



UNITED NATIONS WORKING GROUP ON INDIGENOUS POPULATIONS

TWELFTH SESSION

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ITEM 4: STANDARD SETTING ACTIVITIES

STATEMENT BY NEW ZEALAND GOVERNMENT OBSERVER DELEGATION

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Tihei Mauriora

I should like to begin by greeting Madame Daes and the other members of the Working Group, indigenous representatives, Government delegates and representatives of non-governmental and intergovernmental organisations attending this twelfth session of the Working Group. New Zealand is pleased to again attend the Working Group's session, and hopes to provide constructive comment. We also wish to thank members of the Working Group for their work, which has resulted in the draft document before us now.

New Zealand has very much in mind that the views expressed in this session of the Working Group will help to prepare the ground for the future course of the draft Declaration. We hope that the draft will progress quickly through the Subcommission on the Prevention of Discrimination and Protection of Minorities to the Commission on Human Rights, and from there through ECOSOC to the General Assembly of the United Nations.

The draft document we have before us will, New Zealand hopes, become an internationally negotiated set of principles applicable to indigenous people around the world. A substantial effort has already gone into reaching this stage in the evolution of the draft. Therefore we are confident that the draft document will be given serious and considered appraisal by all nations. Our own participation in the annual Working Group sessions over the last twelve years demonstrates the significance for us of the eventual adoption by the General Assembly of an appropriate Declaration on the Rights of Indigenous Peoples. This reflects New Zealand's recognition of the specific needs and perspectives of the indigenous peoples in many of the world's countries, and the importance of ensuring that they have the freedom and security to maintain their identities, cultures and ways of living.

New Zealand therefore supports, as it has consistently, the overall aim and direction of the draft Declaration, and the role it can be expected to play internationally. At home, the Government is continuing to put significant effort into realising the type of entitlements talked about in the draft for New Zealand's own indigenous population and Treaty partner, the Maori people.

Madame Chair, the draft Declaration has now reached a major milestone on its journey through the UN system. If the way ahead is to be negotiated satisfactorily, my delegation believes we will need to focus on broad principles. While the document must be sufficiently precise to give rise to clear standards, the text should not be so detailed that it becomes difficult for it to cover a wide range of national situations. If the goal of adoption is to be attained, the final document will need to be designed to reflect a wide international consensus.

To reach that consensus, we also need to look carefully at the terms we are using. There has been much discussion on self-determination. But are we talking about the international legal concept of self-determination, developed by the UN over the last fifty years, with its focus on decolonisation? Or are we talking about a different concept? It remains our view that a focus on language which empowers indigenous people within the states in which they live is desirable.

While it is Governments who in the final analysis have to accept the Declaration, they are, as all of us here know, only part of the equation. New Zealand therefore believes it important that indigenous people should have access to the negotiations and discussions on the Declaration which follow. We note that an appropriate arrangement for access would seem integral to the nature of the document, seeking as it does to recognise the distinctive perspectives of indigenous people and to enable them to have their voices heard.

I should like to record at this point that the New Zealand Government is about to seek Maori comment on the draft Declaration. The Government is issuing a publication with the text of the draft as it stands, an account of the process so far and in the future, and an explanation of the Government's point of view. Over several months, Maori will be able to convey to the Government their opinions, enabling New Zealand to move into the next stage of negotiations on the draft with the benefit of Maori views.

I might close by reiterating that the New Zealand Government fully supports the right of indigenous people to exist as distinct communities with their own cultural identity. We believe the relationship of indigenous peoples with the land is special and must be taken into account by those who arrived after them, and that indigenous peoples must determine their own economic and social destiny. We will work to see those rights realised internationally.