

Permanent Mission of Australia
Permanent Mission of Canada
Permanent Mission of Colombia
Permanent Mission of Guyana
Permanent Mission of New Zealand
Permanent Mission of the Russian Federation
Permanent Mission of Suriname

H.E. Sheikha Haya Rashed Al Khalifa
President of the General Assembly
United Nations
New York

Excellency,

Our countries place great importance on the promotion and protection of the rights of indigenous peoples. We believe there is an urgent and apparent need for a Declaration on the rights of indigenous peoples. The agreement of the General Assembly to defer action on the draft Declaration gave the international community the opportunity to try to adopt a Declaration that all countries could support as a genuine standard of achievement to live up to.

We wish to reaffirm our commitment to participating constructively in a process that is open to all member States. This is particularly important to those countries with significant indigenous populations. The consultation process must include indigenous peoples. We welcome the announcement of your intention to appoint a facilitator with a mandate to conduct further open and inclusive negotiations on the text of the draft Declaration.

The decision by the General Assembly in November last year to defer action on the draft Declaration indicated that a large number of countries had serious concerns about a number of provisions of the text. It is important that those countries are given an opportunity to improve the text in order to make it consistent with international law and capable of being implemented by states. The appointment of a facilitator and the amended text put forward by the Africa Group helpfully provide a good basis for discussion. We respect the efforts of other delegations to propose other options, including a covering resolution to the text. This option would not, however, be capable of resolving the main concerns that many countries have with the draft Declaration. The operative text of the declaration would have superior status. As such, we consider that negotiations on the text of the Declaration are required to improve the declaration.

The General Assembly has agreed to further consultations on the text during the 61st session. We support efforts to establish a process of consultation in line with that agreement. Every effort should be made to adopt a Declaration

that has broad and meaningful agreement within the 61st Session. We look to your office and to the facilitator that you intend to appoint to bring all interested parties together.

We would be grateful if you could circulate this letter to all member States.

30 May 2007