

**The Statement made by the Government of Japan concerning the
declaration on the rights of Indigenous Peoples**

June 29, 2006

Thank you, Mr. Chairperson,

The Government of Japan attaches great importance to the rights of Indigenous Peoples, and we have been actively participating in the Working Group on the draft declaration on the rights of indigenous peoples for 11 years. Our only regret is that the Human Rights Council must vote on this important document due to the lack of consensus.

We also feel obligated to express our serious concern about a procedural matter, which is that the Working Group has not yet discussed the last proposal of this draft declaration. We cannot accept that this could set a procedural precedent for adopting legal documents in the future.

Having said that, from the viewpoint of respect for the rights of Indigenous Peoples, the Government of Japan voted in favor of the declaration, provided understanding of the following:

- Regarding self-determination, the Government of Japan interprets the right of self-determination as stipulated in this declaration as not giving indigenous peoples the right to be separate and independent from their country of residence, and this right shall not be invoked for the purpose of impairing the sovereignty of a State, its national and political unity, or territorial integrity.
- Regarding collective rights, as in many other countries, the Government of Japan does not accept the concept of collective human rights in international law. Therefore, we interpret such rights as meaning that a group of people itself is not the bearer of rights, but that indigenous individuals bear the rights contained in this declaration and that, with the exception of the right of self-determination, certain rights can be exercised collectively with other individuals who have the same rights.
- Regarding property rights, the contents of the rights of ownership or others

relating to land and territory are firmly stipulated in the civil law and other laws of each State. Therefore, the Government of Japan interprets the rights relating to land and territory in this declaration, as well as the way these rights are exercised, as restricted within due reason in light of harmonization with third party rights.

Mr. Chairperson,

The Government of Japan is confident that this declaration will bring international awareness to the rights of indigenous peoples throughout the world, and looks forward to continuing our efforts for the protection and promotion of the rights of indigenous peoples.

Thank you, Mr. Chairperson.