

WORKING GROUP ON POSSIBLE UN PERMANENT FORUM FOR INDIGENOUS PEOPLE

MANDATE : NEW ZEALAND STATEMENT

Mr Chairman.

- I should like to extend to you my delegation's congratulations upon your election, and to assure you our cooperation to assist you in the running of this important meeting.
- New Zealand's goal is to ensure that indigenous issues are addressed effectively, efficiently and appropriately in the United Nations system;
- With that overall objective in mind, New Zealand is approaching this meeting in a positive, flexible and constructive way;
- The Secretary General's useful review of the existing UN mechanisms concerning indigenous issues highlighted some significant points :
 - firstly, as the international agenda expands, it is important to ensure that the needs and interests of indigenous peoples are taken account of, and reflected, in the UN system;
 - secondly, while UN agencies are generally doing more to try and address the needs of indigenous peoples, the performance has been uneven. There is a need for greater coordination, and to ensure that the views of indigenous people themselves are appropriately fed into, and taken account of, in the planning processes of UN agencies;

- we especially noted the Secretary General's conclusion as to the "striking absence of a mechanism to ensure a regular exchange of information among concerned and interested parties.- governments, the UN system and indigenous people - on an on-going basis".

- So New Zealand considers it very timely to consider whether, and in what ways, the UN's management of indigenous issues might be improved. We see this as very much consistent with the Secretary General's overall reform efforts
- Mr Chairman, New Zealand supports the development of an advisory and coordinating body on indigenous issues within the UN system.

- whether this forum should be a completely new body, or a revamped Working Group on Indigenous Populations (WGIP), is a matter for discussion at this meeting;

- In New Zealand's view, the primary objective of this Working Group should be to agree on the *mandate and functions* of such a body. Other important aspects, such as the type and location of the forum within the UN system, and its membership, essentially flow from this. It is important that we allow enough time in our deliberations, Mr Chairman, to try and reach a consensus on this key question;
- New Zealand envisages that the forum might have a broad mandate, with an advisory and coordinating capacity, extending beyond human rights, to reflect wider issues of concern to indigenous people across the work of the United Nations system;

-it would not only maintain the valuable annual process of dialogue between states and indigenous people, currently undertaken by the WGIP, but also

build on and add value to this interaction, by seeking to ensure that the interests, priorities and concerns of indigenous people are reflected in the work of UN agencies.

- we would therefore see the forum's role as one of catalysing action within the UN system; providing expert advice to the Secretary General and other UN bodies; and promoting better coordination of activities of UN agencies. In so doing, the objective would be to ensure that UN system overall delivers better results for indigenous people.

- It follows from our support for an advisory and coordinating mandate that we would not support the forum having a role in areas such as dispute settlement and monitoring compliance with international instruments.

- may I conclude by reiterating that New Zealand welcomes this opportunity to consider ways in which the international community can more effectively and efficiently address indigenous issues and concerns. We look forward to participating actively and constructively in the deliberations of this Working Group.

Thank you Mr Chairman.

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Specific Comments by individual delegations

NEW ZEALAND



New Zealand supports the development of an advisory and coordinating body on indigenous issues within the UN. New Zealand envisages that this body would have a broad mandate extending beyond human rights to reflect wider issues of concern to indigenous people across the work of the UN system. New Zealand considers it very important that the forum be of a type and status that would permit indigenous representatives to participate as fully as possible alongside states. ~~Representation should have a proportionate geographic balance reflecting the global distribution of indigenous people.~~ New Zealand has no firm views on the placement of the body in the UN system but given the broad advisory and coordinating mandate of the forum it seems logical that it report directly to ECOSOC. New Zealand supports funding of the body from the regular budget of the UN on the basis that savings would be possible from amalgamation with, or disestablishment of, the Working Group on Indigenous Populations. Funding could also be supplemented by voluntary contributions.

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NEW ZEALAND COMMENTS ON CRP1

para 4, last sentence: we think the reference to the 1503 procedure is not a helpful one and would prefer to see it deleted. No delegation referred to this procedure and we think it raises unrealistic expectations by indigenous peoples.

Para 5: last sentence: it is not correct to state that all participants accepted that the mandate of the permanent forum should be developed along the lines of the Article 62 of the Charter. There is consensus around a broad mandate covering subjects dealt with by ECOSOC but not that its functions should include those activities set out in paras 3 and 4 of Article 62. This needs to be clarified or have the reference to Article 63 deleted.

Para 7: last sentence: We think this statement requires clarification. While we can accept that the forum might make recommendations to ^{the UN system} ~~governments~~ This should not be targeted at specific governments but should rather be on a general level. This is an important distinction.

Para 8, second sentence that states: "Moreover, he stated that there is general acceptance of including promotion and protection of indigenous peoples' interests and rights". This statement is also unclear as to its scope and requires clarification. For example, this could be interpreted to mean action on standard setting, something that is not generally accepted by states. The reference to rights is unhelpful as this could imply a compliance role by the forum. Again we do not believe there is any consensus on this issue.

New Zealand