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STANDARD SETTING ACTIVITIES

STATEMENT BY
THE OBSERVER DELEGATION
OF THE GOVERNMENT OF
FINLAND

MR. EERO J. AARNIO

Madam Chairperson, Distinguished Members of the Working Group, respected Representatives of the Indigenous Peoples and the Governments, Ladies and Gentlemen

Madam Chairperson,

Let me first congratulate you on behalf of the Finnish government on your re-election as chairperson-rapporteur of this Working Group. We know that your experience will guarantee the most successful results of our common efforts here in Geneva. We wish you strength and courage.

Madam Chairperson,

The Finnish government considers the Declaration on the Rights of Indigenous Peoples to be a very important document on human rights. We hope that the Working Group can finalize its text this time inspired by the International Year for the World's Indigenous People.

For the time being the ILO Convention No 169 is the only international instrument which has been adopted specifically for the protection of the indigenous peoples. This convention, even if unfortunately not yet widely ratified, as well as the recently proclaimed Declaration on the Rights of Persons belonging to National or Ethnic, Religious and Linguistic Minorities may serve as pattern for the new declaration. We emphasize, however, that this declaration should not contain any standards lower than those contained already in the ILO Convention.

The government of Finland has annually sent written comments on the draft declaration to the Centre for Human Rights of the United Nations. The latest comments from this spring are available here among the official documentation. That is why I will not repeat these comments. I would like, however, to emphasize some points of view mentioned in the letter of our government.

The government of Finland is in favour of the use of the concept of self-determination in the declaration. The right to self-determination of indigenous peoples is one of the crucial issues decisive for the outcome of this drafting process. However, in the opinion of our government, broader acceptance of the text of the operative paragraph 1 might be achieved through elaborating on the final words of the paragraph "the right to autonomy and self-government". The presentation of various examples of autonomy and self-government (e.g. the home-rule of Greenland and the cultural autonomy of some indigenous peoples) could achieve a broader approval of the draft.

The article on land rights is quite far-reaching, even in comparison to article 14 of the ILO Convention No 169. Our government emphasizes that in the ILO Convention a distinction is made between lands traditionally occupied by indigenous peoples and lands "not exclusively occupied by them". A similar approach might be in the opinion of our delegation advisable in order to cope with the wide range of existing situations.

Madam Chairperson,

The adoption of the Universal Declaration on the Rights of Indigenous Peoples, even if as such a very important event for these peoples, may be without desirable effects, unless an efficient follow-up of its implementation will be organized. That is why our delegation considers very important the decision of the World Conference on Human Rights to recommend that the Commission on Human Rights consider the renewal and updating of the mandate of the Working Group on Indigenous Populations. The Working Group has become the centre of indigenous rights activities in the United Nations. In the framework of the International Decade of the World's Indigenous People proposed by the World Conference the establishment of a permanent forum for indigenous people in the United Nations system should be considered.

Thank you, Madam Chairperson.