



PERMANENT MISSION OF SOUTH AFRICA
TO THE UNITED NATIONS
333 EAST 38TH STREET 9TH FLOOR
NEW YORK, NY 10016
Tel: (212) 213-5583 Fax: (212) 692-2498
E-mail: pmun@southafrica-newyork.net

**STATEMENT
BY**

**MS. AMANDA MKHWANAZI
ASSISTANT DIRECTOR
DEPARTMENT OF INTERNATIONAL RELATIONS AND
COOPERATION OF THE REPUBLIC OF SOUTH
AFRICA**

**ON AGENDA ITEM 66: RIGHTS OF INDIGENOUS
PEOPLES**

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Chairperson,

South Africa would like to thank Mr. James Anaya, Special Rapporteur on the rights of indigenous peoples for his final report to the United Nations General Assembly. Additionally, the Government of South Africa would like to thank Mr Anaya for his work over the years on the promotion and protection of the rights of indigenous peoples, and wishes him farewell as his mandate expires in April 2014.

We have noted and observed the argument regarding the status of the Declaration on the Rights of Indigenous Peoples. The Declaration encompasses elements which have legal implications such as the principle of non-discrimination, self-determination, cultural rights. Furthermore, the Declaration encompasses provisions of the International Covenant on Civil and Political Rights, International Covenant on Economic, Social and Cultural Rights and the Charter of the United Nations. Should countries challenging the status of the Declaration call for a Treaty, a Covenant or a Convention on the rights of indigenous peoples, South Africa stands ready to support efforts towards the elaboration of a legally-binding instrument.

Consolidated outcomes emanating from an intergovernmental process, as well as indigenous peoples' meetings in preparation for the World Conference should focus on the implementation of the goals of the Second International Decade on the World's Indigenous Peoples and its Programme of Activities. We note with appreciation that the Programme of Activities of the Second Decade has comprehensive, action-oriented and forward-looking activities addressing areas of culture, education, health, human rights, environment, and social and economic development. However, it is essential that the Outcome of the World Conference encompasses a Right to Development approach which ensures a progressive realisation of rights, and is consistent with Chapter 2 of the International Covenant on Economic, Social and Cultural Rights.

The Programme of Activities is in line with the Millennium Declaration of 08 September 2000 as they relate to the right of indigenous peoples. In this regard, South Africa wishes to underline the imperative need for the achievement of MDGs by 2015, and therefore encourages states to optimally utilise the remaining period up to 2015, and to ensure their sustainability beyond 2015.

Furthermore, the South African government notes the importance of sharing best practices at the national, regional and international levels.

In conclusion Chairperson, South Africa strongly believes that Transnational Corporations and extractive industries should be held accountable for violations of the rights of indigenous peoples and their territories.

I thank you.