

Agenda Item 10
Statement of the Indian Law Resource Center
Mr. Robert T. Coulter

The proposal for a permanent forum for indigenous peoples is a very positive one, but it raises many serious questions and possible problems that must be addressed. In my personal opinion there is value in institutionalizing the consideration of indigenous issues at a high level. It would be an advance to have these issues considered by body that includes a significant number of states--members of the U.N. There would be advantages to having a forum with competence that is not limited to human rights. And there is value in creating a serious body in the U.N. system that includes indigenous representatives as members. Such a body--if it is properly designed and if it provides guarantees for full and direct participation by indigenous peoples--could be very beneficial.

But the proposal raises many potential problems and fears that must be addressed. How can we be sure that indigenous participation won't be restricted unexpectedly in the future? How can we be sure that the methods for selecting indigenous membership in the forum are fair and not manipulated by states?

Many indigenous representatives are concerned that the forum would be a pretext for putting an end to this Working Group. I am informed that some countries do intend to take the position that we can have one or the other--not both the forum and this Working Group. Closing down this Working Group would be a very high price to pay.

In my opinion there is a clear need for this Working Group to continue as a part of the Sub-Commission. The forum cannot be expected to replace the function of this group. I have the feeling that this Working Group is being taken hostage in order to discourage the creation of the forum. This is not right. There is a distinct and important role for both bodies.

In all events it is critical that indigenous representatives plan now to participate in the Working Group on the permanent forum from 15-19 February, 1999. Only by participating can we see that the forum is well designed and wisely constituted.

Thank you.

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