



20 December 2022

Michael Fisher
Research Officer
Foreign Affairs, Defence and Trade Committee
Department of the Senate
PO Box 6100
Parliament House
Canberra ACT 2600

Dear Mr Fisher

I am writing to correct evidence given during the Department of Foreign Affairs and Trade Senate Estimates hearing on Thursday, 10 November 2022.

I would like to correct my response to Senator Thorpe's questions related to the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) (refer to Hansard pages 51-52), as follows.

I stated that UNDRIP was a UN Convention and not treaty status (I note this was misquoted in the Proof Hansard). I would like to clarify that UNDRIP is a UN Declaration that does not have treaty status.

I went on to answer Senator Thorpe's questions about the 'ratification' of UNDRIP and the effect of this on our international engagement. I stated that not ratifying UNDRIP or having put it into legislation does not impede our international engagement on UNDRIP. I would like to clarify that since UNDRIP is a UN Declaration without treaty status, it cannot be ratified under international law, including by Australia.

Yours sincerely

Natasha Smith
First Assistant Secretary
Multilateral Policy & Human Rights Division