

19/05/05 = 318, 100



NORWAY

PERMANENT MISSION OF NORWAY TO THE UNITED NATIONS • 825 THIRD AVENUE, NEW YORK, NY, 10022 • TEL: 421-0280

Check against delivery

Permanent Forum on Indigenous Issues
Fourth session
Item 3 (b)
Goal 2 of the Millennium Development
Goals and indigenous peoples

STATEMENT

by

Ms. Guri Hestflått
Deputy Head of Delegation

New York, 19 May 2005

Madam Chair,

In his latest report on Human Rights and Indigenous issues, the Special Rapporteur points out that although the rights of indigenous peoples to be educated in their own language and culture is recognised in human rights treaties and in the legislation of many states, there are clear indications that these rights are far from being realised in practice.

The duty to protect human rights is primarily an obligation to be met at the national level. Norwegian education policy in relation to the Sami people has undergone substantial change to respect the rights of the Sami.

Madam Chair,

In the past, Norway's education system was used as an effective tool to make the Sami conform to Norwegian norms. The Norwegian state has since retracted this policy. Today it is recognised that the Norwegian state is established on the territory of two peoples, and that Norwegian and Sami are languages of equal value.

How is this reflected in our operative education policy? Education is one of the most important policy areas for which the Samidiggi (the Sami parliament) has been given authority. The Education Act was the first statute to authorise the Samidiggi to enact legally binding regulations.

Today bilingualism and bicultural knowledge – on an operative level – are recognised as being crucial for the equal participation of the Sami in society. All Sami pupils in Norway at the primary and lower secondary level have the right to receive tuition in the Sami language. In Sami districts all children at the primary and lower secondary level have the right also to receive tuition in all subjects through the medium of Sami. Outside Sami districts, tuition through the medium of Sami is granted if requested by a group of at least 10 pupils. Also Sami pupils in upper secondary schools have the effective right to receive Sami tuition. The Sami University College is a Sami language institution, and there are other institutions at university level that offer courses taught in the Sami language. In addition, Sami pupils in both primary and secondary schools receive adequate instruction in the Norwegian language.

In order to prevent discrimination and to give Norwegian children insight into the Sami culture, the Education Act requires that the national syllabus shall include teaching on the language, culture and way of life of the Sami people. The Samidiggi determines the content of this teaching to ensure that it gives a true idea of Sami culture.

In short, while the Sami once were subjected to a harsh assimilation policy, the value of the Sami language and culture is today acknowledged in both law and practice.

In connection with this new policy, it was acknowledged that measures were needed to strengthen the education of the Sami people as well as their general welfare. This change

at the national level was inter alia inspired by the activities of the League of Nations at the international level to promote minority rights.

Madam Chair,

This leads me to my last point: the importance of a clear and comprehensive recognition of the rights of indigenous peoples at the international normative level. The adoption of a UN declaration on the rights of indigenous peoples was one of the most important aims of the first International Decade of the World's Indigenous Peoples. Although this did not succeed, we must not lose heart given the willingness that was apparent in the negotiations – both among the states and the indigenous peoples – to find solutions. This was also apparent in the negotiations on the remaining, highly complex issues.

A UN declaration expressing that indigenous peoples have the right to self determination, land rights and the right to control their own education system would send a very strong message to national governments. As such, it is likely to act as a driving force for development of law and practice relating to indigenous rights – including the right to education. This should be kept in mind by those who are concerned that compromises will result in a declaration of no real value.

The Human Rights Commission has given the Working Group the opportunity to finalise the Declaration on the Rights of Indigenous Peoples this year. This can provide the momentum to reach a consensus leading to the adoption of a declaration. It is an opportunity that should not be missed – an opportunity to set important standards to be implemented at the national level during the course of the Second International Decade.

Thank you.