

WORKING GROUP ON INDIGENOUS POPULATIONS
17TH SESSION, JULY 26-30, 1999

Statement by Hjalmar Dahl, Inuit Circumpolar Conference on item 5: Indigenous Peoples and their relationship to land.

Thank you Madame chairperson for allowing me to take the floor on the item of Indigenous Peoples and their relationship to land.

I would also congratulate you for your reelection and hope that your expertise and commitment to the issues related to the Indigenous Peoples will forward the recognition of the fundamental rights of Indigenous Peoples.

I am representing Inuit Circumpolar Conference, which is an international organization of Inuit from Greenland, Canada, Alaska and Chukotka in Russian Federation.

Mdm. Chairperson;

The issue of the land is essential and fundamental to all Indigenous Peoples in regards to be able to exist and survive as peoples. Without land and without rights to its resources there would be no meaning for existence.

The first time the Indigenous Peoples entered the U.N. over 20 years ago, they wanted the international community to become aware of existence of Indigenous Peoples as distinct peoples with their own land and territories, cultures, languages and social and traditional customary laws.

Since then no considerable achievements have been made regarding recognition of the Indigenous Peoples inherent rights to land and its resources internationally. Although the Draft Declaration on the rights of Indigenous Peoples has been approved by this Working Group back in 1994 and was endorsed by the Sub-Commission, still no positive signals in furthering the draft to the General Assembly of the U.N. have been received by the Indigenous Peoples.

Is it because of the provisions of the draft on the rights to land and territories and the Indigenous Peoples rights to self-determination, Madame Chairperson?

It has to be emphasized that the right to land cannot be separated from the right to self-determination and that is the key point to our rights of the resources including in the marine areas.

To us the Inuit, the subsistence rights to the waters surrounding us are fundamental to our existence as people. Inuit subsistence rights include hunting, fishing, trapping, and gathering and extend over full range of traditional land and marine areas in the Arctic. These rights are both collective and dividual in nature. Inuit rights to harvest flora and fauna in the circumpolar region are not limited to traditionally harvested species. Also, as aboriginal people and as the primary users of the resources, Inuit have the rights to manage Arctic renewable and non renewable resources, which means, that the rights to the surface and subsurface resources not can be avoided.

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Mdm. Chairperson;

In my earlier interventions I have mentioned the «Thule case » on the forced relocation of the village of Uummannaq (Thule) in 1953 during the establishment of an U.S. Air Force base in Thule, Northernmost part of Greenland.

Article 11 of the Draft Declaration stresses the importance to observe the Fourth Geneva Convention of 1949 and to protect the Indigenous Peoples from being relocated for military purposes.

Among the numerous incidents in Inuit homelands during the cold war, only the Inuit, indigenous to the Northern Quebec - the so called High Arctic Exciles got a compensation from the Canadian government only four decades after.

Now the Danish High Court will announce its decision on August 20, 1999 in Copenhagen. In that case, which is the first and biggest of its kind in the Danish judicial history, the Prime Ministers office disputes, that the Thule Inuit has legal rights as claimed.

In 1996 Denmark ratified the ILO Conv.169. Article 14 of the Convention stipulates that Indigenous Peoples have the right to the lands they traditionally have occupied and even a right to return to the lands in question.

Thus the Danish Prime Ministers claim appears to be in bad harmony with this convention.

In other countries such as Norway, Canada, Australia and Chile cases like the one in Thule has been solved succesfully. Therefore it is with great expectation that we anticipate the Danish High Court decision.

Qujanaq. Thank you Madame Chairperson.