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STATEMENT BY THE INUIT CIRCUMPOLAR CONFERENCE

ON

STANDARD-SETTING

Presentation by:

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Thank you for the opportunity to speak on the central issue of standard-setting.

Since this Sixth Session of the Working Group on Indigenous Peoples first began last Monday, we have consistently heard numbing accounts of the abuses of human rights that take place with haunting regularity in all parts of the world community. These often first-hand accounts cover a wide range of matters-- from torture in Indonesia to genocide and ethnocide in South America, from dispossession of lands in New Zealand and Australia to denials of inherent rights to self-government, lands and resources in most regions of North America.

Moreover, in every sector of the globe, essential services are sorely inadequate or absent in indigenous communities and territories. Indigenous peoples and nations are still impeded in every conceivable way from proceeding in peace with their own development.

Some States are apprehensive of the rights that exist, so they choose to deny that a certain people is indigenous. This is true of the government of Japan which fails to recognize fully the Ainu of Hokkaido as a distinct indigenous people. Another State has begun to refer to us as "populations" and no longer as "peoples", despite its Constitution, in an attempt to deny us our most basic right of self-determination.

It is highly disturbing that in 1988 there are hardly any regions of the world where the territorial rights and other fundamental rights of indigenous peoples are not seriously and repeatedly ignored, devalued or otherwise violated by

governments. This is too often true both in developed and developing countries.

In light of these harsh realities that continually face indigenous peoples, the Inuit Circumpolar Conference urges this Working Group to strive towards the realization of comprehensive, high quality standards. Together, we must eventually put into place a legal framework that fully recognizes indigenous rights within an indigenous context. Such a framework must also serve effectively to guide and measure the conduct of State governments.

Existing international standards will likely need to be adapted specifically to include a collective rights perspective. In addition, new and innovative standards are urgently required to address the full scope of our particular rights as indigenous peoples. Such collective and individual rights include those pertaining to environmental, political, economic, social, cultural, and peace and security matters. Further, the emerging human rights undergoing increased recognition within the United Nations should be included within an eventual "Universal Declaration on Indigenous Rights".

The ICC is deeply concerned that at least one government attending this year's Session is seeking to severely diminish the all-important collective dimension of indigenous rights. Instead, this government is strongly advocating an individual rights orientation. We find such an attitude and approach unacceptable.

First, it would be highly assimilationist to ignore, suppress, or distort our innate indigenous perspectives that have always been, and continue to be, based primarily on the concept of collective rights. Second, such an approach would be contrary to the basic objectives of the WGIP standard-setting process--namely, to promote the integrity of our communities and nations through the full exercise and enjoyment of our fundamental human rights.

Based on our ongoing experiences as well as on the harsh lessons of past history, recognition of individual rights alone would not in any way suffice. Without explicit and proper protection of our collective rights, our distinct societies and cultures would remain unnecessarily exposed to deterioration from outside forces, if not to possible destruction. In addition, the exercise of individual rights would be better insured if there were also international standards for the promotion of full respect for our collective indigenous rights.

We have taken note of the fact that the Working Group has recognized the importance of collective rights. We appreciate the introductory references included in the Working Paper containing a set of draft preambular paragraphs and principles.

It has also been suggested by at least one government that rights of indigenous peoples to programs and other State measures, as well as duties of States, be formulated as "objectives". We believe that such a watered-down approach would weaken considerably the proposed Universal Declaration on Indigenous Rights. Mere objectives instead of specific duties

would not serve to inspire governments to take prompt and effective action, in conjunction with the indigenous peoples concerned. Further, we believe that specific provision of rights and duties in the proposed Declaration would be more in line with General Assembly Resolution 41/120 of 4 December 1986, entitled "Setting international standards in the field of human rights".

In regard to the emerging human rights emanating from the United Nations, it is worth noting that such rights are often characterized as "group rights" or "solidarity rights" in view of their collective rights aspects. Consistent with its Arctic Policy work, the ICC is highly supportive of the emerging human rights and recognizes their significance and relevance. We therefore introduced these rights to the Preparatory Meeting of Indigenous Peoples, which took place last week.

For example, the right to a safe and healthy environment is founded on concepts that have always been an intrinsic part of our spirituality and way of life as indigenous peoples. For thousands of years, we as Inuit have been acutely aware that the environment is our collective birthright which we must protect and respect, before we pass it on to future generations. Presently, we find it gratifying that the United Nations and the world community are finally catching up with the indigenous way of thinking and are beginning to recognize this emerging human right.

Similarly, we take the position that the emerging right to peace must be viewed as an inalienable indigenous right (as well as a basic right of all peoples). Throughout the world,

indigenous peoples are being confronted with excessive militarization within their own territories. In the Arctic, we are seriously concerned that our circumpolar regions will soon become a strategic and military combat zone for East-West competition and conflict.

While military activities continue to be justified by States on the basis of defense and security considerations, such actions often serve to promote our insecurity and threaten our unique and delicate polar environment. Also, these activities frequently conflict with our own uses of the lands, waters and sea-ice. Consequently, we believe that the State has a solemn duty to involve us in policy and decision making concerning arms control, defense and other military matters affecting our lives and territories.

A further right essential to our present and future is the right to development. Some of the most severe socio-economic conditions in the world persist in communities of indigenous peoples. The emerging human right to development includes social, cultural, and spiritual as well as economic dimensions. In our northern territories, we favor safe and wise uses of the lands and waters according to our own values and standards. Developments must be equitable and sustainable from an indigenous point of view.

These emerging human rights and others (such as the right to humanitarian assistance) are increasingly being recognized and further developed within the different organs of the United Nations. Since such rights appear to be reflective of indigenous

philosophies, perspectives and concerns, we urge that they be appropriately included in future draft principles prepared by this Working Group.

As indicated earlier in this presentation, indigenous peoples and nations continue to suffer atrocities and abuses that are or should readily be condemnable human rights violations. Yet existing international human rights instruments do not satisfactorily accommodate the fundamental human rights of indigenous peoples. In the absence of appropriate international standards, we find ourselves too often to be the main targets or victims. At the same time, we generally are the last to be accorded fair consideration.

With the inclusion of these emerging human rights in a proposed Universal Declaration of Indigenous Rights and their further development and application in other international human rights instruments, we are convinced that Inuit and other indigenous peoples can and will make significant and positive contributions that will benefit all of humankind.

We believe that future drafts of this Working Group should not be formulated to a large degree on the basis of what might be viewed as acceptable to governments. The mandate of the WGIP is a comprehensive one. We feel that future drafts should be more accommodating and reflective of indigenous perspectives and values. Only this latter approach appears to be consistent with the objectives of a Universal Declaration on Indigenous Rights.

In light of the far-reaching implications of this standard-setting process to the world's indigenous peoples, we would ask

that the Working Group members consider new and creative ways to facilitate direct indigenous input in this vital process. In particular, we seek more meaningful interaction and dialogue between the Working Group and indigenous peoples. Such collaboration will become increasingly important when we amend future draft declarations in considerable detail.

This process is highly dependent upon the ongoing help and support of indigenous peoples. We appreciate your open and welcome attitude in this regard.

Madame Chairperson, these are our comments at this time on the standard setting process. Thank you for your kind attention and consideration of our views.