

Envoyé : lundi, 3. septembre 2007 09:00
À : docip

>1 September 2007

>

> New York

>>

>> **Re: ADOPTION OF THE UN DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES
> AS AMENDED BY CO-SPONSORS AND AFRICA GROUP OF STATES**

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> Dear colleagues, sisters, brothers and friends in the Asia Region,

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> The Regional Coordinators of the Global Indigenous Peoples' Caucus on
> the Declaration Steering Committee has met here in New York from
> August 27-31, 2007. As has been mentioned to you earlier, the
> co-sponsors of the UN Declaration on the Rights of Indigenous Peoples
> have been holding negotiations with the Africa Group of States who
> were the ones responsible for the resolution deferring the adoption of
> the Declaration last November 2006.

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> A final agreement has already been reached between these States,
> yesterday 30 August 2007 at around 2 p.m. We are attaching a copy of
> this in this letter. (Attachment 2 - Final Agreement between
> co-sponsors and Africa
> Group) We are also attaching a copy of the report of the Global Indigenous
> Peoples' Steering Committee (Attachment 1) which contains what transpired
> in
> the meetings between the Steering Committee and the co-sponsors.

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> As you can see there only 9 amendments in the final agreement on the
> text
> of
> the Declaration. This is a far cry from the 36 amendments presented by
> the
> African Group of States early in May this year and the proposal for 20
> amendments from Canada, New Zealand, Russia and Colombia. (Canada, et al
> Proposals). The proposals of Africa (Attachment 2) and the Canada, et al
> proposals (Attachment 3) are also attached to this letter so you can make
> a
> comparison between these and the final amendments agreed upon by the
> co-sponsors and the Africa Group.

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> While the co-sponsors initially thought that they can push the HRC
> text
> and
> risk the votes, after a thorough analysis, they concluded that there is a
> high probability that they will lose the vote and will be left with the
> HRC
> text which has only been voted by 30 states. This will not be considered
> an

> international instrument if it will not be adopted by the General
> Assembly.
> Thus, they decided not to take this risk as it is an irresponsible step
> and
> it will not do justice to the work done by indigenous peoples in the past
> 22
> years or so.
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> What you will see in the amended text is that the articles on
> self-determination (Article 3), lands, territories and resources
> (Articles
> 26-30) Articles on free, prior and informed consent (Art. 10,11,19,28),
> Articles on right to redress and reparations, and many others which we
> have
> fought for in the past 22 years have been left untouched.
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> The co-sponsors will be meeting the Asian states and Eastern European
> and Caribbean States next week. They are optimistic that since the
> Africans now will fully support this text, these remaining countries
> will likewise vote for its adoption. This will leave Canada,
> Australia, New Zealand, Russia and
> Colombia (4 states) to vote against it. However, there is a possibility
> that
> they might just abstain. The US, we have been told, will abstain. The
> agreement between the co-sponsors and Africa group is that if there will
> be
> amendments from the floor from these opposing countries the majority will
> just vote against it.
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> In our view, the most important rights which we would like to see in a
> UN Declaration on the Rights of Indigenous Peoples are found in this
> negotiated document. Therefore, we strongly recommend that you
> endorse the adoption of
> this Text (Attachment 1) as it has not detracted in any significant way
> from
> the Declaration adopted by the Human Rights Council.
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> In terms of timelines you have to send in your position whether you
> will endorse or not the amended Declaration by Sept. 4, 2007, New York
> time. We again apologize for this short period but we do not have the
> luxury of time as the 61st Session of the General Assembly is ending
> on 17 Sept. 2007. The
> vote on this Declaration is set for 13 Sept. We have to present our
> regional
> position to the Global Steering Committee on 4 Sept. at 4 p.m. as there
> will
> be a meeting between us and the co-sponsors on Wednesday, Sept. 5.
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> In terms of ways ahead until the adoption on Sept. 13, we would like
> to lobby the Asian governments and others to be co-sponsors of the

> resolution which will present this amended Declaration. If states will
> become co-sponsors they will not make interpretative statements on the
> floor wherein they will state their reservations about the
> Declaration. So the more states we get to become co-sponsors the less
> interpretative statements we will get. So we are urging all of you to
> please still lobby your governments to become co-sponsors for the
> adoption of the Declaration.

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> We look forward to receiving your endorsements before 4 September.

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> Respectfully yours,

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> Vicky Tauli-Corpuz and Joan Carling

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