NEW YORK - A number of African nations, led by Namibia, were successful Nov. 28 in persuading the majority of nation states to delay adoption of the United Nations Declaration on the Rights of Indigenous Peoples.

During a meeting of the Third Committee of the General Assembly - which deals with social, humanitarian and cultural issues - Namibia sponsored a resolution asking for a delay in adoption of the declaration, saying it contradicted the national constitutions of a number of African countries.

Representatives of Namibia, Botswana and other African countries were disturbed that the declaration lacked a definition of who is indigenous, thus opening the door for any group or community to identify itself as indigenous.

Concerns also were expressed about indigenous peoples' right to self-determination which could lead to uncertainty and instability within African nations. These concerns have been discussed by delegations at the United Nations for years, but most of the African nations did not take part in those discussions.

Namibia's resolution said it would aim to conclude consideration of the declaration by the end of the General Assembly's 61st session in September 2007.

The representative of Mexico, Luis Alfonso de Alba, backed by many Latin American colleagues, said it seemed strange to seek time for more consultations on a declaration that had already been the subject of 24 years of negotiations.

"The real delay would be in paying due attention to the rights of indigenous peoples themselves," said de Alba. Many Latin American countries, led by Peru, were pushing for immediate adoption of the declaration.

Robert "Tim" Coulter, executive director of the Indian Law Resource Center in Helena, Mont., who originally authored the declaration, said, "We are very disappointed that the declaration will not be immediately adopted. But we understand that there are concerns, because this is a very serious declaration of rights.

"We are prepared to continue fighting for adoption of the declaration, and we believe that the concerns expressed by Namibia and other countries can be resolved so that the declaration can be adopted within the coming year without weakening indigenous peoples' rights," he said.

Assembly of First Nations Regional Chief Shawn Atleo, from British Columbia, said, "Canada was positioned to play a significant role in supporting the declaration but chose to actively oppose the declaration as a member of the Human Rights Council and at the General Assembly.

"We share the deep frustration of all those who worked long and hard to get the declaration to this point," Atleo added. "We sincerely hope that the declaration is not lost and that we can find a way in which to revitalize this important work."
Coulter said it is especially important that consultations about the declarations in the coming months include indigenous representatives, especially representatives of American Indian governments.

"This is a crucial time for representatives of indigenous governments to join the process to win adoption of the declaration," Coulter said. "We must continue the work of persuading states to respect our rights and to adopt the strongest possible declaration."

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