



**SOUTH AFRICAN NATIONAL STATEMENT TO THE
17TH SESSION OF THE UNITED NATIONS PERMANENT FORUM ON
INDIGENOUS ISSUES (UNPFII),
DELIVERED BY THE
DELIVERED BY THE CHIEF DIRECTOR
WILSON MAKGALANCHECHE OF COOPERATIVE GOVERNANCE AND
TRADITIONAL AFFAIRS
20 APRIL 2018,
NEW YORK**

Agenda Item 11: "Follow-up to the outcome document of the World Conference on
Indigenous Peoples"

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Madame Chair,

My delegation has the honour to take the floor under this Agenda item and express its views on key issues affecting Indigenous Peoples within the United Nations system.

Firstly, we are concerned at the visible lack of commitment on the part of UN Member to collectively implement the decisions taken at the 2014 World Conference on Indigenous Peoples. Likewise, there is a palpable lack of commitment to internalise the provisions of the UNDRIP in domestic jurisdictions to the view of their full and effective implementation. Implementation and protection gaps are also discernible in the six mandated areas intended to improve the quality of lives and livelihoods for indigenous peoples in their own countries where they are citizens. It should be pointed out IHRL is a law that is predicated on the principle of non-discrimination.

The UN Human Rights system particularly the Human Rights Council and the Economic and Social Council must rise to the challenge of their mandates and make rights realisable for all on a non-discriminatory basis. The time for lip service and political relevance is over and we must all of us move from rhetoric to reality about the shameful conditions under which indigenous peoples live in their ancestral territories. In this regard, a transition from the Declaration which is clearly not being implemented to a legally binding Convention is desirable particularly in view of the dominant view that Declarations have no legal enforcement mechanisms in international law.

Madame Chair,

We are extremely concerned at the activities of Transnational Corporations and Other Business Enterprises who continue to plunder the resources of indigenous peoples through the decimation of their lands, the pollution to their water resources which are vital for their sustainable development. These have been destroyed to a point where the lands are uninhabitable. In this regard, a legally binding instrument to regulate the activities of these entities must be elaborated to stop the worst forms of child labour, rampant environmental destruction and indecent wages.

Going forward, my Government is of the strongest view that indigenous peoples must have a unique and special consultative status with the United Nations on matters affecting them bearing in mind that indigenous communities and caucuses from around the world cannot be regarded as Non-Governmental Organisations. It is vital that the UN processes addressing this matter should reflect the letter and spirit of submissions made by communities and their leadership in this regard. Indigenous representatives who participate at this Permanent Forum are representatives of communities who have the right to self-determination over their resources and ancestral lands. The cardinal principle of Free Prior and Informed Consent must be respected at all material times.

Madame Chair,

2019 marks UNESCO's international year of indigenous languages. The international year gives once again an opportunity to Member States working in partnership with indigenous peoples and communities to resuscitate indigenous languages which faced extinction under colonial oppression and apartheid.

I thank you