

Contact: Karen Francis, Public Information Officer  
Navajo Nation Council Office of the Speaker  
(928) 871-7160  
karenfrancis@navajo.org  
[www.navajonationcouncil.org](http://www.navajonationcouncil.org)

---

FOR IMMEDIATE RELEASE  
DATE: Monday, July 03, 2006

## **NEW U.N. HUMAN RIGHTS COUNCIL ADOPTS INDIGENOUS RIGHTS DECLARATION**

By Merle Pete, *Staff Assistant*  
Office of the Speaker

GENEVA, Switzerland – Indigenous rights advocates, on Thursday, June 29, 2006, celebrated a mark of achievement as the United Nation’s Human Rights Council (HRC) adopted the proposed United Nation’s Declaration on the Rights of Indigenous Peoples (Declaration), with a vote of 30 in favor and 2 against. The Russian Federation and Canada were the dissenting votes, as 12 other countries abstained and while three countries were absent from the vote. The United States is not a member of the newly-established, 47-member Human Rights Council.

“For what seemed like a daunting task, we have witnessed a turn-around in our prospects this week,” said Rex Lee Jim, Council delegate from Rock Point Chapter, who represented Navajo Nation interests at the HRC meeting in Geneva, Switzerland over the past two weeks. “The Navajo Nation favored a consensus vote on the issue, but the general preference, as you can see by the vote, was for a majority vote.”

Upon hearing of the vote, Hogback Council delegate Ervin Keeswood said that the agreement should have been reached by consensus, rather than by vote.

“Since 1995 the Navajo Nation has been involved in this negotiation. While we understand there must be conclusion to the drafting of the declaration, we find it unacceptable that a vote was taken on such an important document. The Navajo Nation’s participation was to promote our interests, as well as the interests of all indigenous peoples, through an agreement by consensus. We are concerned that the declaration as approved is merely a document that is not binding upon any country of the world,” Keeswood said.

A majority vote, according to Jim, may not carry as much weight at the United Nation’s General Assembly, however, the strong HRC vote could indicate a favorable vote at the General Assembly. The U.N. General Assembly meets on an annual basis; however it is not yet known whether the General Assembly will consider the Declaration in its session this fall.

“The Indigenous Caucus is ready to celebrate,” noted Jim in e-mail correspondence from Geneva on Wednesday, June 28, anticipating a vote on a tabled motion by Peru to adopt the Declaration. “But it has been stated that the real work is ahead of us – that more work needs to be done lobbying States for the General Assembly.”

The HRC began its first official session on June 19, 2006. The first order of business on June 19 was the selection of officers. Luis Alfonso de Alba of Mexico was formally elected as President of the HRC. The HRC was created through internal realignments to address human rights issues. The HRC replaces the former Commission on Human Rights, inheriting many of the former commission’s work. The HRC will conclude its first session today.

By Monday, June 26, the HRC identified five thematic issues which were based on statements made by member states, observer states and officials from the previous week. The thematic issues included human rights issues of Palestine and other occupied Arab territories, addressing incitement of hatred and violence, addressing the human rights of migrants, and observing the roles of defenders in promoting and protecting human rights.

“For indigenous rights advocates, the more pressing human rights issues were relevant, however, it was clear that because of the many atrocities conducted around the world, indigenous rights was not one of the leading issues,” said Jim, summarizing his work at the HRC. “The atmosphere in Geneva was intense. While we were there to try to address indigenous rights issues, there seemed to be more pressing world issues related to human rights violations, occupation, and conflict. These were discussed and often argued on the floor.”

According to Jim, the Canadian delegation aggressively lobbied to postpone the consideration of the Declaration. Jim said this angered many indigenous rights advocates because Canada’s proposal seemed to undermine the years of work put into the document.

After more than 10 years of work on the draft declaration, the Working Group established to facilitate negotiations regarding the draft declaration on the rights of indigenous peoples concluded its work in January 2006. Working Group Chairperson Rapporteur Luis-Enrique Chávez of Peru issued a final report in March 2006, referred to as the Chairman’s report. The Chairman’s reported text is the latest version of the draft declaration, and was the version considered by the HRC this week.

On Tuesday, June 27, the Working Group established by the former Commission on Human Rights presented its report on the latest version of the document. It was at this time that the Canadian delegation once again requested the HRC to consider postponing the work on the document to September. By Wednesday afternoon, however, it was widely regarded that the Canadian delegation would withdraw its recommendation and efforts to postpone the work.

“Many indigenous representatives scowled at Canada’s effort to postpone the work,” said Jim. “For the Navajo Nation, while we felt it was important to try to improve upon the text of the document, it was difficult for us to advocate quick consideration or a chance to improve the document.”

“The document, as reported by the Chairman of the Working Group from the former Commission on Human Rights, was weak on Lands, Resources and Territories, and self-determination. This is a major concern for the Navajo Nation. The protection of these rights is fundamental and essential,” Jim said. “We are always up against a dissenting notion by the United States that this would never be ratified. A favorable vote by the U.S. at the General Assembly means everything. A No vote from the U.S. will continue to suppress the self-determination of indigenous peoples in the U.S.”

###