



SOUTH AFRICAN STATEMENT

EXPERT MECHANISM ON THE RIGHTS OF INDIGENOUS PEOPLES

NINTH SESSION

**PANEL DISCUSSION ON THE PROMOTION AND PROTECTION OF THE RIGHTS
OF INDIGENOUS PERSONS WITH DISABILITIES**

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GENEVA

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Chairperson

South Africa takes this opportunity to congratulate Mr Barume on his appointment as Chair of the EMRIP.

South Africa thanks the panelists for their quality presentations which has given important impetus to this important area. Notably, the Convention on the Rights of Persons with Disabilities (CRPD) and the UN Declaration on the Rights of Indigenous Peoples is instructive in these discussions.

South Africa's engagement on indigenous issues derives primarily from its unique history of struggle against all the scourges of racism and discrimination, and its quest for the advancement of human dignity and equality for its people. The 2001 World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance raised legitimate concerns of indigenous peoples who have been victims of these acts and continue to be victims of their consequences.

There still exists many barriers that persons with indigenous persons, including those with disabilities throughout the world face. They often experience multiple forms of discrimination and face barriers to the full enjoyment of their rights, based on both their indigenous identity and disability status. There is also a growing body of data showing the linkages of persons with disabilities to extreme poverty and social marginalization and thus an imperative need for stronger Government interventions and programmes. The UN Convention on the Rights of Persons with Disabilities has provided impetus and a unique platform for the advancement of the international disability rights agenda in development and much more is needed to respond to their plight. With its promise to leave no one behind, the 2030 Agenda for Sustainable Development is of vital importance to the plight of indigenous peoples around the world, including those with disabilities.

Chairperson,

South Africa's National Development Plan envisages a country by 2030 which has eliminated poverty and has reduced inequality and a "country wherein all citizens have the capabilities to grasp the ever-broadening opportunities available". South Africa finalised its White Paper on the Rights of Persons with Disabilities in 2015. Access to justice as a key focus area of the panel today is an important issue which deserves more attention in the quest for the promotion, protection and fulfillment of all human rights in a non-discriminatory basis.

In this regard, South Africa's policy is very clear that state and non-state actors must be held accountable for discrimination against, exclusion and/or marginalisation of persons with disabilities. The policy also provides guidance for recourse mechanisms for rights-holders.

Finally, Chairperson, we have noted comments with respect to the grave and serious human rights violations committed by TNCs and Other Business Enterprises against Indigenous Peoples and in some cases resulting in their disability status. In this regard the elaboration of a legally binding instrument to hold these entities accountable for human rights violations in international human rights and humanitarian law is imperative.

I thank you.