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Working Group on Indigenous Populations

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**Agenda item 9 of the provisional agenda:
Consideration of a Permanent Forum for Indigenous Peoples**

**Statement by Mr. Ole Egberg Mikkelsen,
Deputy Permanent Representative of Denmark
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WGIP JS GOV/EUR-DNK/2

Thank you, Madam Chairperson

Speaking on behalf of the Government of Denmark and the Greenland Home Rule Government, I am particularly pleased to take the floor on agenda item 9, which is now entitled: "consideration of the possible establishment of a permanent forum".

At this point, I wish to make it perfectly clear that we are not among those who insist on using the word "possible" whenever the establishment of a permanent forum is discussed. In light of the progress that has been achieved since the idea was launched only two years ago at the World Conference on Human Rights in Vienna, we feel quite confident that this major aspiration of indigenous peoples around the world will indeed become a reality in one form or another.

This does not mean of course that we would expect a breakthrough at this meeting. Discussions so far have clearly demonstrated that a process of dialogue and thorough consultations among indigenous peoples, governments and UN-agencies is the only way forward.

It is our sincere hope that this meeting of the working group will play a constructive role in this process by addressing some of the fundamental issues and in narrowing down differences of opinion.

This meeting has an excellent basis for doing so. Since the Commission on Human Rights adopted the first resolution on a

permanent forum in 1994 a rich and comprehensive process of consultations has been initiated by the Centre for Human Rights. A number of indigenous peoples and governments have submitted comments in writing and at the last session of this working group an initial discussion was held.

At its fifty-first session the Human Rights Commission endorsed the recommendation of the sub-commission that a workshop should be held in order to have a more thorough discussion of the permanent forum.

The Government of Denmark and the Greenland Home Rule Government were proud to host the workshop in Copenhagen one month ago. I wish to take this opportunity to thank the UN Centre for Human Rights for holding the workshop in Copenhagen and for the excellent organisation of the event. I would also like to thank all the participants - indigenous representatives, the independent experts and government-representatives - who travelled to Copenhagen from all parts of the world and who made important contributions in a true spirit of partnership - despite differences in perspectives and positions on a permanent forum.

The turn-out for the workshop was far beyond our expectations. We see the high number of participants as a clear indication of the growing interest of the international community in the idea of a permanent forum. This growing interest does not, however, seem to characterise all parts of the UN-system. Only one specialised agency, the ILO, participated in the workshop.

As the activities of the UN-system pertaining to indigenous peoples were very much in focus during the discussions at the workshop, this was somewhat of a drawback. When further discussions on the permanent forum are going to be held - for instance at another workshop next year - it will be important to ensure the active involvement of the relevant UN-agencies. In this context, I wish to express the strong appreciation of the Government of Denmark and of the Greenland Home Rule Government for the very active and constructive participation of the ILO in the workshop. ILO has indeed set a high standard for other relevant UN-agencies to live up to.

Turning now to the substance that was being dealt with at the workshop, I wish to underline that important progress was made on many of the fundamental questions, despite the general reservations expressed by certain governments, referring to the need for a universally applicable definition of indigenous peoples before a permanent forum can be established.

In this context I wish to say that the question of a possible definition is something we will have to deal with in a constructive and pragmatic manner. There is no way that we can avoid that discussion in light of the concerns expressed both at the last session of the Human Rights Commission and at the workshop in Copenhagen. What we should avoid, however, is that the discussion on a possible definition blocks progress on all issues relating to indigenous peoples - including the permanent forum. That would be a total contradiction of the spirit of partnership which ought to characterise the

International Decade for Indigenous Peoples.

We would therefore hope that the working group established by the Human Rights Commission to consider the draft declaration on indigenous peoples' rights will look into the question of a possible definition as a matter of priority. This must, however, be based on the clear understanding that the work on a possible definition - or perhaps more modestly: the scope of application for international instruments relating to indigenous peoples - should not block progress on other issues of a more practical and action-oriented nature, including the establishment of a permanent forum.

Madam Chairperson,

The report of the workshop, which is submitted to this working-group, reflects the comprehensive and rich debate we had in Copenhagen and the progress achieved. Therefore there is no need for me to go into much detail in my comments. I wish, however, to mention the following points, which are of particular importance to my delegation.

First of all we are pleased to note that all indigenous representatives and most governments supported the idea that the permanent forum should have a broad mandate. The forum should consider all issues relating to indigenous peoples, including development, the environment, health, education, human rights issues and culture. It would thus be a mandate that would go far beyond the field of human rights. We have

consistently advocated, that the permanent forum should have a broad mandate, which includes development-issues, and we are pleased to see that this idea is gaining acceptance.

Secondly, we are also pleased to note that most participants supported the idea that the permanent forum should report to ECOSOC, reflecting the broad mandate of the forum, which would correspond to the broad range of issues in the economic and social field being dealt with by ECOSOC.

Thirdly, we appreciate that many participants were in favour of a forum consisting of both indigenous representatives and government representatives, reflecting the idea of partnership. A lot of ideas as to the exact composition and size of the forum were put forward, and it is clear that much more work will have to be done on those issues - inter alia in this working group - before more specific proposals can be submitted.

Madam Chairperson,

Even though views on some of the fundamental issues were quite divergent in Copenhagen, we highly appreciate that a consensus was reached on one crucial issue, namely on the next step in the process. It was suggested that before taking a decision on a permanent forum, the existing mechanisms, procedures and programmes within the United Nations for coordination and for the promotion of the rights of indigenous peoples should be reviewed and used more effectively and that the Secretary-

General should prepare a comprehensive report of the action taken so far by the UN system in this respect.

I wish to underline that my delegation strongly supports the proposal for a system-wide review of the existing UN-mechanisms, procedures and programmes relating to indigenous peoples, provided that such a review be undertaken promptly in close consultation with indigenous peoples and in parallel with the ongoing dialogue on a permanent forum.

We see the proposal for a review as one of the most important outcomes of the Copenhagen workshop, and we would urge that such a review be undertaken as soon as possible. As the review would encompass UN activities system-wide - and not only human rights issues - we would suggest, that the request to the Secretary-General be made by the General Assembly at its coming session. We look forward to consultations with interested parties on the terms of reference for the review.

In closing I wish to stress that a system-wide review would not mean that discussions and consultations within this working group, the sub-commission and the Human Rights Commission on a permanent forum should cease. On the contrary we see a strong need for continuous discussions in these bodies of the many issues pertaining to a permanent forum, that are still unresolved. The holding of another workshop, organised by the Centre for Human Rights and with the active participation of relevant UN-agencies would be a welcome step in this process.

Thank you, Madam Chairperson