

Draft UN Declaration on the Rights of Indigenous Peoples

No Excuses: International Recognition and Protection of the Human Rights of Indigenous Peoples Long Overdue

“For far too long the hopes and aspirations of indigenous peoples have been ignored; their lands have been taken; their cultures denigrated or directly attacked; their languages and customs suppressed; their wisdom and traditional knowledge overlooked; and their sustainable ways of developing natural resources dismissed. Some have even faced the threat of extinction.... The answer to these grave threats must be to confront them without delay.” United Nations Secretary-General Kofi Annan, at the UN Permanent Forum on Indigenous Issues, on May 12, 2004

Background

The Indigenous peoples of Africa, Asia, Europe and the Americas are in urgent need of strong and effective human rights protection.

Ten years ago, a United Nations (UN) expert body, the UN Working Group on Indigenous Populations, and its parent body the UN Sub-Commission on Prevention of Discrimination and Protection of Minorities (now called the UN Sub-Commission on the Protection and Promotion of Human Rights) proposed a new international human rights standard addressing the threats faced by Indigenous peoples around the world. That same year the UN General Assembly made the adoption of that Declaration one of the principle goals for the International Decade of the World's Indigenous People.

Unfortunately, progress toward adoption of the UN Declaration on the Rights of Indigenous Peoples has been mired down in ongoing debate among states. With less than four months remaining of International Decade, governments have agreed in principle to only two of the 45 articles of the draft text.

Before the Decade ends this December, states will meet twice more to discuss the draft Declaration. Amnesty International is urging governments not to waste this historic opportunity. All states should commit to working towards timely adoption of effective minimum standards for the protection and promotion of the human rights of Indigenous peoples. States' concerns about the current draft should be openly

discussed with Indigenous peoples' organizations with the aim of strengthening, and not undermining these standards.

Please take action before 29 November 2004.

Send letters, postcards and petitions to one or more of four governments that have played a critical role in the debate around the draft Declaration – Australia, Canada, the United Kingdom and the United States of America – and to your own government's Ministry of Foreign Affairs. Write in your own words, making the following points:

- Effective international standards are urgently needed to help ensure that the human rights of Indigenous peoples are recognized, protected and promoted in every region of the world.
- Adoption of the United Nations Declaration on the Rights of Indigenous Peoples is a vital first step towards addressing this need.
- All states should commit to working closely with Indigenous peoples' organizations to ensure that real progress is made towards the adoption of a strong and effective Declaration before the International Decade of the World's Indigenous People ends this December.

Write to:

The Honourable Alexander Downer
Minister for Foreign Affairs
Department of Foreign Affairs and Trade
R.G. Casey Building,
John McEwen Crescent,
Barton, ACT, 0221
Australia

The Honourable Pierre Pettigrew
Minister of Foreign Affairs
Lester B. Pearson Building
125 Sussex Drive
Tower A, 10th Floor
Ottawa, Ontario, K1A 0G2
Canada

The Right Honourable Jack Straw
Secretary of State for Foreign and Commonwealth Affairs
Foreign and Commonwealth Office
King Charles Street
London, SW1A 2AH
United Kingdom

The Honorable Colin L. Powell
Secretary of State
US Department of State
2201 C Street, NW
Washington, DC 20520
USA

Additional Recommended Action

For individuals, groups and networks prepared to take more extensive action, please consider the following.

1. When writing letters, please make the following additional points:

States should ensure full and meaningful participation of Indigenous peoples in the standard setting process leading to the eventual adoption of a United Nations Declaration on the Rights of Indigenous Peoples, including by consulting with Indigenous peoples' organizations as soon as possible about any concerns states have about the current text and about any proposals to modify it.

States should ensure that any proposed changes to the current text are consistent with the following basic principles for establishing strong and effective human rights standards:

- The standards in the Declaration must apply equally and fully to all states. States should not seek to insert text such as "subject to national legislation" which would allow national laws and policies to take precedence over the standards set by the Declaration.
- The Declaration must build on established rights and their progressive interpretation. States should not support text that would in any way lower the standard for the protection of Indigenous peoples' rights.

- The Declaration must not entrench discrimination against Indigenous peoples. States should oppose text that would impose unique and arbitrary restrictions on Indigenous peoples' enjoyment of recognized universal human rights, such as the already-established right to self-determination.

2. You may also want to send letters, faxes or postcards to some of the diplomatic embassies or consulates of those states that have attended United Nations working group meetings on Indigenous rights. For example, you might want to write to embassies of states that have close ties to your own country. Those states include:

Argentina
Austria
Azerbaijan
Bahrain
Bangladesh
Bolivia
Bhutan
Brazil
Chile
China
Colombia
Costa Rica
Democratic Republic of Congo
Ecuador
Egypt
Finland
Germany
India
Japan
Mauritius
Mexico
Morocco
Myanmar
Netherlands
New Zealand
Nicaragua
Nigeria
Norway
Paraguay

Peru
Romania
Russian Federation
Senegal
Slovakia
South Africa
Spain
Sri Lanka
Turkey
Ukraine
Venezuela