

STATEMENT BY THE INTERNATIONAL SERVICE FOR HUMAN RIGHTS ON THE REVIEW OF THE MANDATE OF THE SPECIAL RAPPORTEUR ON THE HUMAN RIGHTS OF INDIGENOUS PEOPLES

The International Service for Human Rights has listened to the views of Indigenous Peoples' organisations and heard their assessment of the benefits they have derived from the mandate on the human rights of Indigenous People. We share their view of the positive effect of the mandate and of the need for its continuance.

As holder of the mandate Mr Stavenhagen has succeeded in drawing international attention to the situations of Indigenous Peoples. He has brought unprecedented focus on their enjoyment of human rights and violations of their human rights, in this way building on and extending the work begun by the Working Group on Indigenous Populations. His reports are especially helpful in identifying both the issues of general application to Indigenous Peoples and issues that are specific to particular people or groups. They point to the entrenched disadvantage of Indigenous Peoples and the persistent patterns of violation of their rights.

During the term of Mr Stavenhagen's mandate the Permanent Forum on Indigenous Issues was established under the Economic and Social Council. Mr Stavenhagen worked closely with the Forum in a complementary manner. The responsibilities of the Forum and of the Special Procedure are quite distinct. The Forum is under the Economic and Social Council and has a broad mandate to deal with economic and social issues affecting Indigenous Peoples. The Special Procedure is under the Human Rights Council, which is a subsidiary body of the General Assembly, and has a particular focus on human rights issues. The two should be seen as complementary, each with a distinct and important role to play in improving the situations of Indigenous Peoples. Mr Stavenhagen led the way for his successor in his close collaboration with the Forum.

The General Assembly's adoption this month of the Declaration on the Rights of Indigenous Peoples provides a significant context for this discussion on the renewal of the mandate. The next mandate holder should focus especially closely on promoting the Declaration, encouraging better understanding of its provisions and examining the consistency of State policy and practice with it. While international human rights law as a whole has always applied in its totality to the rights of Indigenous Peoples and continues to do so, the Declaration offers new opportunities for the mandate to be carried out on the basis of a clear, firm set of legal principles reflecting the current state of the law.

Indigenous Peoples throughout the world continue to experience human rights violations. For that reason ISHR is convinced of the need for the continuation of this mandate and of the important work by Mr Stavenhagen.

26 September 2007