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Permanent Forum on Indigenous Issues

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Item 4 of the provisional agenda*

Mandated areas

Information received from Governments

Australia**

1. Australia welcomes the report of the Permanent Forum on Indigenous Issues on its first session. The report identifies, among other things, a number of matters requiring action by the Forum. In particular, Australia notes the establishment in January 2002 of a secretariat to the Forum within the Division for Social Policy and Development of the Department of Economic and Social Affairs of the United Nations Secretariat. Australia endorses that development as an important concrete step in addressing the needs of indigenous peoples through the offices of the Forum. The secretariat will, of course, need to be adequately funded to effectively assist the Forum, and while Australia acknowledges that United Nations resources are limited, it nevertheless stresses that the secretariat's funding must come from within the existing United Nations budget.

2. Australia also appreciates the efforts of the Forum to identify a number of matters calling for the attention of and action by the Economic and Social Council. The proposals represent a broad attempt to define the role and function of the Forum through the articulation of a broad range of priorities and initiatives.

3. While Australia appreciates the fact that there are many issues related to the situation of indigenous people — all of which deserve attention — Australia envisages the primary role of the Forum being to assess the work undertaken by other United Nations agencies and to focus on strategies to enhance the coordination and streamlining of that work. Australia is of the view that the Forum should adopt a targeted and focused work plan to ensure that existing United Nations resources are employed to maximum effect without imposing additional burdens on other United Nations agencies or States.

* E/C.19/2003/1.

** The present document was submitted late by the Government of Australia to allow for domestic input.

4. The need for such work plans can be illustrated by reference to certain of the report's specific proposals. For example, it makes recommendations regarding information-gathering in the United Nations system and improved communication and interaction between relevant United Nations agencies. Australia commends that recognition of the desirability of enhancing the understanding of indigenous issues internationally through consistent and comparable data collection and reporting. However, it also acknowledges the considerable pressures that the implementation of those measures, in particular the proposed workshops, regional consultations, data collection and triennial reporting, could place on the United Nations system's limited resources and existing priorities.

5. Australia is mindful of the relevance of the review of United Nations indigenous mechanisms now under way pursuant to Council resolution 2000/22 and the need to ensure that the initiatives of the Forum do not pre-empt or prejudice the outcomes of that review. In the light of that resolution and the Forum's mandate to streamline activities relating to indigenous issues within the United Nations system, Australia opposes the establishment of a special rapporteur on indigenous children, on the basis that such an office would duplicate functions already performed by other United Nations organs.

6. The United Nations currently provides for a special rapporteur on the situation of human rights and fundamental freedoms of indigenous people, various special rapporteurs on children's issues, a special rapporteur on racism, the Committee on the Rights of the Child and the Human Rights Committee. Australia's view is that issues relating to indigenous children already fall within the mandates of those bodies and offices. To that end, Australia supports the Forum's calls for greater attention to be given to issues relating to indigenous children by the United Nations Children's Fund and the Committee on the Rights of the Child. Australia considers that to be an example of how the Forum, through appropriate use of existing United Nations systems and resources, can effectively address indigenous issues.

7. A further example of potential duplication can be found in the proposed working group on prior informed consent and participatory research guidelines. Australia notes that the subject-matter of the proposed working group is given detailed consideration in other international forums, such as the Convention on Biological Diversity, the World Trade Organization (WTO) and the World Intellectual Property Organization (WIPO)/Inter-Governmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore.

8. Similarly, in relation to the proposals concerning education, culture and the environment, Australia is concerned about the resource implications of proposed work on matters that are already being given detailed consideration in other international forums, such as the Convention on Biological Diversity, WTO and WIPO.

9. Despite those general areas of concern, Australia supports the broad policy directions informing many of the proposals contained in the report. Australia's domestic policy and practice is very much aimed at ensuring a genuine partnership with Aboriginal and Torres Strait Islander people to reduce the disadvantage they face within Australian society and to ensure that they have greater opportunities for exercising meaningful control over their affairs. Australian policy on matters of indigenous health, education, culture, heritage and traditional knowledge,

environment, children and youth already targets many of the areas and issues which emerge from the report.

10. Finally, one important area addressed by the report concerns the draft declaration on the rights of indigenous peoples. Australia wishes to commend the efforts of all parties to date in compiling the draft declaration and reiterate its commitment to an agreed international articulation of the rights of indigenous peoples. Australia has been an active participant in all sessions of the working group on the rights of indigenous peoples. However, many States have expressed concerns about significant parts of the draft declaration as drafted by the working group, and in the absence of real consensus Australia considers that it would be premature for States to consider the adoption of the draft declaration.
