

Statement made by Mr. Kwesi B.S. Simpson, member of the Working Group on
Indigenous Populations at the meeting of the Working Group on 7 August 1987

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Madam Chairperson,

Let me first of all join my colleagues members of the Working Group and others who have spoken before me in extending to you sincere congratulations on your election to ^{the} chair. It is once again an expression of the confidence we all have in your outstanding qualities, proven competence and experience and in your commitment to the cause of indigenous peoples.

Madam Chairperson,

I would like to comment briefly on the question of self-determination and autonomy which has been raised several times in the course of our debate.

It is, in my view, an extremely important question and one which we should consider with great care, because of the sensitivity and passion it has and can arouse.

The association of the concept of self-determination with the process of decolonization has made it suspect in the eyes of many Governments. Worse still some Governments have tended to view claims for self-determination and autonomy by indigenous groups as secessionist moves and threats to the sovereignty and integrity of the nation-state. But as has been pointed out by several indigenous groups represented at this meeting, the situation of some of them is indeed akin to a colonial situation where their dignity and rights are ruthlessly suppressed and denied. This has naturally led some indigenous peoples to present their claims for self-determination and autonomy in terms of a reach for outright sovereignty and independence. The reaction of Governments faced with this kind of claim has been equally predictable.

However, I believe that from these positions it is possible to move the pendulum into a position that will encourage positive response ^{and} cooperation from Governments and all concerned in guaranteeing to indigenous peoples their right to self-determination and autonomy. I am not advocating the continuation of the paternalistic attitudes of some Governments to indigenous peoples in this matter, but we must recognize the varying degrees of autonomy and self-determination that the circumstances of each indigenous group or people call for.

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What is important in my view is that in our standard-setting effort we establish a general enough principle of self-determination and autonomy that will allow for the needs of various indigenous groups and peoples to be fully met.

In order to attain this goal it is imperative that national constitutions should be revised and amended to cater for the needs of indigenous peoples; their full participation in political, economic, social and cultural activities as separate yet integral part of national life should be guaranteed by law. And in this regard nothing short of constitutional guarantees of the right of indigenous peoples to self-determination and autonomy will do.

Madam Chairperson, the other question I wish to raise relates to the review of ILO Convention 107. On the one hand, it has been said that mechanisms and opportunities exist for indigenous peoples to participate fully and directly in that review exercise. But on the other hand, concern has been expressed by representatives of indigenous groups that ILO procedures will effectively preclude their full and direct participation in the review exercise. Madam Chairperson, with your kind permission I should like to take this opportunity to address an appeal to the ILO Observer representative in this meeting to clarify what the true position is with regard to the participation of indigenous peoples in the review exercise of Convention 107.

Finally, Madam Chairperson, although it is early days yet, I should like to suggest for future action that a monitoring mechanism should be devised for overseeing the Convention on the rights of indigenous peoples which we hope will eventually be drawn up and adopted by Member States of the United Nations on the basis of the Declaration towards which we are now working. This could follow the pattern of the Committee on the Elimination of Racial Discrimination which monitors the status of implementation of the provisions of the Convention on the Elimination of All Forms of Racial Discrimination. The establishment of a reporting mechanism whereby Governments would be required to give periodic account of progress in the implementation of measures designed to protect the rights of indigenous peoples would be particularly welcome in this regard.

I should add that as in the case of the Convention on the Elimination of All Forms of Racial Discrimination, a future Convention on the Rights of Indigenous Peoples should require Governments to incorporate its

provisions in specific domestic legislation. In this way we might hope to prevent Governments from resorting to vague references such as we have heard in this debate to constitutional and other provisions which they claim provide adequate human rights protection for all their citizens including their indigenous populations. Quite clearly if the rights of indigenous peoples were adequately provided for and protected, our meeting here would be unnecessary.

Madam Chairperson, I should like to conclude my remarks by appealing to all Governments, foundations, etc. to contribute generously to the Voluntary Fund for Indigenous Populations to enable the purposes and objectives for which it has been established to be achieved.

I thank you, Madam Chairperson.