

**Indian Council of South America
Indigenous Peoples and Nations Coalition
International Council For Human Rights**

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Human Rights Council 18th Session
Item 6 Universal Periodic Review of Australia
Ambassador Ronald Barnes

Given the difficulty in accepting the Declaration on the Rights of Indigenous Peoples and being at every meeting since 1995 during the Working Group to Elaborate the Declaration on the Rights of Indigenous Peoples, it is a milestone that Australia did accept the Declaration and apologized to the original peoples of Australia.

The Declaration on the Rights of Indigenous Peoples cannot be the sole basis for addressing the wrongs of the past and the continuing challenges to address the denial of the rights of the Indigenous Peoples to their territory and resources and protection against abuses. In consulting with grassroots, there still remains doubt that the Nations Congress of Australia's First Peoples will not do "business and usual" and be used as a rubber stamp mechanism to diminish the rights of Indigenous Peoples in Australia.

Indigenous Peoples in many western based countries have imposed "doctrines of dispossession" that are actually doctrines of superiority that deny Indigenous Peoples their right to their territory and resources to protect their cultures against further abuses. While your Government "accepted in part" Recommendation 24 concerning The Racial Discrimination Act of 1975 stating that it, "supports the promotion of and respect for the principles in the Declaration on the Rights of Indigenous Peoples" it would disagree that the "current federal laws are consistent with the spirit of the Declaration". Much can be said about this conditional acceptance, along with the mode of conditional acceptance for realizing the rights of Indigenous Peoples.

Accepting the right to self-determination is vitally important for the realization of the right to territory and resources and for the substantive recognition of the sovereignty, the many layers of conditional recognition and protection of the right to self-determination must not amount to mere lip in realizing the right to development. Given this is the 25th anniversary of the Declaration on the Rights to Development, the Indigenous Peoples of Australia are fully informed at the grassroots level and not insulated through a national institution that does not promote the rights on the ground.

Thank you Mr. Chair,

