

Indigenous peoples' rights:

# Critical participation

Secretariat, International Year of the World's Indigenous People

■ A number of steps have been taken by the UN to begin the process of protecting and promoting indigenous peoples' rights. These include the preparation of a study by a Special Rapporteur of the Sub-Commission on discrimination against indigenous populations (the Cobo report), the establishment since 1982 of a Working Group on Indigenous Populations to review developments and elaborate standards, the creation of a Voluntary Fund for Indigenous Populations to assist indigenous people to attend the Working Group, and the proclamation by the General Assembly of an International Year together with a special fund.

The first question being asked by indigenous people is not what prevents further progress in human rights, but how can they save the few small gains they have made?

Indigenous people have sometimes been

identified as the victims of progress.

Development for many indigenous people means invasion of their territories by settlers, ranchers and miners, displacement without notice or compensation, destruction of their environment, sacred sites and subsistence base, and degradation of their cultures.

Development is bad news for many indigenous people. Development violates their economic, social and cultural rights as well as their civil and political rights. What is development for some can be ethnocide for others.

Indigenous people are not opposed to development as such. But many national development plans take place without consultation with indigenous people and bring no benefits to them. Some of these projects are presently funded by multilateral financial institutions. There is now a recognition of the need to promote sustainable development by protection of the environment and the sustainable use of resources but no explicit prevention of development which may be destructive to indigenous or other people. The draft declaration on the rights of indigenous people elaborated by the Working Group creates a framework for a relationship between indigenous people and the development

The 300 million indigenous people in the world are the most under-served group in the United Nations. A Navajo in the USA

Hungary is firmly convinced that human rights represent universal values. Their implementation cannot be considered to be the exclusive internal affair of any state. The international community has a legitimate right, as well as a legal and moral obligation, to take all necessary steps to promote and protect human rights wherever they are violated. Hungary particularly welcomed the attention paid by the Vienna Declaration to the importance of the protection of the rights of minorities - emphasizing that this contributes to the political and social stability of the states in which they live.

**H.E. Árpád Göncz**  
President  
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J.E. PASQUETTI/GRAPHIC WORKS

Development is bad news for many indigenous people – their territory is invaded, their environment and sacred sites destroyed, their culture is degraded. In Australia, a Tiwi dancer prepares his ceremonial painting



FENNY TWEEDE/PANOS

Almost half a century after ratification of the Universal Declaration of Human Rights and 25 years after the Tehran Conference, the second World Conference on Human Rights was a valuable opportunity for the world community to promote the fundamental rights and freedoms of all human beings. The Islamic Republic of Iran believes that the aims and objectives of the World Conference on Human Rights may be realized only with the participation of every single country in the world. The Islamic Republic of Iran is determined to play an effective part in the efforts to fulfil the aims and objectives of the World Conference in Vienna.

**H.E. Ali Akbar Hashemi Rafsanjani**  
President  
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process based on consent, protection of lands and respect for the environment.

Notwithstanding the need to elaborate rights taking into account the specific situations of indigenous people, existing rights offer considerable protection if they are implemented. Nonetheless, indigenous people suffer human rights violations in many countries. In part this is because indigenous people are a vulnerable group in society with little political or economic leverage; in part because, generally speaking, indigenous people are unaware of the protection accorded them in national laws and international human rights standards.

The existing UN mechanisms for the protection of human rights do not bring sufficient benefits to indigenous people. Indigenous people are not able to participate in the major human rights meetings because the vast majority do not belong to non-governmental organizations in consultative status with the Economic and Social Council; they are not invited to provide information to the treaty bodies; they use only rarely the special procedures established under the Covenants.

One of the purposes of the International Year of the World's Indigenous People is to examine how the UN can improve its effectiveness and provide a better service to indigenous people.

Many indigenous people are of the opinion that if the draft declaration is adopted by the Working Group, it should move rapidly to the General Assembly. Thought should go into possible improvements of mechanisms relating to indigenous people. A number of suggestions have been made by indigenous people: (a) the draft declaration could contain

some implementation mechanism; (b) the Working Group could produce an annual report on the situation of indigenous people; (c) the secretariat could inform indigenous people on an ongoing basis about the human rights meetings taking place so that they can participate and provide information; (d) an Ombudsperson or UN Commissioner to investigate human rights violations against indigenous people and to help in arbitration between States and indigenous people could be appointed.

The purpose of the International Year of the World's Indigenous People is to increase international cooperation to solve some of the problems faced by indigenous people. Coordination of the UN system is considered by governments, indigenous people and the responsible UN officials as vital to any long-term improvements. Indigenous people have argued that the International Year should signal the beginning of a major new thrust in UN action in all areas including human rights, development, technical assistance, environmental protection, cultural activities and so on.

At present the UN provides virtually no human, financial or logistical resources for work on indigenous people. The 300 million indigenous people in the world are the most under-served group in the UN and when compared with other groups – refugees, children, women, etc – can be said to be ignored by the international community.

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