

Mr. Chairman,

- After the adoption of the draft declaration allow me to make some additional remarks from a German perspective.
- Along with other efforts undertaken during the past decade to improve the situation of indigenous people around the world, Germany has closely followed the negotiations on the “Draft Declaration on the Rights of Indigenous Peoples”. Germany today has supported the adoption of this declaration presented as a balanced compromise between diverging views and conflicting interests by the chairman of the Working group. The adoption of this document today proves that the new HRC is able to produce concrete results for the benefit of indigenous peoples.
- Germany is convinced that indigenous individuals all over the world are entitled to the same human rights and fundamental freedoms as everybody else. Human rights are universal, indivisible and equal to all. The respect and application of existing binding international Human Rights Law therefore remains essential. We appreciate the clarifications in the text of the declaration, underlining the primary importance of individual human rights protection and clearly distinguishing between individual human rights in international law and the collective enjoyment of certain rights at the national level. In this context, we in particular endorse pp 18 bis.
- Germany understands the right of self-determination as used in the Declaration as a new right of self-determination, specific to

indigenous peoples. Its content is set out in op 3 bis and the following articles. It is different from the right of self-determination of all peoples, laid down, for example, in Common Article 1 of the two International Covenants, constituting the sole collective right recognized in International Law. It cannot affect the sovereignty or territorial integrity of any state. Germany supports the idea of greater autonomy and self-government for indigenous peoples and communities, within an existing nation state. That is how Germany reads the articles on self-determination.

- The declaration, being an important instrument to enhance the rights of indigenous people, is non-legally binding. In line with international legal understanding - as for example defined in Article 1.1b. of the ILO Convention Concerning Indigenous and Tribal peoples - Germany underlines that its own national minorities and other ethnic groups within the territory of Germany - all of which enjoy full protection of their rights and fundamental freedoms in Germany - do not fall under the scope of this Declaration.
- Today's adoption of the "Declaration on the Rights of Indigenous Peoples" marks an important step in the recognition and protection of the rights of indigenous people. It will help to ensure that indigenous people everywhere without discrimination enjoy all human rights and fundamental freedoms and will empower them to reach real and measurable improvements in their living conditions.