



**CONSEJO INDIO DE SUD AMERICA**

INDIAN COUNCIL OF SOUTH AMERICA

Casilla No 498, PUNO - Perú / Casilla 12130, LA PAZ - Bolivia

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ORGANIZACION NO-GUBERNAMENTAL, CON STATUS CONSULTIVO  
EN EL CONSEJO ECONOMICO SOCIAL - ECOSOC - ONU  
e -Mail: tcondori@puebloindio.org / arsuri@ibis.cnb.net /CISA/

## **HUMAN RIGHTS COUNCIL**

First session, 19-30 June 2006

The Indian Council of South America to the new UN Human Rights Council hopes that the change serves to better defend those rights as well as social and historic justice for all peoples.

That is what CISA hopes, because attempts are being made to invalidate the process launched by the representatives of the invaded peoples of the Americas and Oceania who did not benefit from the decolonisation that took place on other continents. In 1977, those representatives sought to have the United Nations recognize them as peoples and original nations with a right to self-determination, to land, territory, natural resources and to a future that includes their collective systems.

These rights were enshrined by the "Working group on indigenous peoples" in their Draft Declaration which is under attack from groups of States. One group proposes the adoption of the Text submitted by Mr. Chavez, the Chair/Rapporteur, which selects only those points he unilaterally deemed consensual and which reduces the scope of the Original Draft. This Text is unacceptable for the following reasons:

- While the Original Draft makes indigenous peoples the subjects of the Declaration, the Text presented by Mr. Chavez places the individual and peoples on the same footing and can be taken to mean that indigenous individuals can individually sell or give up lands, territories and natural resources.
- While the Original recognizes the exercise of self-determination in broad terms, the Text intimates, in an additional clause, that autonomy only applies to internal affairs.
- While the Original recognizes the right to self-identification, the Text removes that right and, as a matter of fact, transfers it to States.

- The Text removes the right of indigenous peoples to protection and security in case of armed conflict, as established in the Original. While the original considers present and future consequences of pillaging, the Text leaves the interpretation thereof to States.
- While the Original states that the implementation of the Declaration should not be in contradiction with the United Nations Charter, the Text further restricts it through State laws and adherence to a model of western society which can be variously interpreted.

The proposal that there be further discussion of the declaration during two or three sessions in the same conditions, with the same chairman and the same system of participation by indigenous delegates is also unacceptable.

The CISA considers that in the current situation of globalisation, which sweeps away differences and subjugates the integrity of peoples, it is necessary to take a breathing space so as to resume the debate on the Draft Declaration in new conditions with a view to reaching a consensus which is not possible at present. It considers that the Original Project, while it reflects the minimum aspirations of the indigenous peoples, is still the only one that preserves their rights intact and that is why we support it.

Palais des Nations, Geneva, Switzerland, 26<sup>th</sup> June 2006.

Tomas CONDORI

Nolasco MAMANI