

MAA DEVELOPMENT ASSOCIATION

STATEMENT TO THE WORKING GROUP ON INDIGENOUS PEOPLE  
BY MAA DEVELOPMENT ASSOCIATION KENYA-EAST  
AFRICA ON THE FOURTEENTH SESSION

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For many years indigenous peoples all over the world have been clamouring for a possibility of establishing a permanent international forum for indigenous peoples in the United Nations which can reflect their real image and contribute to alleviation of their problems. During the inauguration of the international year of the world's indigenous peoples in New York on 10th December, 1994 representatives outlined a need to establish a permanent forum in the United Nations and since then the notion of the permanent forum has been a topic of discussion in various world conferences, including this one.

The consideration to create this higher forum for indigenous peoples should be considered with attention. We hope that the forum will provide Indigenous Peoples, Governments and the United Nations alike with an opportunity to institutionalise the issues of concern to indigenous in a permanent and effective way. In the same vein working group will continue to play an important role even when the forum is established, it is our hope that the forum would set up at a higher level and provided with mandate and resources that will promote the aspirations of indigenous peoples and in particular the rights of indigenous peoples.

We the Maa Development Association felt that the purpose of the permanent forum for indigenous people should not be to undermine the existing procedures and institutional structures of the United Nations including the Working Group on Indigenous Populations. It should not be treated nor seen as a threat or alternative to any other bodies and fora of the United Nations system dealing with indigenous peoples rights.

The permanent forum should aim at addressing the following issues which concern indigenous peoples. Human Rights, Environment, Development, Health, Education as well as cultural integrity and conflict prevention and resolution. However there should be a clear division of labour with the working group on Indigenous Populations. The working group, should continue to review and monitor indigenous peoples' rights while letting the permanent forum bring human rights questions from a legal point of view into a practical frame-work which can be recognised and implemented, to deal with indigenous peoples, refugees, youth, and women.

The permanent forum can also help to provide co-ordination between the indigenous peoples and other United Nations organs and specialised agencies which deal with indigenous people's directly and which ought to support them.

Among these are: Commission on sustainable development, United Nations Environment Programme (UNEP), United Nation High Commission for for Refugees (UNHCR), World Bank, International Monetary Fund (IMF), World Health Organisation (WHO), ILO among others. All these institutions carry out activities which affect indigenous people but provide limited means for indigenous voices to be heard internationally.

We suggest that the forum can effectively be run by a committee of experts on indigenous peoples affairs. The committee should neither be too large nor too small. A too large committee would create a false impression that this is a representative body and also to reach a consensus by such a committee is a problem.

On the other hand a too small committee would reflect lack of expertise balance between the governments and the indigenous peoples, and more so regional imbalance. The committee should constitute few government experts to be appointed by the United Nations Secretary-General basically in the same way indigenous representatives are appointed to United Nations and indigenous experts elected during conferences. They could possibly be elected for term of five years.

We further suggest that the permanent forum should be placed or operated under the economic and social council. If placed under this organ of the United Nations, the forum would be in an appropriate place to link the act of monitoring and the reviewing indigenous human rights as identified by the Working Group on Indigenous Population with the questions of environment, health, education, development, cultural matters, indigenous youth, ~~women~~ and even indigenous peoples refugees in mind.

In respect to financing this permanent forum, funding could come from three main sources and probably a combination of the three. These are the United Nations itself, voluntary funds contributed by various governments and a voluntary fund for indigenous peoples.

Finally a permanent forum for indigenous peoples should evolve gradually based on mutual understanding between the indigenous peoples themselves, the United Nations and governments.

Thank you for giving us this chance to present our views towards this noble issues.