

**1 December 2006**

**INTERNATIONAL SERVICE FOR HUMAN RIGHTS**

**STATEMENT ON FOLLOW UP TO DECISIONS OF THE  
HUMAN RIGHTS COUNCIL**

In New York this week the Third Committee of the General Assembly voted to support an attempt to kill the Declaration on the Rights of Indigenous Peoples. As this Council recognised at its first session in June, any decision to delay the Declaration would be a decision to kill the Declaration, that the request for “more time” in effect meant “never”. The Council saw through this ploy then and overwhelmingly rejected that attempt. But now the Third Committee has swallowed the argument and there is real doubt that there will ever be a declaration of indigenous rights.

How did this happen? What political agenda is being acted out? Certainly Australia, Canada and New Zealand have continued their campaign of alarmist fear-mongering but their opposition has been consistent since June. By contrast, the African Group, here in June, formally announced its support for the Declaration but in New York this week it led the charge against it. Why have the African States and other States changed their minds? Or was it some temporary aberration that can be and should be challenged and changed?

There is no suggestion that States want to re-open the text to strengthen indigenous rights, because they think it is too weak in its present form. On the contrary! But the fact is that the present text is the very least that indigenous peoples can support. Indeed some indigenous groups already find it offers far too little, as we heard when they addressed the Council in June. But, as we also heard then, the present text has the unanimous support of all the regional indigenous caucuses. Nonetheless, they have already had to concede far more than they could or should have been expected to concede. We cannot ask them to give up more. The current text is the absolute bare minimum.

The Third Committee’s decision challenges the authority of this Council – a Council that, in the words of the distinguished Ambassador of Algeria, is the “supreme body” for human rights in the United Nations system. One of the Council’s first decisions, at its first meeting, has been repudiated. For the sake of indigenous peoples and for the sake of the Council itself, the Third Committee decision cannot be allowed to stand. We ask the Council to return to the draft Declaration at this session and at the very least resolve to urge the General Assembly to adopt it without delay.