these states would not lead to greater consensus.

We would like to thank those states who have expressed support for the adoption of the Declaration. It is imperative that Indigenous peoples and states remain vigilant against such an aggressive politicization of the Declaration both here in the Council and when it emerges at the General Assembly. Consistent with the objective of promoting human rights for all, we would urge all members to recall the actions of Canada during the Council’s universal periodic review.

In conclusion, we believe that through the Declaration, Indigenous Peoples and States can work harmoniously to improve relationships in a fashion that promotes the democratic principles that guide the United Nations.

Thank you.

**1st Session United Nations Human Rights Council
United Nations, Geneva, Switzerland
19 to 30 June 2006**

**Agenda Item: Reports of mechanisms and mandates (WG on draft Indigenous Declaration)
27 June 2006**

I am Peter Splinter of Amnesty International and am making this statement on behalf of 37 Human Rights NGOs, which complete list is attached to our written submission.

As non-governmental organisations working in the field of human rights, we have seen time and again that the promise of universal respect for and protection of human rights remains unfulfilled for the world's Indigenous peoples. We witness in every region of the world, Indigenous peoples suffering gross violations of their fundamental human rights as the consequence of systemic discrimination, historic injustices and ongoing marginalization.

Mr. President, as the General Assembly resolution highlights, the Council is responsible for promoting universal respect for the protection of all human rights and fundamental freedoms for all, without distinction of any kind, and in a fair and equal manner. It is therefore most fitting that this historic first session of the Council has the opportunity to propose to the General Assembly for adoption one of the most urgently needed and long overdue standards for the recognition and protection of human rights, the draft United Nations Declaration on the Rights of Indigenous Peoples.

We join Indigenous representatives in the conviction that the United Nations Declaration on the Rights of Indigenous Peoples is ready for adoption at this session. The proposed text that emerged from the 11th session of the U.N. Working Group on the draft Declaration (E/CN.4/2006/79) is the culmination of lengthy and exhaustive deliberations among states and Indigenous peoples. Given the broad support for the Working Group proposal among states, as well as Indigenous peoples, there is no justification for any further delay.

For these reasons, we fully support the resolution submitted by the Government of Peru and the co-sponsors, calling for the adoption of the draft United Nations Declaration on the Rights of Indigenous Peoples.

We are calling on states not to pursue short term political interests by posing options which would undermine the confidence of Indigenous peoples, and the agreement reached with them, in the course of the more than two decades worth of the negotiations on the draft Declaration. We urge the members of the Council to seize this historic opportunity to ensure, that at long last, the Declaration is put forward for adoption by the General Assembly this year.

By adopting the Declaration, the United Nations will strengthen the whole universal human rights system by setting crucial standards for the survival, dignity and well-being for the world's Indigenous peoples.

Thank you, Mr. President.

Submitted by the following non-governmental organisations with ECOSOC Status:

Amnesty International
Action Canada for Population and Development, Canada
Fédération internationale des ligues des droits de l'homme
Friends World Committee for Consultation (Quakers)
International Commission of Jurists
International Service for Human Rights
Netherlands Centre for Indigenous Peoples, The Netherlands
Rights & Democracy, Canada

Supported by the following non-governmental organisations with ECOSOC Status:

Anti-Slavery International
Agir Ensemble pour les Droits de l'Homme, France
Canadian HIV/AIDS Legal Network, Canada
Cultural Survival, USA
DoCip, Switzerland
Initiative locale pour le développement intégré, ILDI-ONGD, R.D. Congo
International Work Group for Indigenous Affairs, Denmark

Supported by the following non-governmental organisations:

ACSUR Las Segovias, Asociación para la Cooperación con el Sur, España
Adivasi-Koordination, Germany
ALMACIGA Grupo de Trabajo Intercultural, España
ARC International
City Green Solutions, Canada
Coalition for Global Warming Solutions and Environmental Awareness, USA
FERN, Europe
Forum Human Rights, Germany
Global Citizen Center, USA
Global Exchange, USA
Hawaii Institute for Human Rights, Hawai'i
IBIS, Denmark
Insamlingsstiftelsen Ett klick för skogen, Sweden
KAIROS Canadian Ecumenical Justice Initiatives, Canada
KWIA, Flemish Support Group for Indigenous Peoples
Ligue des droits et libertes, Quebec
MiningWatch, Canada
Mugarik Gabe, País Vasco
Ontario Public Interest Research Group, Canada
Rainforest Action Network, USA
ROBIN WOOD e.V., Germany
VIDES International (Voluntariat International Femme Education Développement), Italy