



U.N. WORKING GROUP ON
INDIGENOUS POPULATIONS
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STATEMENT BY MR ROBERT FAULKNER

ON BEHALF OF THE OBSERVER DELEGATION

OF AUSTRALIA UNDER ITEM 5 ON

STANDARD-SETTING

3 AUGUST 1988

Madame Chair,

At last year's session of the Working Group, the Australian observer delegation suggested that the Group consider preparing, for consideration at the Sixth session, a paper containing all the relevant draft principles which could then form the basis of future examination of a Draft Declaration on the Rights of Indigenous Peoples.

This suggestion reflected the particular support of Australia for the standard-setting mandate of the Working Group. Under its Review of Developments agenda item, the Working Group has an enormous range of practical experiences to draw upon for its standard-setting activity.

Therefore, we welcome the Working Paper submitted by you Madame Chair as a preliminary exercise that provides the basis for a more focussed and concrete discussion of standards.

2.

The Australian Government is currently reviewing the Working Paper, but I will offer some general comments to enable discussion to move forward at this session. Before I do so however, I would wish to endorse the reference made in the introduction to your Working Paper to General Assembly Resolution 41/120 entitled Setting International Standards in the field of Human Rights. The drafting exercise should aim to harmonise with and build upon existing international instruments.

On this principle of consistency in international standard-setting, I wish to briefly refer to the Revision of ILO Convention 107 on Indigenous and Tribal Populations. Australia has been an active participant in the revision exercise and we will be working with all interested parties, particularly indigenous representatives, to ensure a successful outcome at next year's International Labour Conference. It is important that in the development and drafting of those standards we should remind ourselves that it is unrealistic to expect that all of our individual and special interests will be fully provided for. Clearly such exercises must rely upon the various parties being prepared to accept some compromise because without this understanding, there can be no agreement.

3.

Madame Chair, Australia is giving very careful and considered attention to the Draft Working Paper and will be submitting detailed written comments before the next session of the Working Group. We are generally supportive of the principles it contains. However, there are some specific provisions that ^{could} pose ~~some~~ difficulties ~~for us~~, especially those in relation to land rights and compensation.

I would like to remind the Working Group that Australia has already provided specific comment on several of the 14 Draft Principles already provisionally adopted and included in the Working Paper.

Madame Chair, I wish to reiterate Australia's support for the Working Paper as a basis for drafting the Declaration on Indigenous rights and assure you of our continuing participation in this important exercise.

In conclusion, I wish to refer to your visit, Madame Chair, to Australia last December. The Australian Government believes that the Report of the visit is forthright in identifying both the problems and recognising the Government's efforts and commitment to solving them. The Report represents a significant contribution to the consideration of the issues facing all Australians in the whole area of Aboriginal/Non Aboriginal relationships.