

Friends World Committee for Consultation — U.N. Working Group on Indigenous Populations Submitted by Sarah Chandler

Item 15 of the Fifty-eighth session, Provisional Agenda of the United Nations High Commission on Human Rights Held Geneva, Switzerland in April 2003.

INDIGENOUS ISSUES

Written statement submitted by Friends World Committee for Consultation (Quakers), an international non-governmental organisation in general consultative status with the United Nations Economic and Social Council

Working Group on Indigenous Populations

1. Friends World Committee for Consultation (Quakers) encourages the continuation of the Working Group on Indigenous Populations, taking note of resolution 2002/21 of 14 August 2002 of the Sub-Commission on the Promotion and Protection of Human Rights endorsing the Sub-Commission's request that the Economic and Social Council authorize the Working Group on Indigenous Populations to meet for five working days prior to the fifty-fifth session of the Sub-Commission in 2003. We note further that the Permanent Forum, the Special Rapporteur on the human rights and fundamental freedoms of Indigenous Peoples, several States and the Working Group on Indigenous Populations all call for the Working Group's continuation.

Working Group on the Draft Declaration on the Rights of Indigenous Peoples

2. We repeat our desire for more rapid progress on the Draft Declaration on the Rights of Indigenous Peoples in order for the Working Group to complete its task before the end of the International Decade of the World's Indigenous Peoples. More important than the due date, however, is the continuing concern that the final Declaration be acceptable to Indigenous Peoples and that it reflect standards that secure and protect their rights.

Special Rapporteur

3. We welcome the continuing work of the Special Rapporteur on the human rights and fundamental freedoms of Indigenous Peoples. We affirm our appreciation for those States that have extended standing invitations to Special Rapporteurs. We encourage all other States to extend such standing invitations as soon as possible and to cooperate fully to accommodate the work of these mechanisms.

Study on treaties, agreements and other constructive arrangements between States and Indigenous Populations

4. Friends World Committee for Consultation (Quakers) welcomes the decision of the UN Commission on Human Rights in Resolution 2000/34 to request the Office of the UN High Commissioner for Human Rights to seek information from Governments, non-governmental organizations and indigenous peoples' organizations on the report of the Special Rapporteur of the Sub-Commission on the Promotion and Protection of Human Rights entitled "Study on treaties, agreements and other constructive arrangements between States and indigenous populations" (E/CN.4/Sub.2/1999/20) and the broader issues it raises, and to submit a report to the Commission at its fifty-ninth session on the views expressed, as a basis for a decision by the Commission on a possible seminar.

5. FWCC also welcomes the companion decision of the Sub-Commission on the Promotion and Protection of Human Rights (**resolution 2002/19**) to invite Mr. Alfonso Martinez, member of the Sub-Commission, to prepare a working paper (E/CN.4/2003/93) identifying the themes and possible outputs of the seminar on treaties for consideration by the Commission on Human Rights at its fifty-ninth session.

6. Such a seminar could provide valuable tools to identify best practices and to assist States in reviewing their

current laws and practices with regard to treaties and other constructive arrangements between Indigenous Peoples and States and in making appropriate provision for improved standards for the negotiation, implementation and protection of treaties with Indigenous Peoples as agreements between peoples and nation states.

Continuation of Mandates

7. Regrettably, Indigenous Peoples are far from secure. They remain marginalized, vulnerable, and their goals for distinct group survival continue to be thwarted. Friends World Committee for Consultation (Quakers) is therefore calling on the Commission on Human Rights to:

- (a) again urge all States to take early action to review their laws and practices with regard to the rights of Indigenous Peoples, in particular their right to self-determination and to control over their own lands and resources
- (b) support the continuation of the Working Group on Indigenous Populations, the Special Rapporteur on the human rights and fundamental freedoms of Indigenous Peoples and the Permanent Forum on Indigenous Issues, with the understanding that these three important mandates are complementary and mutually reinforcing, and do not give rise to duplication.

Sarah Chandler is a member of Vernon Monthly Meeting.