

International Indian Treaty Council



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05/19/2016

To: Her Excellency, Ambassador Elisa Ruiz Diaz Bareiro,
Permanent Representative of Paraguay,
Chair of the Working Group to Prepare the Draft American Declaration on the Rights of
Indigenous Peoples
Via email: LToro@oas.org; RRojas@oas.org; GNMayorga@oas.org

Dear Ambassador Ruiz Diaz Bareiro:

On behalf of the International Indian Treaty Council (IITC) I bid you respectful greetings and appreciate the opportunity to officially submit our reservations on the final text of the OAS draft American Declaration on the Rights of Indigenous Peoples adopted by the Working Group today, 19 May 2016.

As our representative, Roberto Borrero informed the Indigenous Peoples Caucus during this afternoon's deliberations, the International Indian Treaty Council is not currently prepared to join in the consensus on the final text due to our concerns with the process, which included a very limited number of Indigenous Peoples and did not permit time for consultation with our affiliates from throughout the Americas who will be directly affected by this outcome.

In addition, although there are sections of the draft Declaration we strongly support such as article 23 on Treaties, we are very concerned with the language adopted today in article 24.5 on "rights to land and resources" that includes the phrase "...in accordance with the legal system of each state...". In our view this phrase is inconsistent with the minimum standards contained in article 26 in the UN Declaration on the rights of Indigenous Peoples.

In closing, we appreciate your willingness to accept this statement as part of the official meeting minutes and summary of the Nineteenth Meeting of Negotiations in the Quest for Points of Consensus which took place at OAS Headquarters from May 17 to 19, 2016.

Respectfully submitted,

Andrea Carmen,
Executive Director
International Indian Treaty Council