

STATEMENT BY THE OBSERVER OF FIJI, MR J RATUVUKU AT THE THIRTEENTH SESSION OF THE WORKING GROUP ON INDIGENOUS POPULATIONS AT GENEVA

ON AGENDA ITEM 4

Madam Chairperson,

First of all let me join previous speakers in congratulating you on your election to the chair of this important meeting. Your intellectual vigour and leadership needs no introduction in this forum, and has earned the admiration of many governments, mine included. My delegation also wishes to extend its congratulations to other members of the Working Group.

Fiji shares the views of previous speakers who have stated that standard setting activities are amongst the most important tasks of this forum. Without strong international standards governing the rights of indigenous peoples, there can be no solid basis upon which to further elaborate upon the rights of indigenous peoples. In this connection Fiji welcomes the conclusion of the draft declaration on the rights of indigenous peoples. In broad terms we accept its provisions which we believe covers most if not all of the aspirations of indigenous peoples. We would join others in stating that the right to self determination must have a pivotal place in the basket of rights so fully articulated in the draft declaration.

One way that governments might manifest their commitment to the rights of indigenous is by indicating early support for the draft declaration. That it has taken almost ten years to achieve such a draft I think testifies to the difficulties and challenges that stand in the way of clearly articulating some of the concerns of indigenous people. Those difficulties are not yet over and may in fact have begun.

Fiji would like to congratulate the working group on its achievements in completing the draft declaration. Posterity will one day ^{Judge} this exercise as a defining moment in the effort by indigenous peoples to claim their proper place in national and international society. In broad terms we agree with the thrust of the declaration and we believe it goes a long way to addressing some of the real concerns of indigenous people.

Fiji would urge fellow member states, and particularly those with indigenous populations, to lend their ready support to the draft declaration. We think the text is balanced and fair, and heavily drawing as it does from both customary international law and international covenants, we see little reason for any objection to its provisions.

While there have been UN conventions covering almost every conceivable subject ranging from fish, trade and the environment, my delegation finds it a matter of some regret that on an issue as important as the rights of indigenous peoples, there has ^{been} no comprehensive international instrument clearly setting out their rights, freedoms and entitlements. Fiji believes that it is important to develop universally accepted standards concerning the rights of indigenous people. This process should ultimately lead to a full blown legal convention on the rights of indigenous peoples. Declaratory documents, while of great moral value, are not enough. Having said this however, I recognize that to some extent, the codification of the rights of indigenous peoples under international law has already begun with the completion of the draft declaration.

There is some suggestion in this context that a parallel process involving development at the national level of standards concerning indigenous peoples should also take place, concurrent with the evolution of international standards. Fiji's position on this as explained at the Technical Meeting which took place last week, is that there is a real danger that however well intentioned, national activity in this field could prejudice the smooth and uniform development of internationally accepted principles. We therefore believe that efforts in this area should first concentrate on agreeing to what would constitute the basket of fundamental international standards.

We would urge that the integrity of the draft declaration be preserved. Indigenous organizations and peoples should be especially vigilant during the coming months when the draft declaration is subject to further scrutiny by other fora, both within and outside the UN system. There will be those who, determined to deny indigenous peoples their rightful heritage, will exploit every opportunity to water down its provisions. Such attempts must be vigorously resisted. While sympathetic governments such as mine can and will seek to neutralize efforts to marginalize the draft declaration, the support of all indigenous peoples will be essential to these efforts.

Thank you.