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United Nations undermining its own Human Rights Council in failing to affirm the human rights of Indigenous Peoples

Amnesty International deplores the failure of the Third Committee of the United Nations General Assembly to adopt the UN Declaration on the Rights of Indigenous Peoples at its 2006 session.

The Indigenous Caucus working on the Declaration has concluded that the UN is effectively affirming that "Indigenous Peoples are not equal to all other Peoples."

Successful efforts to block adoption of this landmark Declaration were led by Australia, Canada, New Zealand, the United States of America, Botswana and Namibia. Most African States had chosen not to participate throughout this standard-setting process. A resolution initiated by Peru called for the adoption of the Declaration by the Third Committee, allowing it to go forward for adoption by the plenary of the General Assembly. Taking advantage of the fact that amendments are voted on first, Namibia, as a delaying tactic, successfully introduced a motion to "amend" the Peruvian resolution to call instead for "time for further consultation". Amnesty International fears that this amendment may result in an indefinite delay in adoption of the Declaration or worse, open the door to the elaboration of a weaker alternate text.

The draft Declaration, the product of more than 20 years of deliberations, fills an important gap in international human rights standards. It has been endorsed by the UN Permanent Forum on Indigenous Peoples and has already been adopted by the UN Human Rights Council. The text which is now before the General Assembly, already reflecting numerous human rights compromises, represents the best that might reasonably be achieved and must not be further weakened.

In June 2006 the new UN Human Rights Council adopted the Indigenous Declaration as one of its first substantive actions and recommended to the General Assembly that it also adopt this important Declaration. In failing to do so, the General Assembly – the parent body of the Human Rights Council – risks undermining the new human rights body in its very first year of operation. Amnesty International calls on the General Assembly to uphold the work of the Council – the body it has charged with leading on human rights questions – and to support the adoption of the Declaration without further delay.

Background

The UN Declaration on the Rights of Indigenous Peoples addresses Indigenous peoples' protection against discrimination and genocide. It reaffirms their right to maintain their unique cultural traditions and recognizes their right of self-determination, including secure access to lands and resources essential for their survival and welfare.

It is estimated that 370 million person worldwide identify as Indigenous. The text of the UN Declaration on the Rights of Indigenous Peoples was drafted by a working group of the former UN Commission on Human Rights with the participation of indigenous peoples' organizations. It was adopted at the first session of the new 47-member Human Rights Council – which has replaced the Commission on Human Rights – in June this year by a vote of 30 in favour, two against (Canada and the Russian Federation), with 11 abstentions and four states not participating in the votes.

