



COMMISSION ON HUMAN RIGHTS

Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
Working Group on Indigenous Populations
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Item 8 of the agenda

CONSIDERATION OF A PERMANENT FORUM FOR INDIGENOUS PEOPLES

Statement by Mr John Scott, on behalf of the Aboriginal and Torres Strait Islander Social Justice Commissioner, Human Rights and Equal Opportunity Commission, Australia

Thank you Madam Daes for this opportunity to speak at this time.

Madam Daes

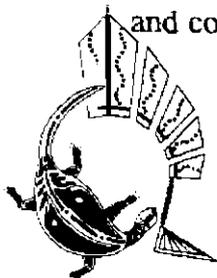
I would like to make a brief statement under this item, as Commissioner Dodson has addressed it in past sessions of the Working Group, and submitted a paper on options and preferences for the future of the Working Group and the Permanent Forum at the twelfth session in 1994. He has asked that I once again draw the meeting's attention to that paper which is published in UN document: E/CN.4/Sub.2/AC.4/1994/11/Add.2. I have attached it to my written statement.

I will briefly note some of the main points made in that submission.

Commissioner Dodson has noted several models for a Permanent Forum which have been proposed by Indigenous peoples. At this stage it would be inappropriate to make a definitive statement on which should be adopted. However, some necessary elements can be identified.

A permanent forum must have a role in:

- Ensuring full participation of Indigenous peoples in international decision making affecting us;
- Supervising the implementation of Indigenous peoples' rights;
- Enforcing treaties and other agreements with States;
- Resolving disputes and providing remedies for violations of Indigenous peoples' rights;
- Co-ordinating activities across the United Nations system on the basis of full consultation and collaboration with Indigenous peoples.



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With respect to the continued work of this Working Group and the Centre for Human Rights, and future work of a Permanent Forum, Commissioner Dodson emphasises the urgent need for adequate support and secretariat services which to date have been lacking. Given the high demands on each of these bodies, they must be adequately resourced and must be advised by Indigenous experts and serviced by permanent Indigenous staff.

Finally, we would raise the option of the creation of a post of High Commissioner for Indigenous peoples. Such an office would be a means of ensuring that Indigenous peoples' issues receive adequate policy prominence and resource endowment within the United Nations system. In particular, the High Commissioner could be given the capacity to act rapidly in response to emergencies. I note that the B'okob Declaration records the resolution of the First Summit of Indigenous Peoples to create such a post.

In summary, Commissioner Dodson fully endorses the creation of a Permanent Forum, and joins Indigenous peoples of the World in affirming its importance as one of the major goals of the Decade. Increasingly Indigenous peoples are recognising the enormous impact on our lives of international decisions and developments in a number of areas. This includes those relating to defence and multi-lateral military or peacekeeping arrangements, trade and economic co-operation and human rights.

It is imperative that Indigenous peoples have access to mechanisms and bodies through which our claims and interests can be represented. We have too long been marginalised in international decision making.

The Declaration of the Vienna World Conference affirmed the importance of Indigenous peoples' full and free participation in all aspects of society, in particular in matters of concern to us.

The United Nations must act as a model for the world as to how to proceed along such lines by creating a permanent and appropriately structured mechanism which will guarantee us such full and free participation in international affairs.

The establishment of a Permanent Forum for Indigenous issues is required. Existing fora provide some scope for Indigenous involvement. However, our problems are of a unique and complex nature, and cannot be placed as another agenda item for a body set up to deal with a wide range of human rights issues. The expertise required to adequately address the issues we are bringing requires a specialised forum.

If such a forum is established with a sufficiently broad mandate, it will also allow for the breadth of our problems to be addressed in a manner often precluded by the existing structure. The issues of concern to us are inter-related and inseparable, and may involve several dimensions of rights - of an economic, political, environmental, cultural and social nature. For example, international trade agreements have a particular impact on Indigenous peoples in terms of our economic sustainability, our culture, our environments and our health. One forum is required where all these dimensions can be addressed simultaneously.