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United Nations Working Group
on Indigenous Populations
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Agenda item 5

Submitted by The Nordic Saami Council

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Madame Chairman

On the behalf of the Nordic Saami Council, representing the Saami people, I want to make some brief remarks refering to item 5 on the agenda.

Madame Chairmen, We would like to express our appreciation that You have opened a new stage in the effort to develop international recognition of fundamental rights of indigenous peoples. We also note in this regard the constructive comments made in respons to your Working Paper by Professor Danilo Turk, and the ECOSOC endorsement of the preparation on an outline for a study on treaties involving indigenous peoples by Professor Miguel Alfonso-Martinez.

In order to contribute to this ongoing process, we offer the following comments on the Working Paper:

1. Our rights to self-determination, must be expressly acknowledged. In addition self-determination should be the primary theme of the declaration.
2. Our land rights are territorial rights and must described in these terms. Our needs are not met simply by referring to land. The concept of territory includes land of course, but also includes our distinct relationship to the land, waters and see, as peoples, and the full enjoyment of all resources within our boundaries.
3. Our rights to resources must include the subsoil and coastal zons. For many indigenous peoples, acces to marine resorces and the ability to protect those resorces from over-exploitation by others is essential to economic well-being and often to economic survival.
4. Treaties with indigenous peoples and treaties which acknowledge the rights of indigenous peoples, such as borders crossing rights, must be ^{faithfully} ~~strictly~~ and consistently implemented.
5. In situations wher e an indigenous people has been divided by an international frontier, states must be obliged to permit free and continious culture, social, economic, and political relations to be maintained.
6. Indigenous territories and resources must be effectively safeguarded against contramination and degriadation. The report by the World Commission on Enviromental and Development, also called the "Brundtland Report" should be carefully considered in this context.
7. The relationship between indigenous peoples and states must be based enteriely on our consent, freely expressed through our own authentic institutions.

4. In the Saami cultural-political program adopted by the 8th Saami Conference in 1972, the preamble starts with the wordings "We are Saamis, and want to be Saamis, without being more or less than other peoples in the world. I want to emphasise that we should not be viewed as "minorities or ethnic groups" under international law. We are distinct peoples, our nations.

Once again, Madame Chairman the profound testimony that we have heard from the indigenous representatives during the review of developments and the mixed reactions of governments to the information provided, underlines the urgent need for a strong and effective recognition of indigenous rights. E
We believe that an effective and meaningful declaration must contain a clear recognition of these basic principles

Thank You Madame Chairman