

17 June 2007

H.E. Haya Rashed Al Khalifa
President of the Sixty-First Session of the United Nations General Assembly
Office of the President of the 61st General Assembly
United Nations, New York NY 10017
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Respected Madame Haya Rashed Al Khalifa,

Greetings from the Indigenous Peoples in Asia!

The undersigned of the Federation of Indigenous and Tribal Peoples in Asia, write to you regarding the UN Declaration on the Rights of Indigenous Peoples. This letter is sent by the Federation, an Asia-wide confederation of Indigenous Peoples in Asia, as representatives of the Federation will probably be unable to meet you personally and discuss this matter. The Federation with a membership of over 68 indigenous and tribal peoples' organisations from South and South-East Asia was established last March to take up advocacy at the national, regional and international levels on indigenous rights issues with accountability to our peoples and communities in an increasingly difficult environment for advocacy.

On 22 May 2007, Mr Les Malezer, wrote a letter to you on behalf of the Indigenous Peoples' Caucus and Regional Indigenous Peoples Caucuses bringing to your attention the deep concerns of the indigenous peoples of the world regarding the consideration of the UN Declaration on the Rights of Indigenous Peoples by the 61st session of the General Assembly, of which you are the President. The concerns expressed in the contents of Mr Malezer are clear and, remaining convinced that there being no need to repeat them, we shall only strongly support what he had urged you.

The reported 34 amendments that are being proposed by the Africa Group for the Declaration, in our view, while attempting to cover the regionally specific apprehensions of the impact if this Declaration effectively violates the customary international legal standards set by the Universal Declaration on Human Rights (UDHR) and the core international human rights treaties of the United Nations. Human rights are universal, inter-related and inter-dependent. Even as regional standards have evolved and are still evolving, such standards may not undermine the universal human rights enshrined by all the nations of the world. Realities of the global environment, climate, security and economic challenges demonstrate clearly today that national and regional boundaries are increasingly inconsequential considerations when we in the international community must grapple together with living in a world that is coming precariously close to a complete breakdown of natural and human systems. I am also convinced that the indigenous peoples' inherent rights and dignity as humans, peace, long aspirations and wishes historically denied will remain paramount in every consideration of the 61st

General Assembly under your able leadership.

The other main reason for this letter is that last 6 June you wrote to the Permanent Representatives and Permanent Observers to the UN regarding the UN Declaration on the Rights of Indigenous Peoples. In the letter, you communicated your decision to appoint His Excellency Hilario G. Davide, Jr., the Permanent Representative of the Philippines to the United Nations, to undertake, on your behalf, further consultations on the Declaration on the Rights of Indigenous Peoples. We in Asia are very much acquainted with the illustrious and highly respected career of His Excellency Hilario G. Davide, Jr., and we hail your decision.

The Federation is also deeply aware, on the one hand, of the very challenging and sensitive task that Ambassador Davide, Jr. has before him and also, on the other hand, of the exciting opportunities he is offered; but we are very encouraged to learn from your letter also, that Ambassador Davide, Jr. “will conduct open and inclusive consultations, in formats that he will deem appropriate, with a view to reflecting the views of all concerned parties in this process;” and we anticipate that Ambassador Davide, Jr. will honour your request in letter and spirit even as you yourself will be closely following the process of the consultations.

In this connection, we would like to request you to further urge the learned Ambassador Davide, Jr. to ensure that the views of the indigenous peoples from all the regions of the world, which has been the bedrock of the entire process in the development of the UN draft of the Declaration over the past two decades, continue to be accorded primacy as subjects of the new and stirring advancement in the universal human rights discourse. We firmly believe still that this historic passage of the Declaration on the Rights of Indigenous Peoples by the United Nations, must be the culmination of a long and arduous road of commitment and promise to all indigenous peoples; and that the General Assembly will see it only fitting to adopt it by a proclamation. We wish you and Ambassador Davide, Jr. every success.

Madame, I thank you for your consideration of our concerns and urge you to act now to conclude the consideration of the Declaration, as contained in the annex of the General Assembly’s resolution, for the ultimate advancement of peace, democracy and the high ideals of the international community. I have no hesitation in repeating that it is only befitting of the United Nations that after decades of commitment and promises to indigenous peoples for a UN Declaration on the Rights of Indigenous Peoples to be adopted by proclamation.

Yours Sincerely,

Soyelo Posheno Wetsah
Elder and pro tem President
On behalf of the Indigenous Peoples and Nations of Asia

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With a copy for kind attention to:-

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- 2.. All members of the Federation of Indigenous and Tribal Peoples in Asia