

Draft UN Declaration on the Rights of Indigenous Peoples

Improved dialogue between states and Indigenous peoples offers hope for timely adoption of important international human rights standards.

For the last ten years, a United Nations Working Group has been trying to reach agreement on an international declaration to recognize and protect the human rights of Indigenous peoples. There is still a long way to go. However, the latest meeting (Geneva, 13 - 24 September 2004) was marked by improved dialogue and cooperation between states and Indigenous representatives. This has raised hopes that a significant breakthrough could be within reach.

Around the world, Indigenous peoples face widespread discrimination, impoverishment and ill-health. Indigenous peoples are routinely excluded from decisions vital to their well-being and to the survival of their unique ways of life. Unjust and illegal dispossession of their lands and resources have often severely undermined the health and livelihoods of Indigenous peoples and eroded the foundation of their distinctive cultures.

The Declaration on the Rights of the Indigenous Peoples is intended to establish minimum standards for the protection of the human rights of Indigenous peoples. While such a Declaration would not be legally binding, its adoption by the United Nations would send an important message to the world's governments and provide Indigenous peoples with a powerful tool for asserting their rights.

Draft text, approved ten years ago by an expert body of the United Nations, affirms that Indigenous peoples "are equal in dignity and rights to all other peoples, while recognizing the right of all peoples to be different, to consider themselves different, and to be respected as such."¹ Consistent with Indigenous cultures, traditions and laws, many of the rights elaborated in the draft Declaration are collective in nature. These rights include the right of Indigenous peoples to control their own lives and futures, the right of Indigenous peoples to maintain and develop their unique cultures and

¹ Draft United Nations Declaration on the Rights of Indigenous Peoples. Adopted by the U.N. Sub-Commission on Prevention of Discrimination and Protection of Minorities, 26 August 1994. [http://www.unhcr.ch/huridocda/huridoca.nsf/\(Symbol\)/E.CN.4.SUB.2.RES.1994.45.En](http://www.unhcr.ch/huridocda/huridoca.nsf/(Symbol)/E.CN.4.SUB.2.RES.1994.45.En).

ways of life, and the right of Indigenous peoples to control and benefit from their traditional lands, territories and resources.

The UN General Assembly called for the adoption of the draft Declaration as a major objective of the International Decade of the World's Indigenous People -- which ends in December 2004. Unfortunately, little progress has been made in the last ten years. In fact, states have agreed in principle to only two of the 45 articles of the draft text.

However, at the latest Working Group meeting, the chair noted that there was now a basis for consensus on several more articles. More importantly, improved dialogue between Indigenous peoples and a number of key states has shown that -- given more time and continued constructive discussions -- consensus can be reached on a strong and effective Declaration.

The Working Group convenes again from 29 November to 3 December 2004. Amnesty International is urging states to take advantage of this important opportunity. All states should commit to working closely with Indigenous peoples' representatives before and during this next working group session. An effective Declaration that advances the protection of the human rights of Indigenous peoples worldwide would be a crucial step in addressing the human rights violations facing Indigenous peoples.

Please take action before 29 November 2004.

Send letters, postcards and petitions to your government's ministry of foreign affairs. Write in your own words, making the following points:

- Welcome the positive dialogue between states and Indigenous peoples at the last meeting of the UN Working Group and point out that this dialogue has contributed to significant progress toward a final text.
- Express concern that 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.
- Urge all states to work closely with Indigenous peoples' organizations to ensure that, before the International Decade of the World's Indigenous People ends this December 2004, real progress is made towards the adoption of a strong and effective Declaration on the Rights of Indigenous Peoples.