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COMMISSION ON HUMAN RIGHTS  
Sixty-first session  
Item 15 of the agenda

**INDIGENOUS ISSUES**

**Written statement\* submitted by World Peace Council,  
a non-governmental organization on the Roster**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[4 April 2005]

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\* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

## DRAFT DECLARATION ON RIGHTS OF INDIGENOUS PEOPLES

1.-Today, the promotion and protection of rights of indigenous and aboriginal peoples are facing to the challenge of neoliberal globalization and is subject of selective and discriminatory treatment in the United Nations system.

2. We would like to call the attention of the Commission that, after 10 years of sterile and unfruitful debates denying to the solution of indigenous issues, the Working Group established under Commission on Human Rights resolution 1995/32 for the sole purpose of drawing up a draft Declaration on the rights of indigenous peoples have been not obtained any tangible progress any consensus of adopting the draft Declaration within the international Decade of indigenous populations.

3.- The last 10o session of the Working Group, transforming the exam of the draft Declaration in politic-diplomatic imbroglio, has been put in evidence the egoism, hypocrisy, double standards and incoherent policies of the riche western countries of the North and dominant elites of South.

4.-Why the western countries have been refused systematically to indigenous peoples the fundamental rights and freedom, the right to land and natural resources, the right to live in peace, security and human dignity? Of cause, behind/ back of this denegation/denial of indigenous rights, without of doubt, is hiding a great economic, financial and geopolitics interests of States and Governments of the western countries and new strategy of domination.

5 -In contrast to the unmoving world vision and paralysing stances taken by States, our Organization conceive of international standards and norms as being in permanent mutation and evolution in time and space, adapting them to suit the changes in economic and political conditions that have occurred over the past decade whim the new world economic order.

6 -Given special attention and priority to the most controversial notions and concepts requiring just and equitable solution, such as recognition of the rights to define themselves as peoples and subjects of the international law, right to self-determinations, the exercise of collective and ancestral ownerships of land, permanent sovereignty over natural resources, legal protection of cultural and intellectual property, the demilitarization of indigenous lands and territories, the Indian Movement "Tupaj Amaru" our organization has been summit to every session of the Working Group, during ten (10) years the constructive proposals and amendments to draft Declaration of rights of indigenous peoples.

7 -In formulating these amendments and introducing new provision to the operative part relating to **right to self-determination, the lands, territories and natural resources** and demilitarization contained in draft Declaration, our organization, bearing in mind the need to enhance a legal and political vacuum and social reach of this important instrument, has devoted special attention to the record of the substantive discussions with a view to taking up and condensing the proposals, comments and recommendations made by Governments and indigenous representatives since 1996 to 2004.

8 -Realizing that some seek to drag out the discussions, dilute the project generally and weaken the sense and legal force of its provisions, we emphasize the urgent need not only to uphold minimum standards but also, where possible, to improve, strengthen and harmonize the legal

substance and political, economic and social scope of its provisions as indigenous representatives have been suggesting in Working Group, in Commission on Human Rights and other United Nations bodies.

9.-We believe these proposals and introduction of new provisions, more substantive than cosmetic/or form/, seek to embody the dearly held hopes and legitimate concerns of indigenous peoples as voiced to the international community, while at the same time meeting the objections of some Governments and shedding light on their subjective interpretations of categories and legal concepts under international public law which must form the cornerstone of the declaration.

10.-By proposing amendments to the draft Declaration and adding basic rules to the operative part, we hope to have made a substantive contribution to the work of Working Group established with mandate to elaborate the draft Declaration, so that the provisions and rules set out in the declaration, an instrument of capital importance to survival of indigenous peoples, will be consistent with current of international standards, precise enough to give rise to rights and obligations acceptable to the international community, and established upon material foundations affording an assurance that they will be applied.

11.-Conclusion, for absence of political will of States of North and South, which obligation was to ensure an objective exam of the draft-declaration and its adoption by United Nations General Assembly in the context and before end of international Decade of world's indigenous peoples, the Working Group, in its mandate has failed. The responsibility of this downfall pertains to States and Governments.

12.-In accordance with the procedure established for the formulation of international instruments, we urge the Commission on Human Rights to declare in pause of reflection for one year after to extend the mandate of Working Group for try years (maximum), authorize more participation of indigenous representatives and change the method and procedure of the Working Group, including the vote for the adoption of draft Declaration by General Assembly of the United Nations.

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