

SELF-DETERMINATION IN RELATION  
TO INDIVIDUAL HUMAN RIGHTS,  
DEMOCRACY AND THE PROTECTION  
OF THE ENVIRONMENT

Conference Report

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# The Organization

The Unrepresented Nations and Peoples Organization (UNPO) acts as a forum for nations and peoples that are inadequately represented in international organizations such as the United Nations. The UNPO supports its members in asserting their right to self-determination from full independence to cultural and/or linguistic autonomy. Founded in February 1991, its ever increasing membership already represents over 130 million people.

# **REPORT OF THE UNPO CONFERENCE ON SELF-DETERMINATION IN RELATION TO INDIVIDUAL HUMAN RIGHTS, DEMOCRACY AND PROTECTION OF THE ENVIRONMENT**

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# **SECTION ONE**

## **[1] CONFERENCE OBJECTIVES**

The UNPO Conference on Self-determination in Relation to Individual Human Rights, Democracy and Protection of the Environment was held in the Hague, The Netherlands, on 22 and 23 January 1993 as a Special Session of the Third General Assembly of UNPO, which was held from 19 to 25 January.

The three principal objectives of this Special Session were,

- to clarify the meaning of self-determination in the context of today's problems and issues, particularly in relation to individual human rights, democracy and protection of the environment,

- to seek the views of the peoples most affected by the issue, namely those claiming the right of self-determination, in elaborating the meaning and applicability of the principle,

-to consider strategies for promoting a meaningful and peaceful implementation of the right to self-determination.

To this end, the Special Session brought together representatives of UNPO Members and other nations and peoples claiming self-determination, experts on self-determination, human rights, international law and related fields, and representatives of governments.

The Special Session was chaired by Mr Erkin Alptekin, the Head of the Delegation from the Member Nation of East Turkestan. Mr Alptekin was assisted by Vice-Chairperson John Nimrod, Representative of Assyria, and Vice-Chairperson Ken Saro-Wiwa, Representative of Ogoni.

## **[2] CONCLUSIONS**

In the course of the Special Session broad consensus was reached among participants on a number of important points. Thus, participants to the Special Session,

- confirmed that self-determination is the inherent right of all peoples to choose their own destiny,

- noted that self-determination is recognized as a right in international law, as confirmed in various treaties and in United Nations declarations and resolutions,

- emphasized that the right to self-determination belongs equally to both women and men,- characterized self-determination as a right capable of being implemented to produce various outcomes, varying from the preservation of distinct cultural identity to the achievement of political independence,

- cautioned that the principle of territorial integrity of states should not act as an impediment to the implementation of genuine self-determination claims. In particular, it was felt that a state forfeits the protection provided by the principle of territorial integrity if it deprives the peoples under its rule of their fundamental rights and freedoms,
- condemned population transfer as a denial or undermining of the right to self-determination,
- reaffirmed that indigenous peoples have a full right to self-determination and are not to be treated differently from other peoples in this respect,
- recognized the strong link between a people's right to self-determination and the management of the natural environment, which sustains that people, and condemned the destruction of the natural environment as a violation of the right to self-determination,
- cautioned that democracy does not necessarily satisfy the requirements for the implementation of self-determination, especially where democracy is defined as the rule of the majority and a people claiming the right to self-determination constitutes a numerical minority in the state in question,
- reaffirmed the need for UNPO Members to protect the rights of peoples and minorities within their own territories,
- called on governments and the United Nations to recognize the need for broader application of the right to self-determination and for the development of adequate means for its peaceful implementation.

### **[3] RECOMMENDATIONS**

The Special Session recommended that UNPO,

- establish a UNPO Law Commission, whose mandate would include advisory services to Members; the development of legal principles on self-determination and other matters of interest to Members; and the investigation of self-determination and other specific issues at the request of Members and at the request of UNPO bodies. The Law Commission would also establish the Statute of a UNPO court of law (see below) and develop processes for the conclusion of treaties and other legal agreements between Members,
- establish a permanent court of justice with the jurisdiction and authority to hear disputes between Members or between Members and Non-Members brought before it, and to give opinions on legal questions, including those concerning claims to self-determination and other rights of nations and peoples,
- appoint a Commission for Human Rights under the authority of a High Commissioner for Human Rights with a general mandate, to be further defined in consultation with the UNPO General Assembly, to independently investigate reports on human rights situations relevant to UNPO Members,
- support qualifying claims of nations and peoples in the International Court of Justice in order to compel the Court to define the term "state" under international law.

The Special Session also recommended that UNPO and the conference participants,

- publish a UNPO book or position paper on self-determination, reflecting the views of the Members themselves,
- produce a "Handbook on Self-determination," to serve as a practical guide on the law of self-determination, the various possible outcomes of an exercise of the right to self-determination, and the means of raising the question at the United Nations and other international fora,
- draw up a list of governments which abuse human rights and deny self-determination to peoples under their control and distribute the list to aid agencies, international banks (the World Bank and the IMF) and governments. In particular, where aid is used to oppress nations and peoples, the contributing organization should be made aware of the effects of the aid,
- establish an advisory service through which governments and donor agencies can seek the opinion of Members and other affected peoples and minorities concerning the impact of development programs and other aid projects,
- encourage the adoption of a Convention on Self-determination by the Members of the United Nations. There was much support for Liechtenstein's proposal in this regard,
- maintain a dialogue with governments concerning the development, application and implementation of the right to self-determination,
- to promote awareness of the equal rights of women in the context of self-determination and to undertake affirmative measures within the UNPO to further this purpose.

#### **[4] CONTEXT**

The UNPO Covenant, which is the Organization's Charter signed by all its Members, states in the first paragraph of the Preamble,

Whereas all Nations and Peoples possess the right to self-determination; by virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development;

The preamble paragraphs which follow, elaborate as follows,

Whereas many Nations and Peoples suffer under alien or colonial occupation or are otherwise denied the exercise of their right to self-determination;

Whereas the rights of individuals and the collective rights of peoples are inextricably linked;

Whereas the protection of the natural environment is similarly linked to the rights of Nations and Peoples to determine their own destiny;

The operative articles in the Covenant also refer to the promotion of the right to self-determination, individual human rights, democracy and protection of the environment. Indeed, self-determination of peoples and the inter-connected rights of individuals and groups, as well as the protection of the environment, are the cornerstones of UNPO.

The Second General Assembly of UNPO adopted Resolution [UNPO] GA/1991/RES/1, Unanimously Reaffirming the Principle of Self-determination, urging the General Secretary of UNPO and the Organization's Members "to do whatever they can to promote the right of all peoples to self-determination." (See Appendix V for full text of Resolution).

## **[5] PLACE OF MEETING AND PARTICIPATION**

The Third General Assembly and its Special Session on Self-determination were held in The Hague, The Netherlands, where UNPO's international secretariat is located.

The majority of the participants in the Special Session were representatives of affected nations and peoples, as UNPO believes in the need to hear the views of those most affected by the issue of self-determination, namely the peoples claiming that right and those whose right to self-determination is being violated. Other participants were individuals invited to share their expertise, experience or vision, and representatives of UN Member States, mostly in the capacity of observers.

Among the guest participants, UNPO was particularly honored to welcome His Serene Highness Prince Hans-Adam II of Liechtenstein, the Head of State of that country, who presented his government's proposal for the adoption of an international convention on the implementation of the right to self-determination.

Attending the Special Session were,

- delegates representing UNPO Members
- delegates representing other nations or peoples or organizations (Observer delegations)
- representatives of UN Member States
- Guest Speakers

For full list of participants please see Appendix IV.

# SECTION TWO<sup>1</sup>

## [1] INTRODUCTION

The right to self-determination is a fundamental right enshrined in the Charter of the United Nations, the International Covenants of Human Rights (common Article 1) and the Covenant of the Unrepresented Nations and Peoples Organization. These instruments state that "all peoples have a right to self-determination" and that "by virtue of that right they are free to determine their political status and to pursue their economic, social and cultural development."

Despite this seemingly clear definition, there is little agreement on the content, applicability and implementation of the right to self-determination. Political debates at the United Nations and elsewhere, legal discussions and the practice of states reflect deep divisions of views. These range from the notion, on the one hand, that the right to self-determination is a right of recognized states to act without external intervention; to the notion, on the other hand, that each ethnic, linguistic or religious group has the right to secede from the state of which it forms a part.

The prevailing view since World War II has been that only colonial peoples and territories (meaning exclusively those colonized by European powers in other continents) had the right to self-determination. Today, self-determination has been successfully claimed by nations and peoples in the former Soviet Union, the former Yugoslavia, Eritrea, and Slovakia. None of these are cases of de-colonization in the classical sense, but the international community has not yet come to grips with the need to re-examine the concept and content of self-determination.

Discussions about self-determination are often limited to analysis of the UN Charter and other legal instruments, the intent behind them, how they have been implemented, and the views of leading jurists and other experts on the subject. The emphasis is on finding what the law on self-determination really is and what the rules are for its application and implementation.

This approach is inadequate if the object is to find ways to cope with current and future tensions between the claims of peoples to self-determination, and the efforts of existing states to maintain the status quo. The discussion must go beyond what the law on self-determination is, to what it should be.

State governments and inter-governmental institutions, such as the United Nations, are not necessarily the appropriate entities to initiate such a discussion, as they often have a built-in bias in favor of the protection of the status quo, including the status of existing states. Generally, they are not well suited to lead the way in discussions concerning relations between governments and the people under their rule, as so many governments regard that as a subject belonging to the internal affairs of states.

The UNPO Special Session sought to explore not only the content, applicability and

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<sup>1</sup> The help of Ms Cindy A. Cohn in the preparation of this section is gratefully acknowledged.



implementation requirements and problems of the right to self-determination, but also to examine the relationship between self-determination and individual human rights, democracy and the protection of the natural environment. In short, the participants discussed the concept of self-determination within the context of those other principles, rather than as an abstract or isolated issue. It is hoped that the conference contributed, however modestly, to the emergence of a modern concept of self-determination, which could serve as a basis for peaceful change rather than violent conflict.

A discussion paper, with an explanation of the Liechtenstein proposal for an international convention, was distributed to the participants prior to the conference and many participants responded to the paper in an accompanying questionnaire. The contents of these responses are merged into the summaries of the oral comments made at the conference and reproduced in Section Three of this Report.

## **[2] WHAT IS SELF-DETERMINATION?**

(A) Essentially, the right to self-determination is the right of a people to determine its own destiny. In particular, the principle allows a people to choose its own political status and to determine its own form of economic, cultural and social development. Exercise of this right can result in a variety of different outcomes ranging from political independence through to full integration within a state. The importance lies in the right of choice, so that the outcome of a people's choice should not affect the existence of the right to make a choice. In practice, however, the possible outcome of an exercise of self-determination will often determine the attitude of governments towards the actual claim by a people or nation. Thus, while claims to cultural autonomy may be more readily recognized by states, claims to independence are more likely to be rejected by them. Nevertheless, the right to self-determination is recognized in international law as a right of process (not of outcome) belonging to peoples and not to states or governments.

The preferred outcome of an exercise of the right to self-determination varied greatly among the participants to the UNPO conference. For some nations and peoples represented at the conference the only acceptable outcome is full political independence. This is particularly true of occupied or colonized nations. For others, the goal is a degree of political, cultural and economic autonomy, sometimes in the form of a federal relationship. For others yet, the right to live on and manage a people's traditional lands free of external interference and incursion is the essential aim of a struggle for self-determination.

The crucial question for the parties involved is what precise status and relationship is acceptable and what its meaning would be in real terms of allocation of authority and responsibilities for the principal functions of governance. What is acceptable may depend in large part on the effects on competing rights of the state or of other peoples or population groups. In fact, the exercise of any right is always subject to a balancing process when it affects other people's rights. Consequently, in assessing the acceptability or viability of a particular status desired by the people claiming it, a balancing of interests may have to take place. Some factors which should be taken into account have, in the past, been suggested to include,

- the nature and extent of the common characteristics and values of a people and of their dis-identification with the dominant group;
- the stability of expectations and extent of public support;

- the viability of the anticipated goal and its compatibility with the dominant group's vital interests and those of the region and world community as a whole; and
- its contribution to the furtherance of human rights and dignity.

These kinds of factors were not discussed much in the abstract at the conference but were reflected in many of the participants' comments.

The legitimacy of invoking the maintenance of a state's territorial integrity within its present borders as a response to a claim to self-determination was seriously questioned. It was felt by most participants that a government should not be granted the protection of the principle of territorial integrity to keep control over a fixed territory if that government abuses its power by oppressing peoples under its rule or by otherwise seriously violating their rights. It was pointed out that many governments attempt to wipe out or assimilate minority peoples with the false pretext of defending national security or the territorial integrity of the state.

(B) Defining the unit entitled to exercise the right to self-determination is of critical importance. In all United Nations instruments on the subject it is stated that "peoples" possess the right to self-determination, leading to the question: what is a people for purposes of that right?

The UNPO Covenant defines a people using both subjective and objective criteria. For the purpose of admission to the organization a people or nation is

A group of human beings which possesses the will to be identified as a nation or people and to determine its common destiny as a nation or people, and is bound by a common heritage which can be historical, racial, ethnic, linguistic, cultural, religious or territorial.

This definition, in common with many other accepted definitions, emphasizes the element of self-identification, i.e. the requirement that a people or a nation regards itself, and wants to be regarded by others, as a people or a nation. This subjective feeling should, however, be based on certain objective criteria. These were frequently elaborated on in the conference by the various delegates.

The conference reaffirmed the equality of all peoples for the purpose of self-determination and considered different treatment for indigenous peoples to be unjustified in this respect. If other peoples' rights to self-determination are recognized in full, then why should indigenous peoples be considered as having different, more limited, rights?

Finally, with respect to the exercise of the right to self-determination, the pragmatic requirement has been suggested that a group possesses the political will and structure to act and take decisions or exercise responsibilities as a people or nation. This requirement is also reflected in the working definition of "peoples" for purposes of self-determination developed by the UNESCO Experts Meeting on Rights of Peoples, which contains the following criteria:

- common features such as language, race, and religion;
- numerosity;
- the will to be identified as a people or the consciousness of being a people;

-possibly institutions for expressing both the common features and "will for identity."

The need for a people to possess the political will and some degree of political organization in order to effectively go through the steps required to express its will in an exercise of self-determination was not questioned by participants to the Special Session. The suggestion, however, that a people must first prove its ability to govern itself in accordance with requirements of the international community before its claim to self-determination can be honored was firmly rejected. Participants pointed to the fact that many of today's recognized governments, who fully participate in the United Nations, are not capable of governing in the interest of the people they rule and in fact frequently violate their fundamental rights. Despite that, these governments, many of whom have no legitimacy in the eyes of the people they claim to represent, continue to be recognized and to participate as equals in the international community of states.

### **[3] LEGAL BASIS OF SELF-DETERMINATION**

Common Articles 1(1) of the International Covenant on Civil and Political Rights and the International Covenant on Social, Economic and Cultural Rights share with the Covenant of the Unrepresented Nations and Peoples Organization the following key phrase:

All peoples have a right to self-determination; by virtue of that right they are free to determine their political status and freely pursue their economic, social and cultural development.

In international law there has been a lack of agreement about the exact meaning, possible application and potential beneficiaries of this right. This is reflected in the gulf between the statist view of self-determination and the more radical view of peoples seeking self-determination. At one end of the spectrum are those who regard self-determination simply as the right of states to act without external interference. At the other extreme is the belief that each ethnic, linguistic, religious or nationalistic group has the right to secede from the state of which it forms a part.

The right to self-determination entered international law, formally at least, in the United Nation Charter. Article 1(2) states:

The purposes of the United Nations are to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples....,

while Article 55 enjoins the member states of the United Nations to create stability and well-being "based on respect for the principle of equal rights and self-determination of peoples."

By 1960, with the adoption of the Declaration on the Granting of Independence to Colonial Peoples, GA Res 1514, the principle was elevated to the position of an unconditional right. This declaration and its sister declaration (the Declaration Concerning the Implementation of the Right to Self-determination, GA Res 1541, 1960) affirmed the right to immediate self-determination for peoples under "alien, colonial or oppressive domination" and called for a "speedy and unconditional end to colonialism in all its manifestations". The Declaration on the Granting of Independence marks a significant shift in the law of self-determination. For the first time, in the case of colonial entities, it stressed that "inadequacy of political, economic, social or educational preparedness should never serve as a pretext for delaying independence". The contrast with the paternalistic overtones present in the trusteeship scheme could hardly have been more marked.

Meanwhile, the Declaration Concerning the Implementation of the Right to Self-determination outlined the three methods by which the self-determination of non self-governing territories could be achieved. These were independence, free association and integration. The standards of democratic participation required for the latter pair were much higher than those required for independence. The General Assembly had made it clear that the favored outcome for a process of decolonization was to be independence.

In 1966, the International Covenants (ICCPR and ICESCR) were adopted and opened for signature, ratification and accession. Common Articles 1(1) state that "all peoples have the right to self-determination...". Articles 1(2) note that self-determination shall include a right to dispose of wealth and resources (economic self-determination), while Articles 1(3) oblige state parties to the Covenants "to promote the realization of the right to self-determination". The International Covenants do not appear to limit the right to self-determination to peoples classified as non self-governing by the United Nations. The implication is that the right belongs to "all peoples" and must be respected by all states, not only those who may be in a trust relationship with a dependent people.

State practice has interpreted the law to mean that the right to self-determination belongs primarily to peoples under colonial or alien rule. The principle's applicability to classic colonial cases (e.g. Nigeria, Mozambique, Algeria) was largely unquestioned in the post World War II period and, indeed, close to a billion people were liberated from colonial rule through its implementation during this period. The controversy arises particularly when applying the right to peoples other than those in classical colonial situations. The claims of the Kurds, Biafrans, Baltic states, and Eritreans were met with mixed reactions and insufficient support. Bangladesh did obtain international recognition, but only after it achieved independence by force, and with the help of its neighbor, India. The Palestinian people, on the other hand, have been recognized as possessing the "inalienable" right to self-determination "and independence." Thus, under state practice, the right to self-determination was not entirely limited to classical colonial situations, despite the reluctance of states to apply it beyond that context.

Today, self-determination has been successfully claimed by the Baltic peoples and other nations under the former Soviet Union, by peoples in the former Yugoslavia, by Eritrea and Slovakia. None of these are cases of classical decolonization, and the accepted criteria for applicability of the right to self-determination must be modified at least sufficiently to accommodate these and similar situations.

#### **[4] INDIVIDUAL HUMAN RIGHTS AND SELF-DETERMINATION**

The interrelatedness of individual human rights and the collective right of a people to self-determination are clear to the people involved in struggles for self-determination. In most cases, the individual human rights abuses are a consequence or a symptom of a more fundamental problem, often a conflict over the exercise of self-determination. Those abuses are unlikely to end until the underlying cause is addressed. In South Africa, for example, most human rights abuses were the direct result of the apartheid system which denies the Black people of the country their right to self-determination. In Tibet and East Timor, authorities arrest and/or torture individuals and terrorize others because of their support of the struggle for independence. The interrelatedness may be clear in some of these more well known cases but is not always recognized, except by the

affected people, in lesser known struggles.

The United Nations has called the right to self-determination a prerequisite to the enjoyment of all other human rights. To separate the two issues is, therefore, artificial and not helpful.

Interrelatedness is also clear with respect to the practice of population transfer, which often violates the human rights of peoples transferred but also of the people into whose territories settlers are being transferred (See UNPO Conference Report 2/1992, Human Rights Dimensions of Population Transfer, The Hague, 1992). Population transfer not only violates human rights in this manner, the practice also undermines the right to self-determination, by intentionally manipulating and changing the demographic composition of the territory whose indigenous people claim the right to self-determination.

Individual human rights and the group rights of minorities, religious groups etc. are closely linked to the right to self-determination in other ways also. If a people claims the right to self-determination for itself, it should recognize the same right to other peoples, even if they share the same state. This principle of the equal right of self-determination of all peoples and the need to protect all minorities, is enshrined in the UNPO Covenant, in its Preamble and in Article 5. Similarly, a recognition of a people's right and ability to act as a separate entity entails also an obligation of that entity to respect universal norms of human rights of the individuals under its authority.

The conference participants emphasized that the right to self-determination, though it is a collective right which belongs to a whole people, is also a right possessed by the individual belonging to that people. A violation of the right of the people, is therefore a violation of the individual's right also. In this context, it was stressed that women's rights are equal to those of men, although women are rarely given the same opportunity to exercise their rights to the fullest.

## **[5] DEMOCRACY AND SELF-DETERMINATION**

Democracy and self-determination both find their roots in the principle that people should be governed by rulers they choose or agree to be governed by. The principles of democracy and self-determination are related on more than just a philosophical level. The practice of self-determination usually requires a democratic process to determine the choice of a people when exercising that right. But democracy is not necessarily, as is often stated (especially in the West), an adequate response to a claim for self-determination.

Where democracy is understood to mean rule by the majority through democratically elected representatives, minorities or peoples constituting a numerical minority in the state will often not feel represented by the government of the majority. To Indigenous peoples in the Americas, for example, democracy often means rule by the colonizers. A simple democratic process that does not include forms of autonomous government or federal structures or other forms of self-rule for distinct peoples, cannot be said to respond to needs for self-determination.

When it comes to rights of peoples or nations as such, the extent of democracy in the dominant state is not always relevant. In a number of cases, indigenous or other peoples or minorities have been granted special rights under a non-democratic system, which they lost with the advent of democracy. Thus, although democracy is the preferred system of government for many reasons, it does not necessarily follow that democracy provides a safeguard for the rights of peoples and

minorities.

In some cases, exercise of the right to self-determination can run counter to notions of democracy. This can, for example, be the case where a distinct people claiming the right to self-determination has been reduced to a numerical minority in its traditional homeland through population transfer policies or through natural migration. Heeding to "rule by the majority" in such a case may permanently deny the people its right to self-determination. On the other hand, implementing the right to self-determination of that people could run counter to the democratic rights of the remainder of the population of the particular territory.

The right to self-determination presupposes "the free and genuine expression" of the will of the people in question. This is confirmed by UN General Assembly Resolution 1514 (XV) and the International Court of Justice Advisory Opinion in the Western Sahara Case. For the entire people to express its will, there is generally a need for a referendum, for elections or other democratic processes.

## **[6] ENVIRONMENTAL PROTECTION AND SELF-DETERMINATION**

The accepted definitions of self-determination do not include reference to management, ownership, development or protection of the environment. The UN Declaration on Permanent Sovereignty of Natural Resources established the principle that peoples have sovereignty over the natural resources in their land. This was meant to refer to colonial countries and territories specifically and to developing countries in general. But the principle should be equally applicable to indigenous and other nations and peoples.

Management, development and protection of the natural environment is considered by most nations and peoples to be of major importance. In some cases, destruction of the natural environment by outsiders can threaten the traditional life of indigenous peoples or affect their nature-based economy. It can, in fact, undermine the very fundament of the right to self-determination. For many, therefore, management and protection of the environment should be included in the definition of self-determination.

Most conference participants considered destruction of the natural environment by the administering power to constitute a violation of the right to self-determination. But caution was also expressed concerning the environmental policies of the peoples claiming the right to self-determination themselves, as they too bear a responsibility to protect, to the best of their ability, their environment for the future generations to enjoy.

## **[7] REDRESS**

The Special Session participants were keenly aware that the denial of self-determination to peoples, particularly where this is done through force or other forms of oppression and violations of human rights, can easily lead to outbreaks of violence and armed conflict. Once these armed conflicts have started they are difficult to resolve by peaceful means.

Often people turn to violence out of frustration at not being listened to or taken seriously, or as

a result of oppressive government policies to suppress movements for self-determination. At the same time, there are some cases where violence breaks out without open provocation from the authorities. Some participants representing movements engaged in armed struggles expressed the desire to end the violence and settle their claim by peaceful means, and called on UNPO for assistance in this respect.

Some governments and experts have in the past expressed the opinion that it is the claims for self-determination that are the primary cause of conflicts and human rights violations in today's world. Although there are undoubtedly cases where movements have turned to violence when other methods could have produced a better result, and although there may be claims for self-determination which lack legitimate foundations or the support of the people, in the view of the conference participants the nature of the desire of peoples to be free and to determine their own destiny, whether in union with other peoples or separately, is so fundamental and deep-seated, that where a people is denied the expression of it, it will rarely be abandoned voluntarily and even less rarely by force.

Conference participants agreed that the preferred path is that of peaceful means, and urged the Organization and its General Secretary to help in the peaceful promotion of claims to self-determination.

Although independence was seen by a number of participants to be the ultimate redress, it was generally recognized that independence was only one possible outcome of an exercise of self-determination which may not be suited to all claimants. Many peoples do not aspire to full independence, demanding, instead, a measure of self-government, cultural and/or linguistic autonomy, or land rights.

It was recognized that achievement of a measure of self-determination by a people also involved the obligation of that people to respect the rights, including the right to self-determination, of peoples within the territory under its authority and control.

His Serene Highness the Prince of Liechtenstein presented the conference a proposal for an international convention on the peaceful implementation of the right to self-determination. Under this proposal, a community wishing to exercise self-determination would be given that opportunity in a step-by-step manner, starting with the exercise of limited cultural autonomy, progressing gradually to a degree of political autonomy and, where desired, eventually ending in independence. The advantages of the proposal are many.

First, it is one of the rare serious attempts to find a structured and reasonable way to deal with the question of self-determination in a peaceful way. Second, it recognizes the legitimacy of claims to self-determination, thus "decriminalizing" the issue in the eyes of the international community. Third, it recognizes that self-determination can have many different outcomes at different levels. It therefore provides some claimants the opportunity to find satisfaction in the exercise of cultural autonomy or land rights. Others may need one or two more steps. The more peaceful and friendly the arrangements for these forms of autonomy, the less likely that people will demand extreme solutions. Fourth, under the terms of the proposed convention, the graduated approach would provide communities the opportunity to develop towards the desired goal, acquiring expertise and experience at each step of the way.

Much support was expressed at the conference for the Liechtenstein proposal. The principal criticism of it, expressed by a few participants, was that for a number of peoples the graduated

path is too slow. Some peoples are being threatened with total destruction and, for them, "justice delayed is justice denied." An other critical point made was that it is often not advisable for a movement to give up an armed struggle before a guarantee exists that its goals will be implemented. Finally, it was also considered unfair and unrealistic to require of a claimant the demonstration of its ability to govern adequately because firstly, many of the presently recognized governments are not capable of governing themselves and secondly, in many cases peoples have not had the opportunity to rule themselves and therefore do not have the possibility to show and develop the ability to exercise their right to self-determination.

## **[8] CONCLUSION**

The conclusion which emerged most clearly from the conference was the urgent need to develop a modern concept and law of self-determination which can form the basis for peaceful change towards a more just world order. It is imperative that the international community move beyond the de-colonization concept of self-determination which can no longer help prevent and resolve conflict situations. The participation of the peoples most affected, those claiming the right to self-determination, is essential in this process. Lack of their participation may result in new concepts and processes that seem useful on paper, but which bear little relation with the reality of specific situations.

It was agreed that self-determination should be defined more broadly than it was being done by governments and most lawyers today. The right to self-determination is an inherent and natural right belonging to all peoples. It is not a right which can be granted to or withdrawn from a people. It was also agreed that all peoples should be treated equally with respect to the application of the right. This means that the indigenous peoples' right to self-determination should be recognized and applied in the same way as that of other peoples.

Clearly, all peoples do not seek independent statehood. The more oppressed a people is by a ruling group of a different nationality, the more that people will seek separation from that group as a pre-requisite for the enjoyment of fundamental rights and freedoms. The better the relations between the various peoples populating a state, the more likely that distinct peoples will see benefits of association with the others in a framework that provides for their basic group needs.

Lasting associations between peoples and/or communities can only be successful if they are formed voluntarily and on a basis of equality and of mutual respect and mutual benefit.

Much thinking is required on effective forms of association and on cultural and political autonomy, federative or confederative structures etc. The notion of sovereignty as belonging to or exercised exclusively by one entity is outdated and needs to be re-thought. De-centralization of government would help reduce tensions in some places and would be a generally welcome development.

The close interrelatedness between self-determination and individual human rights, democracy and the protection of nature was clearly recognized. It was felt that, in the first instance, it should be recognized that denial of self-determination lies at the center of many problems with respect to human rights, democracy and the environment. The violation of human rights, including the practice of population transfer, the lack of democracy and the destruction of the environment can



only aggravate existing tensions and the determination of peoples to struggle for their right to self-determination. These issues should, in the opinion of the participants, not be seen and addressed in isolation. Instead an integrated approach is needed.

A number of strategies were proposed to advance the peaceful implementation of the right to self-determination. It was suggested that UNPO publish a book or position paper on self-determination reflecting the consensus of the conference; and that it publish a practical handbook on self-determination, its meaning, application and implementation. Governments and international institutions should be persuaded not to give aid to governments oppressing their people or violating the rights of other peoples, including the right to self-determination. UNPO was asked to set up a service to provide the information to governments and institutions which they would need to take such decisions.

UNPO's conflict prevention and conflict resolution work (including the work of the UNPO Urgent Action Council soon to be installed) should have high priority in order to promote peaceful resolutions to conflicts, so many of which are the result of the denial of the right to self-determination. UNPO should maintain a good dialogue with governments in order to promote discussion and development of respect for self-determination, but also to facilitate eventual conflict prevention and resolution.

Much emphasis was placed on the need to recognize the rights and acknowledge the important roles of women in the struggles for self-determination. UNPO was asked to develop policies and activities to promote equal rights of women, also within the organization.

Finally, the Special Session recommended the establishment of a law commission within UNPO, a permanent court of justice which would hear cases brought forward to it by legitimate representatives of nations and peoples, including cases involving the right to self-determination, and the appointment of a UNPO High Commissioner for Human Rights. It was also recommended that the UN appoint a high Commissioner for Human Rights.

The Special Session should be regarded as a first step in a long and intensive process to develop awareness for the need to resolve self-determination claims through peaceful means and to find the appropriate processes to do so. There is a growing interest in the question of self-determination around the world. UNPO and its Members hope to be active participants in concrete and constructive initiatives in this regard.

## **SECTION THREE**

### **I. SUMMARY OF COMMENTS BY MEMBERS<sup>1</sup>**

#### **1. ABKHAZIA**

It is obvious that the present, unjust world order ignores the interests of those peoples whose self-determination is suppressed by means of force. The events in the Republic of Abkhazia are an example of this. On 14 August 1992 a United Nations member, the Republic of Georgia, in her attempts to create a unitary and mono-ethnic state, invaded the territory of Abkhazia.

Under the present occupation regime, people are persecuted because of their nationality and religious and political convictions, Abkhazian villages and historic and cultural monuments are destroyed and tens of thousands of civilians have been forced to flee. The Abkhazian people are clearly threatened with physical and cultural genocide.

The policies of the Georgian government, which are aimed at the suppression of the rights and liberties of the neighboring small peoples, seriously undermine the democratic processes which are under development on the territory of the whole former Soviet Union. It is therefore of the utmost importance that these policies are abandoned.

#### **2. ABORIGINALS (Australia)**

The number of Aboriginal nations in Australia is estimated at 300. Together they make up 1.7% of the population. The legal positions of these nations vary because of the federal system of 6 states and one territory. For example, only some of these states recognize some form of landrights for Aboriginal peoples. As a consequence, they have different interests, which makes it difficult for the Aboriginals to organize themselves and to form one broad coalition in order to represent their collective views and to defend their common rights at the domestic and international level.

Nevertheless, all the Aboriginal peoples share the same fate, in that their territory is occupied, that their right of self-determination and their human rights are violated, that they all are victims of a government policy of assimilation, integration, extinction and exclusion and that they all find themselves at the lowest rung of the social and economic ladder.

Attention should be paid to the role that women play or do not play in the struggle of peoples and nations for the right of self-determination. For example, although about 70% of the Aboriginal population consists of women, the current structures that the Australian government has in place severely restrict those women in participating in the Aboriginal Reconciliation Council's work.

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<sup>1</sup> In alphabetical order

In this context, it would be a good idea if each of the members of the UNPO would make a profile on the status of women and especially the participation of women in the process towards self-determination.

The UNPO is asked to monitor and report the views of indigenous peoples in the discussion on the UN Draft Declaration of the Rights of Indigenous Peoples in the UN Working Group on Indigenous Populations.

### **3. ACHEH**

In 1953 Indonesia annexed Aceh/Sumatra which had never been conquered by the Dutch and had been an internationally recognized independent state for thousands of years. In 1976 Aceh/Sumatra declared itself independent. Since then about 50.000 civilians have been killed by the Indonesian army.

The people of Aceh possess the will to be identified and to act as a nation and are bound by a common heritage of long history, ethnicity, language, culture, religion and territory. To them, their right of self-determination means the ability to live without interference by foreign powers. Liechtenstein's proposal for graduated independence could be of great value to other peoples, the people of Aceh, however, will only be satisfied with full independence.

Furthermore, the suggestions in Liechtenstein's proposal that communities invoking self-determination should renounce resort to violence and that a proper balance must be maintained between self-determination and the territorial integrity of states are problematic.

The Java based Republic of Indonesia cannot invoke the concept of territorial integrity to justify its occupation of the territories of other peoples. Indonesia does not have an historical title to those occupied territories, nor can the occupation be based on the consent of the indigenous peoples in those territories. A possible exception hereto could be the island of Java which constitutes only 7% of the Javanese State's territorial claims. The remaining 93% are foreign lands, overseas from Java and populated by non-Javanese peoples with their own language and culture.

Democracy can only partly satisfy the desire for self-determination, because democracy is oriented towards safeguarding individual human rights, and the right of self-determination is expressly concerned with protecting a nation against foreign invaders. The protection of individual human rights is the very basic requirement of a civil society based on justice. The right of self-determination only enters the public agenda at a later stage, when a society has acquired the political will and structure to manage its own affairs exclusively. These are different types of rights but are interrelated: the violation of the right to self-determination often results in the violation of individual human rights as well.

History has shown that the only effective method of implementation of the right to self-determination is to help the victims defend themselves, so as to render imperialism and aggression too costly. The western democracies and their financial institutions (including the World Bank) are the actual funders and financiers of the barbaric, military and colonial Indonesian empire. The western governments have to be persuaded to cease providing arms for Indonesia and other colonialist oppressors.

The UNPO should seek to convince the western governments that their interests coincide with the

interests of the UNPO. The implementation of the right of self-determination of peoples will not be detrimental to western interests.

#### **4. ASSYRIA**

Assyria is a nation with a history of several thousands of years. It has made major contributions to modern civilization. The Assyrian population consists of 3 million people, of which 1.5 million live in their homeland, the present-day Iraq. The other 1.5 million are dispersed all over the world. The Assyrians are the "American Indians" of Iraq. They are denied the right to self-determination, they are not allowed to practice and preserve their culture and language, they are the victims of population transfers and are subjected to inhumane and cruel atrocities, which causes many refugees.

About 10% of the Iraqi population are Assyrians. They are scattered throughout the country. Nevertheless, in all areas of Iraq their existence has been denied. The last Gulf-war has served the Assyrian cause to the extent that it has opened the eyes of the world community. Recently, the United States made it clear that they fully support the unity and territorial integrity of Iraq, but also that any solution to the Iraq problem must recognize and include the indigenous Assyrians of Iraq.

#### **5. BATWA**

Rwanda is inhabited by three different ethnic groups: the Batwa, the Bahutu and the Batutsi. The Batwa constitute only 1% of the total population. They have been forced to leave their lands on which they had lived from time immemorial and have subsequently remained landless. As a consequence their right to self-determination is violated, for to them, self-determination especially means the economic self-management of natural resources.

Special attention should be paid to the protection of the environment. Ecological degradation obstructs the exercise of the right of self-determination.

Democracy only satisfies the desire for self-determination of the majority. Being a minority the people of Batwa are not represented at the governmental level and therefore deprived of their right of self-determination: they can not determine their own destiny with respect to social, cultural and economic development.

In order to implement the right to self-determination in multi-ethnic communities the various groups should be homogenized to provide unity within the state and reduce conflict. However mono-ethnic states should be discouraged.

If, in accordance with Liechtenstein's proposal, a Convention on self-determination would be drafted, it should provide for a less westernized definition of self-determination.

Suggestions to the UNPO for the promotion of the right to self-determination are:

- to encourage workshops and internships for the leaders of the UNPO-members in order 17

to better their skills on the subject of self-determination,

- to inform governments, international organizations (especially the UN, UNEP, UNDP, GEF and the World Bank), religious groups and embassies of the continuing violations of the right to self-determination,

- to forward the resolutions and declarations of UNPO-conferences to the above mentioned.

## **6. BOUGAINVILLE**

Bougainville is occupied by Papua New Guinea. Traditionally and culturally it is part of the Solomon Islands. It seeks independence and self-determination to rejoin those islands through a treaty-process. Papua New Guinea however conducts a military campaign aimed at destroying the will of the people who pursue this goal. In addition to the denial of self-determination, the people of Bougainville suffer from a complete lack of medical supplies, gross violations of human rights and the consequences of population transfer.

Liechtenstein's proposal is of great value, for it, among others things, states that self-determination should be extended to the village level. It should not be confined to larger masses of people only. Decentralization and individual self-determination will be followed by a networking of smaller, regional and independent units to build larger alliances and confederations.

Self-determination is a basic human right. An effective method of implementation of this right, therefore is to press the UN to improve their mechanisms for the monitoring and protection of human rights. Another method is the institution of an international court or tribunal where offenders of this right could be prosecuted. Furthermore, the meaning of the concept of territorial integrity should be addressed. Are states who abuse human rights entitled to invoke this concept to protect their boundaries?

The UNPO is asked:

- to organize special events promoting the Year of the Indigenous Peoples (1993),
- to establish a working group to investigate the relation between self-determination and indigenous peoples,
- to establish a Human Rights Commission,
- to publish a booklet on self-determination,
- to encourage those indigenous nations who are members of the UN, to support the aspirations of the unrepresented indigenous peoples.

## **7. CHITTAGONG HILL TRACTS**

The indigenous Jummas of the Chittagong Hill Tracts have been deprived of their lands. As a result of population transfer they are fast becoming a minority in their own country. They are threatened with genocide, confronted with the destruction of the environment and suffer from cultural and religious oppression. However, they are not demoralized yet and still seek self-determination. Bangladesh has to recognize the illegal take-over of the lands of the people of the CHT and their right of self-determination has to be implemented and enforced by the laws that are already in place in the national legal system.

As regards the implementation of the right to self-determination, the following questions should be addressed:

- What is the status of women in the present society?
- What could the UN do for unrepresented peoples?
- For whom do we seek self-determination? Self-determination for just a bureaucratic upper class is not a solution. A lot of peoples would remain oppressed.
- What is the best way to achieve self-determination? (The representatives of the people in the CHT try to negotiate with the government of Bangladesh and ask international organizations like the UNPO to help them.)

## **8. CHUVASH**

Approximately 60% of the population of Chuvash consists of indigenous Chuvash people. The other inhabitants are Russians, Ukrainians and Tatars. Due to past colonial practices of Russia, the language and culture of the Chuvash people are about to disappear.

Chuvash is governed by "outsiders", who do not take into consideration the interests of the Chuvash people. In order to implement the right to self-determination the Chuvash people wish to elect their political leaders themselves, to have the right to establish economic relations with other countries, and to have their own constitution, laws, budget and tax system. The Chuvash language should have the same status as the Russian language in Chuvash.

The Chuvash hope that, besides the UNPO and other international organizations, a confederation of the peoples of the Ural-Volga region could assist in the realization of the right to self-determination of the Chuvash, Tatars, Bashkirs, Mari, Udmurts, Erzia and Mokshan, who are the indigenous peoples of this region.

## **9. CRIMEA (Crimean Tatars)**

In 1921 the Crimea acquired the status of autonomous Soviet Republic, but in 1944 all the Crimean Tatars were deported to East-Asia in accordance with Stalin's decision. In 1988, the official prohibition to return to their homeland was suspended. About 200.000 Crimean Tatars returned, but the local authorities are hostile to them. The Crimean Tatars do not demand the return of their houses, nor do they seek political independence. They only want to be allowed to buy land in the Crimea in order to build new houses and that their basic human rights are respected. However, they are severely oppressed and their newly built houses are destroyed by the authorities.

The Crimean Tatars should be considered as a people, because they have a common language, a common history (they are the indigenous people of the Crimea) and they have the will to be identified as such. To them, the exercise of their right to self-determination would mean to take part in political, cultural and financial decisions. (At present the Crimeans do not have one single representative in the Crimean Parliament.) Democracy can therefore only be an implementation of the right to self-determination if minorities also have a vote in the parliament.

Population transfer is not always in conflict with the right to self-determination. In the case of the Crimean Tatars it was actually the opposite: the return of the Crimeans to their homeland was a reversal of the earlier deportation.

The advantage of Liechtenstein's proposal is that it is probably acceptable to states. The problem is, however, that it provides for a very vague definition of self-determination as a result of which states still will be able to escape their obligations.

Suggestions to the UNPO are:

- to set up commissions of UNPO-members and international lawyers to negotiate between states and minorities,
- to send the resolutions of the UNPO to the UN and well-meaning states,
- to assist members in publishing their statements on self-determination in international law journals.

## **10. EAST-TIMOR**

In 1975 Indonesian forces invaded the territory of East-Timor, a former Portuguese colony that had just declared its independence. In 17 years of military occupation more than 200.000 East-Timorese were massacred. Most of them were unarmed civilians. Arbitrary arrests, torture, disappearances, summary executions and the exploitation of natural resources are the order of the day. This situation continues to exist due to the support given by western democracies, who only assist peoples in their struggle for self-determination if their own interests are in danger.

The people of East-Timor are still not demoralized and continue to fight for self-determination and independence. The international community could assist the East-Timorese by exerting pressure on the Government of Jakarta, Indonesia, to remove their forces from East-Timor and to allow its people to exercise their right of self-determination.

A proposal to all the members of the UNPO is to organize platforms of jurists (like the International Platform of Jurists for East-Timor) as a weapon in their struggle for self-determination.

## **11. EAST-TURKESTAN**

The Chinese Communists occupied East-Turkestan in 1949 and ever since that time pursue a policy of assimilation. The immigration of Chinese to East-Turkestan has caused unemployment and hunger. Besides hundreds of thousands of East-Turkestanis have been persecuted, tortured and killed for political or religious reasons.

Although on paper East-Turkestan is an autonomous region, in practice the real power is in the hands of the Chinese Communists. The violations of human rights and the denial of the right to self-determination continue.

Self-determination and environment are very closely connected; devastation of the environment violates the right of self-determination. At present East-Turkestan is confronted with an ecological disaster due to Chinese atomic tests, which thus results in another infraction of its right

to self-determination.

A suggestion to the members of the UNPO is to differentiate between the several regimes they try to affect, because each of them requires another approach.

## **12. GREEKS IN ALBANIA**

The Greek minority, which accounts for 10% of the current population of Albania, suffers systematic discrimination and extreme human right abuses for which the Albanian Government is responsible. Hostile policies, such as population transfer, assimilation and terroristic activities are used to intimidate and ultimately extinguish the Greek minority.

The solution for the survival of the Greek minority in Albania is to restore the rule of law and the respect for human rights by implementing the provisions of the 1914 Corfu Protocol, the 1920 Kapishtica Agreement, the 1921 Declaration of Albania to the League of Nations, and the 1935 Declaration by the Permanent Court of Justice, and granting meaningful autonomy to the Greek minority.

The UNPO is asked to establish a commission for self-determination, which should be composed of prominent personalities. No one else than His Serene Highness Prince Hans-Adam II Von Und Zu Liechtenstein would be better qualified to lead this commission.

The members of the UNPO are requested to declare that in case they would gain autonomy or independence, they will respect and recognize the right of self-determination of the peoples that might be under their jurisdiction.

## **13. IRAQI TURKOMEN**

The Iraqi Turkomens are the third largest ethnic nationality in Iraq. They are dispersed throughout various areas, mainly due to the Iraqi government's policy of population transfer: they have been expelled and forcibly transferred from their homes and villages. Conscription, summary executions, denial of political participation and the destruction of their villages are only some of the human right violations suffered by them.

Especially now they are going through a difficult time. The current embargo enforced upon Iraq does not affect Saddam Hussein but rather, it affects the Iraqi Turkomens, the Assyrians and the Kurds. There is a shortage of medicine and food, which particularly affects children.

## **14. KARENNI STATE**

The Karenni people, a Tibetan-Burmese race, live in South-East Asia between Burma and Thailand. They are related to the Karen people, but their culture, costumes, traditions and language are different. The Karenni State is rich in natural resources, which is one of the main reasons why it is occupied by Burma.



The behavior of the Burmese army is barbarian and savage. Its strategy is bluntly genocide. Villages are burnt down, women are raped and often killed and the men are used as slaves. Many Karennis have fled into the jungle and now live there under unbearable conditions.

The Karenni people's immediate objective is to survive as a nation and therefore appeal to the UNPO to assist them in drawing the attention of the international community to the situation of the Karennis.

## **15. KHALISTAN**

Self-determination stands for freedom and justice. Freedom is the most basic human right. When freedom is denied, every other right is denied. In Punjab/Khalistan the people are not free. Indian police and military forces occupy the territory and are guilty of serious human right violations, which include torture, rape and murder.

When the British left India in 1947, it was agreed that the Sikhs would gain autonomy in the Province of Punjab. However India did not honor its obligations. In 1987, after 40 years of suffering and oppression, the Sikh Nation declared its independence from India, forming the separate country of Khalistan. However the independence is not recognized by India.

Like many other governments the Government of India invokes the principle of territorial integrity to protect its borders. Used in this way the principle is thus contradictory to the principle of self-determination and should therefore be condemned.

Khalistan seeks independence by peaceful, democratic and non-violent means. It requests the UNPO among others to press India to allow Amnesty International within its borders to investigate the human rights violations in Punjab, Nagaland, Kashmir and all other places where people are suppressed.

General suggestions to the UNPO are to ask Latvia and Estonia to take up the causes of the UNPO-members in the UN and to press the international community (especially the World Bank, the IMF and the donor nations) to link aid to respect for human rights and for freedom. In this context, the UNPO should make a list of nations that abuse human rights and distribute it to potential donors.

## **16. STATE OF KOSOVA / ALBANIANS IN FORMER YUGOSLAVIA**

The Albanians of Kosova are indigenous people. They have their own history, traditions and language. Despite the Serbian policy of population transfer they make up 90% of the population in Kosova. Nevertheless, they are and always have been discriminated and treated as secondary citizens.

According to the former Yugoslav Constitution of 1974, Kosova was one of the eight federal units. At the same time it was an autonomous region of Serbia. In 1989 however the Serbian regime suspended the autonomy, government and parliament of Kosova and proclaimed martial law, which is still in force. The Albanians are severely oppressed. For example more than 70% of the Albanians have been forcibly dismissed, universities and schools have been closed down for Albanians and Serbia's policy of aggression and ethnic cleansing has caused heavy loss of live.

In 1991 a referendum was held. The outcome was clearly in favor of an independent and neutral Kosova. The independence should however be achieved by peaceful and non-violent means. The UNPO is asked to assist in the realization of this objective. Furthermore it should be aware of the fact that the UN applies a double standard. Why are some regions of the former Yugoslavia allowed to secede and others, like Kosova, not? In this context it should be stressed that the Albanians do not ask for an independent state for all the Albanians in former Yugoslavia; nor do they ask for unification with Albania, so the demand of the Albanians of Kosova requires no boundaries changes.

The Albanians are the third largest nation in former Yugoslavia, but have always been treated as a minority and consequently deprived of the right to self-determination. This could happen, because the definition of a minority is very vague. In order to avoid situations like this in the future, the UNPO should encourage the international community to reconsider this definition. The UNPO should also set up a legal body to deal with issues of self-determination.

### **17. KURDISTAN (IRAQI KURDISTAN)**

Kurdistan originally means the land of the Kurds. It has been divided between Turkey, Iran, Syria, Iraq and the former Soviet Union. The governments of these states do not put into practice on the national level what they defend on the international level, i.e. they do not observe the rules they committed themselves to in international instruments. The human rights of the Kurds are violated and they are denied the right to self-determination.

All peoples and nations have the right of self-determination. It is the right to decide to live together with, or to live separated from other people(s). In order to facilitate the implementation of the right to self-determination a solid, legal and political basis of this right should be provided for by the members of the UNPO.

There are many ways to implement the right of self-determination. Apart from independence, a people can, for example, opt for autonomy, federation or confederation. After the expulsion of Saddam's troops elections were held in Iraqi Kurdistan. The subsequently elected parliament decided that the best way to implement the right of self-determination would be a federal Iraq. The members of the UNPO should therefore not only focus on independence, other forms of implementation may be more appropriate. Moreover those other forms could also be used as an intermediate stage towards independence.

Liechtenstein's proposal is of great value in the sense that it stresses the importance of small communities. The major problem has been and still is the emphasis of states on power and centralization.

In many cases the right to self-determination is not just denied by the government of a state, but also by the majority of the people who live in that state. Therefore, the members of the UNPO should also try to find ways to convince people of a nation's right to self-determination. The importance of the media should not be underestimated. When a people has the opportunity to communicate and explain its goals to the other inhabitants of their country, it enormously increases the chance of recognition of their right to self-determination. A good example of this is the experience of Iraqi Kurdistan. Last year, at a conference in Vienna for all the Iraqi

opposition-groups, the Iraqi national congress was created. For the first time in history those groups recognized the right of self-determination of the Kurds.

## **18. MAPUCHE**

Mapuche means "people of the land". They are the original inhabitants of Chile and Argentina and used to be an independent nation with their own territory. In 1810 Chile and Argentina declared their independence from Spain and, shortly after, invaded the territory of the Mapuche. Thereby they violated both the inherent right of self-determination of the Mapuche and the treaties which they had concluded with the Mapuche. In 1902 the territory of the Mapuche was officially divided up between Chile and Argentina.

The Mapuche are systematically dispossessed of their lands and natural resources, thereby condemned to poverty, emigration and eventually extinction. The existence of their language, religion and traditions is seriously threatened by the policy of the Chilean and Argentinean governments to culturally assimilate the Mapuche.

The objective of the Mapuche is self-determination. It is however hardly possible to present the case of Mapuche to the organs of the UN, because it is not a member of the UN. (And as long as it is not recognized, it can never become a member) The UNPO should therefore create its own Human Rights Commission, which could deal with the human rights and the right to self-determination of peoples not represented in the UN.

Although 1993 is the Year of the Indigenous Peoples, they are still more or less ignored. It is true that the UN Working Group on Indigenous Populations prepares the Universal Declaration on the Rights of Indigenous Peoples, but one should not expect too much of it. Indigenous peoples are invited to take part in the discussions of this Working Group, but in the end, the decisions are taken by the members of the UN. The final text of the Declaration is therefore drafted and adopted by recognized states only.

## **19. MARI**

The Mari are an indigenous people from the Volga-Ural area. They consider themselves a people and have a common religion, history and territory. As regards to language the two ethnic groups, which make up the Mari people, both have their own literary languages. Russia has taken over their ancestral lands.

Russia denies the indigenous character of the Mari and deprives them of their legitimate right to self-determination. In order to implement this right, a genuine autonomy within the Russian Federation should be created.

Due to the population transfers of Russians to Mari and Mari to other parts of the former Soviet Union, the Mari have become a minority in their own territory. They also constitute minorities in the territories to which they have been deported. Therefore, to the extent that democracy means only that the decisions are taken by the majority, this cannot satisfy the needs of the Mari people.

In practice, individual human rights and the right to self-determination can often not be realized at the same time. The Mari people give priority to individual human rights.

Especially for small peoples, the protection of the environment is vital to self-determination. Indigenous peoples can only perform their traditional occupations, which are of great importance to their ethnic identity, when the environment is taken care of.

Methods to implement the right to self-determination are to increase the level of respect for national identity and to develop political activities and institutions for its expression. In multi-ethnic communities, separate national political institutions should be created. For example, in Mari there should be two chambers: a general one elected by all inhabitants of Mari, and another one for the indigenous population. These chambers should have an equal status and both have a right of veto.

## **20. NAGALAND**

Nagaland has been unconquered, unadministrated and independent from time immemorial. Only a small part of its territory was occupied by the British. After departure of the British from India in 1947, this part merged with "Free Nagaland" in compliance with the will of its inhabitants. India refused to recognize the independence of Nagaland and finally invaded it in 1953.

The grief and injury inflicted upon the Nagas in the past forty years are beyond description. Thousands of people have been indiscriminately tortured and killed. Crops and villages have been destroyed and natural resources have been exploited in such a manner that it has seriously affected the ecological balance.

In addition to the will to be identified as a people, the Nagas have a common heritage which is historical, racial, religious, cultural, and territorial and they have their own government. As Nagaland is occupied by Indian and Burmese forces, independence is the only acceptable way to implement the right of self-determination of the Nagas. (In 1951 a plebiscite pointed out that 99.9% of the population was in favor of independence). It is obvious that separation and secession are not at issue, because Nagaland has never been a part of India or Burma.

A convention on self-determination could be very useful, but the emphasis in Liechtenstein's proposal on autonomy does not do justice to a people whose right to be independent is obvious.

When democracy means a government of the majority, it has its de-merits. In India, for example, all the minorities are seriously discriminated against and subjected to assimilation processes. Democracy may only be conducive to the realization of self-determination of minorities when they are granted clear-cut rights and when some international power supervises the implementation of those rights. But if self-determination can only be realized by independence (as in the case of Nagaland), democracy can not be of any contribution.

Most of the time the excessive exploitation of the earth and the exploitation and suppression of minorities and indigenous peoples goes hand in hand. It is therefore, of the utmost importance that in order to protect the environment the exploited and suppressed gain self-determination.

The only effective method to implement the right of self-determination is the intervention of a third party, whether it involves violence or not. However, most states are inclined to maintain the status quo and do not take the problem of self-determination into consideration seriously. This

attitude definitely threatens the international peace and security, for the suppressed and exploited peoples do not let themselves be ignored any longer and take up arms. It is, therefore, very important that the UNPO plays the role of the third party in order to mediate between the conflicting forces.

## **21. OSONI**

The Osoni people lost their independence for the first time in their long history in 1901 when the British conquered them and added their territory to the colony of Nigeria. When in 1960 Nigeria became independent, British colonialism was replaced by domestic Nigerian colonialism. The Osoni have been cruelly exploited by the three ethnic majorities of Nigeria, who have dominated Nigerian politics in the past 32 years.

The multinational oil companies Shell and Chevron, in cooperation with the Nigerian rulers, exploit the natural resources (oil) of Osoni and thereby devastate the environment completely. The Osoni people have neither received royalties for the oil nor restitution for the devastation of the environment. The Osoni people are the victims of a deadly ecological war. Today Osoni is a waste land.

Today there is a call for democracy in Africa. One of the main problems which democracy will face in Africa is that of ethnic pluralism. (Nigeria for example has more than 350 ethnic groups.) "Kill the tribe to build a nation" was the motto of the rulers and intellectuals in almost all African countries. The challenge at present is to cultivate the benefits of ethnic diversity while minimizing its destructive political potential.

A formula that provides for stability and equity needs to be found. As regards Nigeria, the federal system has not been a success, because the ethnic majorities controlled the government at all times and therefore controlled the natural resources of the country exclusively. This has resulted in gross violations of the rights of ethnic minorities.

Every ethnic group has the right to self-determination. Faced with the demands of economics they will agree to co-operate with each other. For instance, the solution in Nigeria would be a confederation in which even the small groups would have the right to choose for themselves. The UNPO should examine the African situation carefully.

## **22. SANJAK**

For five centuries, Sanjak has existed as a separate territorial entity in the Ottoman Empire. After the Balkan Wars, 1912-1913, it was occupied and divided between Serbia and Montenegro.

At present the indigenous Muslims of Sanjak are exposed to Serbian and Montenegrin state terror and ethnic cleansing. According to the referendum of October 1991, their wish is complete political, territorial and cultural autonomy of Sanjak. The fulfillment of this wish would be consistent with the international law on self-determination. In such an autonomy, the Muslims would constitute a sovereign people and they would freely decide, together with other peoples living in that autonomy, their political, economic, commercial, social and cultural development. Moreover, Sanjak would be a demilitarized territory.

The Muslims of Sanjak and the Muslims in other parts of former Yugoslavia have a common culture, religion and language. Numerically they were one of the largest peoples in former Yugoslavia, but after the disintegration of Yugoslavia they have become national minorities or ethnic groups in the new states. They do not exist as a people any longer. This tragedy is unfolding with the assistance of the Peace Conference on Yugoslavia with the European and International Community.

The status of the Muslims of Sanjak should not be resolved by means of force, but by means of peaceful negotiations in which their interests will be promoted by the legitimate representatives of the Muslim National Council of Sanjak.

### **23. SCANIA**

Scania consists of the three southern-most provinces of Sweden. In 1720 it definitively lost its independence and its right to self-determination. Ever since, Sweden has pursued a policy of assimilation. This "Swedenisation process" has been most successful, for today nobody knows about Scania.

Materially the Scanians are very well off, but as regards culture they are very poor. Their language is regarded as primitive and is about to disappear. At school they are not able to teach their own history, so that they lose the memory of their past.

The objective of the Foundation for the Future of Scania is the formation of a regional popular parliament with the mandate and ability to safeguard the cultural, social and economic interests of Scania. The present developments could be helpful. Sweden has applied for membership of the European Community and has commenced a process of dividing Sweden into regions in order to implement the eventual EC-regulations. However the proposals of the authorities are not based on an organic regional division with emphasis on historic and cultural relations. Their policy is still one of rule by division.

Nevertheless the division could be discussed. The Foundation for the Future of Scania welcomes a debate with the government and hopes that one day cultural autonomy for Scania will be realized.

### **24. SOUTH MOLUCCAS**

The territory of the South Moluccas is situated in the eastern part of the Archipelago and inhabited by two million South Moluccans. They have a common history, a language of their own, the will to be identified as a nation and they have an appropriate structure to exercise the responsibilities of a nation. Moreover they belong to the Melanesian race as opposed to most other peoples in the Archipelago.

In 1947 the Council of the South Moluccas, the official and legal representation of the South Moluccan people, took the decision to join the Component State of East Indonesia on the condition that it would become one of the component states of a Federal Republic of United States of Indonesia. However after the Dutch had finally transferred the sovereignty over the Archipelago

to the Federal Republic of Indonesia, the government of this Federal Republic started to transform the Federation into a unitarian state. Consequently the South Moluccas withdrew from Indonesia and in 1950 declared its independence, for it regarded a unitary Indonesian state a danger to its national identity. This declaration met with military actions of Indonesia, but only in 1962 it succeeded in getting control over the whole territory of the South Moluccas.

At present the South Moluccans are subjected to the brutalities and atrocities of the Indonesian military regime. (The violation of the right to self-determination always results in the violation of the individual human rights. Actually one should not make even a distinction between individual human rights and the collective right to self-determination.) The transmigration policy, deforestation and dispossession of lands are aimed at the "Indonesianization" of the South Moluccans. The national identity of the South Moluccans is at stake. Self-determination is therefore the only way to survive as a nation. The South Moluccas has to be liberated from the Indonesian occupiers, but that can only be achieved by political actions, not by military actions.

As regards democracy, it can never satisfy the desire for self-determination completely. Minorities may not feel represented by the government of the majority and indigenous peoples may not even wish to be represented in the government of the foreign settlers. The only satisfactory solution is mutual agreement by the parties concerned.

The South Moluccans, and many other suppressed peoples who are fighting for self-determination, are victims of the way in which the right of self-determination has been implemented by the members of the UN. Often western colonizers have just been replaced by local aggressors without substantial interference of the UN. (Members of the UN regarded these cases as legal acts of decolonization, faits accomplis or were of the opinion that intervention would be a violation of art. 2.7 of the Charter of the UN. Only a few thought that acts of aggression should never be legitimized.) The UNPO should therefore look for methods to change the attitude of the members of the UN towards the implementation of the right to self-determination.

## **25. TAIWAN**

In 1895 the Qing government ceded Taiwan to Japan "in perpetuity" (the Treaty of Shimonoseki) and consequently, China and Taiwan became two separate entities. After World War II, however, Japan renounced its claim to Taiwan. In 1949 Chiang Kai-shek was defeated by Mao Zedong, the leader of the Chinese Communist Party (CCR), and fled to Taiwan where he established the government of the Republic of China (ROC).

The Taiwanese people have become the victims of the conflict between the Chinese Communists Party and the Guomindang. Since the UN expelled Chiang Kai-shek's representatives in 1971, Taiwan has gradually lost its standing in the international arena. At present, no major government in the world recognizes the ROC and 20 million Taiwanese people have been reduced to a people without a country.

Taiwan is not a part of China. Since the foundation of the People's Republic of China (PRC) in 1949, it has never exercised sovereignty over Taiwan and the control of the ROC has been limited to Taiwan and the Pescadores. In political, economic, social and cultural respect Taiwan and China are different and separate entities. Taiwan's objective to become a member of the UN should therefore be realizable.

## **26. TIBET**

Tibet was an independent state until 1949/1950, when it was invaded by China. Since then Tibet has been a country under foreign occupation and the Tibetan people have been denied their inalienable right to self-determination. The violation of fundamental human rights by the Chinese occupation forces still continues. The policy of population transfer, which is pursued by the Chinese government, threatens the very survival of the Tibetan people and their national identity. In urban areas they have already been reduced to a minority. The UNPO should think of ways to stop the population transfers, not only in Tibet, but in other countries as well.

The question of how to implement the inherent right of self-determination needs to be addressed. First of all, a comprehensive definition of self-determination should be drawn up. Besides, it would be worthwhile to reconsider the present understanding and validity of the principle of territorial integrity, for this principle can seriously obstruct the implementation of self-determination. Furthermore, attention should be paid to the options of implementing the right of self-determination within the context of a federation which is based on the free choice of the peoples concerned.

The creation of a high commissioner for human rights, who would monitor and protect individual human rights and the right of self-determination, would be a very welcome addition to the UNPO.

## **27. WEST PAPUA**

There are more than 250 tribes in West Papua. Nevertheless, the West Papuans constitute a people, because they jointly inhabit the island of New Guinea and are bound by a common history and a common Melanesian culture. However they are denied the right to self-determination. The process towards independence was abruptly ended by the New York Agreement (15 August 1962), which was signed between the Netherlands and Indonesia under the auspices of the UN. West Papua was handed over from one colonial power, the Netherlands, to another colonial power, Indonesia. Individual human rights are systematically violated and the survival of their culture and national identity is threatened.

The right to self-determination is the inherent right of all peoples to determine their own future. The nation-state model does not satisfy the needs of the peoples, who are not represented in the UN. Political leaders should bear in mind that status quo is not a value in itself. Self-determination can take many different forms and the implementation of it would only promote harmony and stability.

The current developments on the international scene involve a diminished role for the nation-state. On the other hand, the role of supra-national institutions and sub-state entities is strengthened. These changes give new opportunities for the realization of the right of self-determination. Focus should be on ways to convince the international community to respect, recognize and implement that right.

All indigenous peoples are invited to contribute to the draft of the UN Declaration on the Rights of Indigenous Peoples. This declaration is based on collective rights as distinct from the Universal Declaration of Human Rights, which is based on individual rights.



Another document that could be of importance for the implementation of the right to self-determination, is the Carioca Declaration, which has been drawn up by indigenous peoples themselves in Rio de Janeiro 1992. It states, among other things that the indigenous peoples regard the earth as the mother of everyone and everything. They belong to the earth and cannot be separated from their lands and territories. They should give their consent to all the development projects on their territories and in order to make a decision they should be completely informed about the effects of those projects. People who fail to comply with these rules, should be put on trial in a World Tribunal controlled by indigenous peoples.

The Secretary General of the UNPO is asked to establish relations with the High Commissioner for Minorities of the CSCE; to promote the appointment of a High Commissioner for Human Rights within the UN; and to find ways to enable the members and observers of the UNPO to be more active in their own situations.

## **II. SUMMARY OF COMMENTS BY SUPPORTING MEMBERS**

### **ESTONIA**

When Estonia was occupied by the Soviet Union, Estonians were transferred to Siberia and Russians were transferred to Estonia. The aim of these population transfers was to reduce the Estonians to a minority in their own country.

Today Estonia is a free and independent country. It is, however, confronted with the question how the right to self-determination should be exercised. As a consequence of the population transfers, the demographic composition of Estonia has completely changed. To whom belongs the right to self-determination? Should all the inhabitants or just the original inhabitants have a right to vote?

The "duration of presence" factor has to be taken into consideration. A people should have lived on a certain territory for a certain period of time to gain the right of self-determination. According to the previous General Assembly of the UNPO a people should have inhabited a certain territory for approximately 500 years in order to be considered as the native inhabitants of that territory.

The Estonians who fled to the West because of the Soviet invasion at the end of the thirties, do not have any special rights in the countries where they live at present. They have also never asked for special rights, let alone self-determination. They are aware of the fact that they are immigrants and live in a foreign country. On the other hand, the Russians in Estonia do enjoy special rights, although the majority of the Russians only moved to Estonia during the last 50 years. They have, for example, the possibility to educate their children in Russian language schools.

Russia has always been a classical example of a colonial power. Peoples and nations living within the Russian Federation are deprived of their right to self-determination. It is high time that the Russian government starts to enable these peoples and nations to enjoy and develop their national cultures and traditions, to get education in their own language and to use their language as an official language.

## **LATVIA**

Like Estonia, Latvia is now a free and independent country, but still suffers from the consequences of the population transfers during the Russian occupation. Citizens of Latvia have been deported to Siberia and Russians and other people from the former Soviet Union have been transferred to Latvia. As a result of these population transfers, only about 50% of all the inhabitants of Latvia consist of people whose ancestors were the original inhabitants of Latvia.

According to the Geneva Convention of 1949, occupants have to withdraw their army and citizens from the occupied territory after the war has ended. However, Russian troops and citizens are still present in Latvia, which results in a denial of self-determination of the Latvian people.

At present the Russians claim that all the inhabitants of Latvia, including all the people from the former Soviet Union that came illegally to Latvia, have a right to Latvian citizenship. That would mean that they all would get voting rights for the parliament of the Latvian Republic.

Latvia cannot grant citizenship to persons who were transferred illegally to Latvia. This is not a violation of their human rights, but a defense against Russia's imperialism. Voting rights for all the inhabitants would imply the end of Latvia.

## **III SUMMARY OF COMMENTS BY SPECIAL GUEST SPEAKERS**

### **HIS SERENE HIGHNESS PRINCE HANS-ADAM II VON UND ZU LIECHTENSTEIN**

The world is slowly moving away from the concept of the state as it was mainly created in the 19th century. The traditional nation-state has proved to be either too small or too large to solve most of the contemporary problems. Cooperation on a local, regional, state, continental and worldwide level, decentralization down to the smallest community and much room for private initiative is necessary today if a nation wishes to prosper. In the next century, most states will have to evolve in that direction or they will disappear. Communities such as cities or villages will once again assume much greater importance, as was in fact the case before the emergence of the large, centralized nation-state with its strong central government.

This development is one of the reasons why the community and its autonomy has received so much attention in Liechtenstein's initiative for self-determination.<sup>1</sup> This approach could also resolve the problems of areas that are inhabited by people with different ethnic, religious or cultural backgrounds. If the principle of self-determination is applied as it has been in the past, new states are created along borders which were very often established in a rather arbitrary way. Inside these new states minorities exist once again and their right to self-determination is often disregarded. Political unrest, civil war or even ethnic cleansing may follow.

The right to self-determination is by its nature a right which can only be applied to a group and not to an individual. This right must be given to the smallest group which can exercise it with

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<sup>1</sup> See Appendix III for summary of the Liechtenstein initiative.

some success. This group is the community. A community is capable of governing itself and usually has a well-defined territory. A community may be a village, a city or perhaps also a tribe. In most cases a community will be too small to become fully independent, but independence has lost much of its importance in the modern world.

The definition of the word community in a convention will, of course, be difficult. A community might also be divided and its territory is not always so well defined. Nevertheless in most states a community is better defined than a minority and has at least a minimum organizational structure to which some autonomy rights can be transferred. It might be politically easier for a state to grant a certain degree of autonomy to communities than to minorities.

The initiative of Liechtenstein stresses the importance of granting a certain degree of autonomy. Unfortunately it is still unacceptable for most member states of the UN to grant full independence to their minorities. It would be easier to grant a certain degree of autonomy which would at least be a step in the right direction. For many minorities the granting of autonomy might already solve most, if not all, their problems. Full independence without some experience of self-government and a basic organizational structure can bring a new state very rapidly into political and economic chaos.

In the past and in the future new states have been and will be born. To attempt to freeze human evolution has in the past been a futile undertaking and has brought about more violence than if such a process had been controlled peacefully. Considering the advances in the field of technology, civil war will become more and more destructive. Would it not be much safer to replace the power of weapons by the power of the vote, even if it means that new states may be born? A state is made by people and should serve the people, and not the other way around.

#### **MS MAY CORRIGAN MAGUIRE**

The right to self-determination is one of the most important issues facing humanity today. In Northern-Ireland both the loyalists and the republicans claim the right of self-determination. Therefore a better qualification of this right is needed. Self-determination as it now stands underpins majoritarianism and majoritarianism is not democracy. In Northern-Ireland the majority has been ruling for sixty years, excluding the minority who have never had a political voice.

All over the world the domination of a minority by a majority has caused a lot of conflict and suffering. It is time to change from majority-rule to consensus-politics; all people should have a voice, not only those who are numerically in power. To the definition of the right to self-determination the words "based on the achievement of consensus" should, therefore, be added. Besides, the meaning of the term consensus should be defined as well as the methods of assessing when consensus has been gained.

#### **DR S TRIFUNOVSKA**

All the groups present in the General Assembly fight for their right of self-determination. However the term self-determination can have several different meanings. Before addressing the question of how to get self-determination there should be a differentiation of goals. Each group should clarify exactly what they want: autonomy, bigger autonomy or independence. Only after that, is it possible to decide upon the kind of action to be taken.

The major obstacle in the struggle for self-determination are the states. They invoke their right to territorial integrity to protect their boundaries. They should however recognize that the right to self-determination is superior to all other principles of international law, including the principle of territorial integrity.

The Articles 1 of the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights confirm the right of peoples to political independence which also includes the right to form their own state and thus implies the right to secession.

## **LORD ENNALS**

International law recognizes a people's right to self-determination. It has expressly been embedded in the Charter of the UN and in the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights. The question is however what constitutes a people. There is no universally accepted definition. Nevertheless it is important to have the term people clearly defined in the debate on self-determination. In this context the working definition of the 1989 Report of the UNESCO Experts Meeting on the Rights of Peoples might be very useful. It was drawn up partially by lawyers and partially by representatives of nations. According to this definition, a people is a group of individual human beings who enjoy some or all of the following features:

- a common historical tradition
- a linguistic unity
- a racial or ethnic identity
- a cultural homogeneity
- a religious or ideological affinity
- a territorial connection
- a common economic life

Apart from these common features the group should be of a certain number, i.e. more than a mere association of individuals within a state. The group should also have the will to be identified as a people and possibly have institutions for expressing both the common features and the will for identity.

There should not be any rivalry between the UNPO and the UN. They are just two different organizations. Each of them can contribute to the implementation of the right to self-determination in its own way. The UN can not be abolished, for there is an absolute need for an organization which represents the states. The UNPO should not try to be an alternative for the UN. Its task is to change the UN into a more effective and more genuine organization, so that the quality of its work improves. Moreover the UNPO should support its members in their struggle for self-determination and eventually in their wishes to become a member state of the UN.

## **IV. SUMMARY OF COMMENTS BY OBSERVER DELEGATIONS<sup>1</sup>**

### **1. AUSTRALIAN SOUTH SEA ISLANDERS**

During the late 19th century the forebearers of the Australian South Sea Islanders were brought to Australia from the nearby South Pacific Islands as indentured and slave labour to establish the sugar industry of Queensland and Northern New South Wales. This population transfer has caused great suffering and dislocation. Many people could not be repatriated to their home islands, because their families had been removed and their lands lost.

The Australian South Sea Islanders claim official recognition as a distinct social group, resources for a representative national organisation, protection of their cultural heritage and affirmative action to ensure real equality of opportunity in education, employment, housing, health and legal services.

### **2. BRITTANY**

Brittany is a Celtic land, located in the west of France. The Breton people have their own language, history and culture. At the end of the European Middle Ages it was annexed by France. Today France, the inventor of the concept of the nation-state, does not recognize any minorities or peoples. The Bretons are subjected to numerous restrictions in cultural and linguistic respect and their historical territory was divided in 1941 by the French government.

Self-determination can take many forms. To Brittany it means self-government in an European federation of peoples and regions based on freedom and solidarity.

Individual human rights and the right to self-determination are closely related. One cannot respect individual human rights without respecting the right to self-determination as well. By means of democracy respect for both individual human rights and group rights can be obtained. In multi-ethnic communities each community should be recognized in the constitution and should be able to appeal if its rights are violated.

The UNPO should support the initiative of Liechtenstein and use the media to inform the world about the violations of the right to self-determination. Besides it could publish a book on the peoples who claim their right of self-determination.

### **3. BURMA**

Burma became independent in 1948. However, ethnic nationalities (the Shan, Karenni, Naga, Pao and many others) were discriminated and suppressed. This became even worse when in 1962

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<sup>1</sup> Observer delegations may or may not be representative of the nations or peoples to whom they belong. For future General Assemblies and Special Sessions, Observer status will be granted only after applicants have provided evidence of their representative character and their adherence to the principles of the UNPO Covenant. This was not required of Observer delegations to the 1993 General Assembly and Special Session.

General Ne Win seized state power and imposed a military dictatorship upon the country. In 1988 a nation-wide movement revolted against the regime and called for democracy, but it was brutally crushed down by the military junta.

In 1990 the National Coalition Government, a provisional government, was installed in the liberated part of Burma. The leader of this government Aung San Suu Kyi, who won the Nobel Peace Prize in 1991, has been under house arrest since 1989.

The General Assembly of the UN adopted, both in 1991 and in 1992, resolutions requiring the release of political prisoners, an end to the civil war and the requirement for the people to freely participate in the political process in order to form a democratic government. However, far more international pressure is needed to overthrow the military regime. An arms embargo, economic sanctions and the withdrawal of diplomatic recognition may be necessary.

The wish of the peoples of Burma is a peaceful and democratic Federal Union State of Burma. A conference on Burma should be held in which all parties and peoples concerned should participate. The UNPO is asked to support such a conference.

#### **4. COUNCIL OF THE FRISIAN MOVEMENT**

For the last 2500 years the Frisians have lived on the same territory, which is an integral part of the Netherlands. Their right to express their ethnic and linguistic identity have been severely restricted.

The Dutch democracy does not provide for the representation of ethnic-linguistic minorities. As a consequence, the Frisians do not enjoy the right to self-determination. Their wish is to be able to use and teach their own language, to dispose freely of their own economic resources, to have control over the environmental management and to nominate and elect their own political authorities.

#### **5. IHRAAM**

(International Human Rights Association of American Minorities)

The African Americans, whose ancestors have been transported to North-America as slaves, suffer from the acts of ethnocide committed by the government of the United States. As a result of forced assimilation they have been deprived of their language and culture.

The Lost-Found Nation of Islam, on behalf of all the so-called African Americans, requests self-determination and reparation for the gross violations of human rights.

Besides, it suggests that the UNPO tries to gain a legal and recognized position in the General Assembly of the UN. It would allow unrepresented nations and peoples to have a voice and possibly a vote in the affairs of the UN and to have legal standing before the International Court of Justice and other tribunals within the ambit of the UN.

The National Peoples Democratic Uhuru Movement is of the opinion that the oppressed peoples

need a World Court to assess the crimes committed against them. The UNPO is asked to organize training sessions so that the leaders of oppressed peoples can develop their skills in peaceful negotiations. The UNPO should also set up a human rights commission in order to investigate human rights violations and possibilities for reparation claims.

According to the Kuiu Thlingit Nation of Alaska, the destruction of the environment directly affects the indigenous peoples of America. As long as the government of Canada and the US do not enable the indigenous peoples to make a living in the traditional fashion, they control them and will eventually destroy them. Indigenous peoples should also be able to practice their own law system and have their own courts. Traditional tribal law is very compatible to western law.

The public opinion is the real power in this world. It can change the course of history. A human rights commission within the UNPO should, among other things, be mandated to call on the media to focus attention on areas of oppression.

## **6. INNER MONGOLIA**

Inner Mongolia is occupied by China. The Mongolians are severely oppressed. Denial of basic human rights, exploitation of natural resources and destruction of cultural and religious monuments fall to their share. Large numbers of Chinese citizens have been transferred to Inner Mongolia. As a result of these population transfers the Mongolians have become a minority in their own country.

The survival of the Mongolians as a people is in danger. They will fight for their right to self-determination, i.e. their right to a free and independent country.

## **7. JURA**

The aim of the people of the Jura is to reunify their country and subsequently to become a Region in Europe. The only satisfactory form of self-determination would therefore be independence.

Methods to implement the right to self-determination are political and international pressure and effective democracy. (Democracy provided the northern part of the Jura with the highest level of self-determination within Switzerland, but at the same time it was democracy that broke the Jura in two.)

Liechtenstein's proposal can be very useful in the struggle for self-determination. However the requirement to maintain a proper balance between self-determination and the territorial integrity of states should be omitted. It would mean that frontiers could never be changed peacefully, because states will never accept to lose territory.

The UNPO is asked to draft, in cooperation with the UN and NGO's, a Charter on Self-determination. It should clearly explain the right to self-determination and its implementation.

## **8. LADO**

The People of Lado consists of people of different tribes and tribe nations. They identify

themselves as a nation and have a common history, territory, language, ethnicity and culture. In order to exercise their right to self-determination Lado seeks independence.

One should be very careful with the institution of democracy as a method to implement the right to self-determination. It has often been used to impose European systems on the Africans. On the other hand autonomy at all levels of the society may satisfy the desire for self-determination. Liechtenstein's proposal should thus be supported.

The exercise of self-determination involves the protection of individual human rights and the ability to decide on issues of environmental management.

The UNPO has to examine the root-causes of the denial of self-determination and elaborate on the meaning of self-determination according to the UN.

## **9. LAKOTA NATION**

The Lakota Indians have a unique and distinct religion, culture and language as well as a political structure to exercise the right of self-determination. They do not need to verbalize or document the will to be identified as a people. Their mere existence expresses their self-identity.

As a sovereign state the Lakota Nation concluded several treaties with the government of the US. However, the US does not comply with the resulting obligations. It ignores the sovereignty of the Lakota Nation. For example the US exploits its natural resources and places nuclear warheads on its lands, which endangers the environment. In order to end these practices the Lakota Indians claim complete autonomy for their territory and in addition they request satisfactory compensation for the injury done.

As a result of the denial of the collective right to self-determination, neither individual human rights can be realised nor is self-management of the environment possible. Methods to implement the right to self-determination have to be looked for. As regards democracy it has to prove its validity by providing protection for minorities and nations.

Liechtenstein's proposal should not contain the requirement that entities who wish to enjoy the right to self-determination first have to demonstrate their ability to exercise this right. The decision whether an entity has this ability or not, is very subjective. Besides have present independent states proved their ability?

The UN should provide for a forum where the denial of self-determination and redress of grievances could be discussed. As concerns the UNPO, it should study cases in which the right of self-determination has been successfully implemented and examine which factors contributed to this success.

## **10. MOHAWK NATION (Kahnawake Territory)**

Prior to colonization or discovery, indigenous people were independent, self-governing and in possession of their lands. They never renounced their right to self-determination. In addition, the



right to self-determination cannot be granted to, or taken away from indigenous peoples by legislation or treaties, because it is an inherent right. Therefore they should not ask for the right to self-determination, they already have it. Focus should be on the implementation and content of this right.

It must be prevented that members of the UNPO who become independent, use the same methods to suppress the minorities and peoples living in their country as those which were used by the powers who colonised them. Therefore they should now already think of how to implement the right of self-determination of their future minorities. Otherwise they will fall into the same trap as many other nations.

The same applies to the right of self-determination of women. The nations and peoples who claim the right of self-determination, should ask themselves now if they are willing to give their women the same rights that they claim for themselves. All men and women are created equal. The rights of women have to be recognized and returned to them.

It is necessary that a legal commission is established within the UNPO. It should comprise lawyers of the members and observers of the UNPO. Among others it could challenge the meaning of the word "state" and maybe come out with a definition. This is very important, because on the one hand the term state is not defined in international law and, on the other, only states can come before the International Court of Justice.

As regards the UN, it does not live up to its original intentions. Its work has to be questioned. The UNPO should not wait for the UN, but go its own way.

## **11. NIGRITIA**

The Nigritian ancestors were kidnapped from Nigritia, Africa, and shipped as human cargo to Europe, Asia and especially to the Americas in order to be employed as slaves. During the Berlin Conference, 1884-1885, the region of Nigritia was partitioned and called the partition of Africa.

National identity is woven into the fabric of every substantial political structure in the world. Nations cannot exist without it. As soon as a people loses their original identity, it becomes extinct. The purpose of Nigritic people is to re-establish Nigritian as the legitimate generic ancestral name of today's so-called blacks or Negroes. Nigritian/Nigritic is correct as a national identifying name. Nigritia has to become recognized by the UN as both a former and current entity.

The People of Nigritia also demand compensation for the resources that have been taken from the region of Nigritia.

## **12. ROM**

Gypsies are not familiar with borders and nationalistic feelings. They do not claim a specific territory on the map of the world, because they believe that the world belongs to everybody.

The human rights of the gypsies in Romania are seriously violated. They are exposed to discrimination and fascism. Forced labour and pogroms are examples of this. Last year Germany

sent 30.000 gypsies, who had settled down as refugees, back to Romania. It is very disappointing that none of the member states of the EC protested against this deportation.

The UNPO is asked to pay attention to the rising fascism in Europe.

### **13. SHAN STATE**

The Shan state is situated in an area of eastern Burma. The Shan people have lived there for thousands of years. They have their own language and culture and a distinct identity from their neighbours, the Burmese. Their country has been independent until they agreed to a union with Burma for a trial period of 10 years. However before this period expired and before they could decide whether to secede from the Union or not, the Union government was overthrown by a military dictatorship and the country was occupied by force of arms.

Ever since, the Shan people have been oppressed by the military regime and denied their basic human and economic rights. They fear for the loss of their cultural identity due to population transfer policy, and for the degradation of the natural environment due to indiscriminate logging of the land. At this moment their aim is to hold a plebiscite so that they can decide on their political destiny.

It is very important that within the UNPO a legal committee is created that could give legal advice to the members and observers. The Shan People need legal experts to assist them in the presentation of their case.

### **14. SHIITES IN IRAQ**

The Shia Muslims, who account for about 65% of the population of Iraq, are a persecuted majority. The present regime pursues a campaign aimed at the eradication of the Shia Muslim culture. This has taken many forms such as population transfers, discrimination at every level of the society, destruction of religious sites and arrests, torture and executions of Shia Muslims. The goal of the Shia Muslims is not to divide Iraq or to establish a Shia State. They merely want to live in peace and harmony with other people and have their basic human rights guaranteed. As yet, the people in Southern Iraq remain the victims of both the repressive regime and the economic sanctions imposed by the UN.

### **15. OSSETIA (SOUTH AND NORTH)**

For two years now the South Ossetians have been waging war for their independence and unification with North Ossetia. The Ossetian Nation was incorporated into the Russian Empire in 1774. After the Revolution of 1917 the Bolshevik governments of Russia and Georgia partitioned Ossetia arbitrarily. When Georgia became independent, it started its attempts at genocide and ethnocide of the South Ossetians.

The only chance that the South Ossetians have to survive both physically and as a distinct ethnoses

is self-determination, i.e. a unified independent Ossetia. Their will to determine their own common destiny is illustrated by the resistance the South Ossetians offer to Georgia's overpowering forces and by the assistance that the South Ossetians get from the North Ossetians.

Violations of human rights are practically always the result of a violation of the right to self-determination. Democracy does not always lead to respect for human rights. Sometimes it is just a cover for oppression of a minority by an enfranchised majority.

In order to implement the right to self-determination peaceful negotiations are preferred. By means of open discussions and dissemination of information states should be convinced that self-determination is not a ghost to be feared. In case of failure, the international community should take action to prevent violence. In multi-ethnic communities where protracted hostilities have been taking place, temporary separation of the different groups should not be excluded.

The attention in Liechtenstein's proposal for independent procedures to assist in the effective realization of self-determination, is most valuable. Only independent procedures can ensure a proper balance between self-determination and the territorial integrity of states.

It is important to differentiate between peoples and minorities, because according to international law only peoples have the right to self-determination. The members of the UNPO should therefore agree upon a definition of a people.

The UNPO is asked to publish annual reports on the plight of the members and to establish:

- a legal committee that would communicate the complaints of members to other international organizations (especially to the High Commissioner for National Minorities of the CSCE),
- a special organ charged with the maintenance of relations with other international organizations,
- a tribunal that could deal with the crimes of states against nations and peoples,
- an information and co-ordination centrum in the Caucasus, where about thirty peoples are fighting for self-determination.

## **16. SOUTH TYROL**

South Tyrol is located in the north of Italy, to which it was annexed after World War I. The South Tyroleans constitute a people and therefore want to exercise their right of self-determination, i.e. to decide themselves either to rejoin Austria or to stay with Italy or to become an independent state. To implement this right the South Tyroleans should be allowed to hold a plebiscite in order to vote for one of these options.

Liechtenstein's proposal of graduated forms of self-determination involving different levels of autonomy falsify the definition of self-determination as enshrined in the Human Rights Covenants of 1966 and in the resolutions of the General Assembly of the UN.

The GA of the UN should draw up a document with general rules to guide the implementation of the right to self-determination.

## **17. TAI PEOPLE**

The homeland of the Tai Dam people is in the north-west of Vietnam. In 1889 it was colonized and annexed to Vietnam by France. In 1948 it was established as an independent state, the Tai Federation, by the French, but in 1954 the Tai and French forces were defeated by the communists and many Tai fled to Laos. In 1975 the communists took over Laos and the Tai Dam once again had to flee, this time to Thailand. More than 10.000 Tai refugees were subsequently resettled in the West. Those who stayed behind in the north-west of Vietnam have been subjugated to the discriminatory and oppressive policies of the Vietnam government.

The Tai Dam people want their homeland back in order to exercise the right of self-determination, i.e. to have economic and social control of their land.

A general recommendation to implement the right to self-determination is to hold free elections, so that the will of the people can be expressed. In addition, a government should be representative and individuals and minorities should have constitutional protection. The Convention on Self-determination as proposed by Liechtenstein is a good start, but issues of enforcement and international co-operation should also be addressed.

## **18. FEDERATION OF THE WEST-THRACE TURKS IN GERMANY**

For the last six centuries a Turkish minority of 130.000 people has been living in Western Thrace, Greece. Especially since 1965 this Turkish community has been subjected to numerous oppressive and discriminatory policies of the Greek authorities. For example they are not allowed to elect their community and religious leaders, education in the Turkish language has been rendered practically impossible, thousands of acres of their land have been expropriated and they do not receive police protection any longer.

Apart from the 1923 Treaty of Lausanne, in which the status of the Turkish minority has been laid down, basic human and minority rights are violated by a country that is a member of the EC, NATO and the UN.

## **19. WESTERN SAHARA**

The Western Sahara is a case of flagrant violation of the right to self-determination. First it was colonized by Spain and when the Spanish left, Morocco took over the territory and refused to implement the right of self-determination of the people of the Western Sahara.

The UN recognized the right to self-determination of the people of the Western Sahara already more than 20 years ago. Observers of the UN have been in the region for more than a year now, but they are not able to carry out the referendum mandated by the UN Security Council due to the obstructions of the Moroccan government. Expecting that a vast majority of the people would vote for independence, it transferred more than 120.000 Moroccans into the Western Sahara and insisted that these people should vote as well. The UN is powerless at this point.

A suggestion to the UNPO is to define the specific areas in which it could promote the

implementation of the right to self-determination.

## **20. YAKUTIA**

The Republic of Sakha (Yakutia) is one of the largest in the Russian Federation. The people of Sakha are the original inhabitants of the territory of the Republic. Step by step they are trying to build up a sovereign state.

At present their sovereignty in the economic sphere is in fact already recognized by the government of the Russian Federation. One cannot yet speak of an independent foreign policy, but the Republic of Sakha has already established international relations concerning economic, cultural, humanitarian and environmental issues.

All peoples have the right to self-determination. It is an inalienable right. Each people should independently decide on the form in which self-determination is realized: federation, confederation or full independence.

In order to promote the right to self-determination, the UNPO could set up a committee charged with the drafting of a UNPO Declaration on the Right of Peoples to Self-determination. This declaration should subsequently be adopted at the fourth General Assembly of the UNPO. The committee should be composed of experts representing all the members of the UNPO. It would also be a good idea to establish a special body within the UNPO that could coordinate the exchange of experiences of members of the UNPO.

## **SECTION FOUR**

### **SELECTED DOCUMENTATION ON THE RIGHT TO SELF-DETERMINATION**

#### **A. Conventional Law:**

Charter of the United Nations, 1945 (Articles 1(2), 55)

Covenant of the UNPO, 1991 (Preamble, Articles 5, 6)

Declaration on the Granting of Independence to Colonial Countries and Peoples, UN GA Res 1514, 1960

Declaration Concerning the Implementation of the Right to Self-determination, UN GA Res 1541, 1960

Declaration on Permanent Sovereignty over Natural Resources, UN GA Res 1803, 1962

International Covenant on Civil and Political Rights, 1966, (Article 1)

International Covenant on Economic, Social and Cultural Rights, 1966, (Article 1)

Declaration on the Principles of International Law Concerning Friendly Relations and Co-operations Among States, UN GA Res 2625, 1970

Helsinki Final Agreement of the Conference on Security and Co-operation in Europe, 1975

Universal Declaration of the Right of Peoples, Algiers 1976

Protocol I Additional to the Geneva Conventions 1977 Article 1(4)

African Charter on Human and Peoples' Rights, Nairobi 1981

Declaration on the Right to Development, UN GA Res 41/128, 1986

Resolution on the Right of Self-determination, [UNPO] GA/1991/RES/1

Declaration on the Rights of Persons Belonging to National, Ethnic, Religious and Linguistic Minorities, Adopted by UN GA, 2 Dec 1992

Draft Declaration on the Rights of Indigenous Peoples  
(UN Sub-Commission Working Group on Indigenous Populations)

**B. International Case Law:**

Advisory opinion on Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) notwithstanding Security Council Resolution 276 (1970), ICJ Report 1971

Advisory Opinion on the Western Sahara, ICJ Report 1975

Frontier Dispute (Burkina Faso v Republic of Mali), Judgement, ICJ Report 1986

# APPENDICES

## Appendix I

The following persons sent letters expressing good wishes for the conference, and regrets for not being able to personally participate:

HE V Ardzinba, Chairman of the Supreme Soviet of the Republic of Abkhazia  
HE J Dudaev, President of the Chechen Republic  
Prof C Flinterman, Chair of the Advisory Committee on Human Rights and Foreign Policy  
HE Falilou Kane, Ambassador of Senegal  
Mr Tunne Kelam, Vice President State Assembly of Estonia  
Prof P H Kooijmans, University of Leiden, The Netherlands  
HE M Laar, Prime Minister of Estonia  
HE Denis O'Leary, Ambassador of Ireland  
Mr D Omar, University of the Western Cape, Member of the Executive Committee of the African National Congress  
HE J P Pronk, Minister for Development Cooperation of The Netherlands  
Prof Erik Siesby, Danish Helsinki Committee

## Appendix II

Written statements received:

A. Summary of a letter from AWARE:  
(Action for Welfare and Awakening in Rural Environment)

India is a country composed of many and varied cultures. It has a population of almost 900 million peoples. About 60 million are tribal peoples, who are divided into 414 different tribal groups. The contact of these groups with the modern world has caused enormous suffering. Their traditions, customs and value systems are threatened with extinction. They are dislodged from their traditional resources of livelihood and places of habitation. Their ancestral lands have become national property because of their wealth of minerals. Besides tribal peoples are not employed in the industries that have been established on their own land as they are unskilled.

In this context in 1975 AWARE was established. Its objective is to create self-sustaining tribal communities through a process of socio-economic and psychological invigoration in order to respectively minimize the poverty and restore their self-esteem. Today AWARE is associated with 6000 villages with a total population of 2 million peoples.

Self-determination is no doubt a fundamental right of all people. However the tribal population in India is thinly spread all over the country. It is not possible to establish for all the tribal groups little independent nations within India. Therefore it is impractical to use the word self-determination for tribal communities. Nevertheless the Indian Constitution recognizes their cultural rights and their right to freely decide on their future and direction of development. Moreover it provides special the Indian society, but at the same time it protects them from loosing their identities.

AWARE uses the legal system as an instrument to bring about social change. Among others it pressed the Indian government to abolish bonded labour and it organized the return of land



from non-tribal landlords to the tribal population. Furthermore AWARE promotes the education and organization of tribal peoples and tries to get them involved the planning of development programmes on their behalf.

**B. Written statement from the Government of Canada on self-determination:**

The Government of Canada is a Member of the United Nations. Canada supported the adoption, in 1948, of the Universal Declaration on Human Rights and is a party to the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights. Canada supports the principle of the right to self-determination for peoples included in the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights. Canada notes that the Declaration of Friendly Relations and Cooperation Among States in Accordance with the Charter of the United Nations provides that the principle of equal rights and self-determination shall not be construed as authorizing or encouraging any action which would dismember or impair, totally or in part, the territorial integrity or political unity of sovereign and independent States conducting themselves in compliance with the principle of equal rights and self-determination, and thus possessed of a government representing the whole people belonging to the territory without distinction as to race, creed or colour.

Canada believes that indigenous peoples, who otherwise satisfy the criteria generally established by the rules of international law and human rights instruments, have the right to self-determination.

At the United Nations Working Group on Indigenous Peoples, in July 1992, Canada noted its support of the principle of self-determination for indigenous peoples, within the framework of existing states, where there is an inter-relationship between indigenous and non-indigenous jurisdictions that gives indigenous peoples greater levels of autonomy over their own affairs, but that also recognizes the jurisdiction of the State. Canada's understanding of such self-determination is that it would be exercised in a manner which recognizes the inter-relationship between the jurisdiction of the existing State and that of the indigenous community, and where the parameters of jurisdiction are mutually agreed upon.

### **Appendix III**

#### **The Liechtenstein Initiative**

1. The main elements of the suggestions being put forward by Liechtenstein are summarized in the following paragraphs.
2. All communities which possess a distinctive social and territorial identity should be recognized as having the inherent and inalienable right to self-determination; in order to benefit from international procedures to give practical effect to that right their renunciation of resort to violence is an indispensable condition.
3. Self-determination involves the free choice by each community of its political, social, economic and cultural destiny in accordance with the best interests of its members.
4. It is not necessarily, or even primarily, a matter of independence. Self-determination and respect for diversity can take various forms, as may best suited to each community's and each State's particular circumstances. These forms of self-determination should be flexible and graduated, involving different levels of autonomy, taking account of the differing needs of the

different involving different levels of autonomy, taking account of the differing needs of the different communities and the States of which they form part.

5. A certain initial and very basic level of autonomy should be acknowledged for all communities with a sufficient degree of distinctive identity.

6. (a) More advanced levels of autonomy may in time come to be appropriate for communities whose particular circumstances and experience demonstrate their fitness to enjoy them. They would be developed case-by-case, and would progressively involve a degree of decentralization in the internal administration of the State and add to the extent to which the community conducts its own affairs.

(b) But since the grant of autonomy, as well as the more general application of the principle of self-determination, must maintain a proper balance with the territorial integrity of States, these further levels of autonomy should be optional, to be adopted only if the community in question seeks them and the State concerned agrees.

7. A final level of autonomy amounting to independence may be appropriate in certain cases. As with other levels of autonomy beyond the initial basic level, independence will be optional and require the consent of the State concerned. Certain other safeguards will need to be adopted, to ensure that transition to independence takes place in an orderly manner.

8. Assistance in the effective operation of this pattern of flexible and graduated levels of autonomy should be available, through independent procedures. Thus there might be a body with responsibility for ensuring that the underlying policy is effectively implemented, and (if necessary) for regulating any financial aspects of its work.

9. There will probably also need to be an individual charged with an active role in the practical operation of the arrangements for the effective realization of the various levels of autonomy, e.g. by offering assistance if difficulties arise, or by extending help through offers of good offices or mediation.

10. There will, finally, probably be a need to provide for peaceful resolution of any differences which might arise.

11. A practical framework, on the above lines, whereby the right of self-determination might be made more effective and through which communities can give expression to their distinctive qualities, should be established through the United Nations.

#### **Appendix IV**

##### **LIST OF PARTICIPANTS**

###### **UNPO Members:**

###### **Abkhazia**

Government of Abkhazia

Mr G Gumba

Mr F Kapba

Mr S Kotsba

Mr Chirikba

Mr V Kove

**Aboriginals (Australia)**

Committee to Defend Black Rights  
Coalition of Aboriginal Organizations  
Ms H Corbett

**Acheh**

Acheh/Sumatra National Liberation Front (ASNLF)  
Tengku Hasan M di Tiro (President)  
Mr S Rauf

**Assyria**

Assyrian Universal Alliance  
Senator J Nimrod  
Mr S Celik

**Batwa (Rwanda)**

Association for Promotion of Batwa  
Mr C Uwiragiy

**Bougainville**

Provisional Government of Bougainville  
Mr M Forster

**Chittagong Hill Tracts**

Ms K C Roy  
Mr Gautam Chakma (Jana Samhati Samiti)

**Chuvash**

Chuvash National Congress  
Mr A Khuzangai (President)  
Mr A Goriounov

**Crimea**

Crimean Tatar National Movement  
Mr Tutuncu  
Ms Baysu  
Mr O Mutlu

**East Timor**

National Council of Maubere Resistance  
Mr C Pinto  
Dr Z Costa (Chairman of the UDT Regional Committee)

**East Turkestan**

East Turkestan Cultural Association  
Mr E Alptekin  
Mr Enver Hajiev  
Mr Ghomberdajiev

**Greeks in Albania**

Mr M Tzelios

**Iraqi Turkoman**

Iraqi Turkish Culture and Collaboration Association  
Mr Suphi Saatci  
Mr Erdinc Turcan

**Karenni State**

Provisional Government of Karenni  
Dr Cey-Bert R Gyula

**Khalistan**

Council of Khalistan  
Mr Gurmit Singh Aulakh (President)  
Mr Bhupinder Singh  
Dr Paramjit Singh Ajrawat  
Mr Jurdial Singh

**State of Kosova / Albanians in Former Yugoslavia**

Ms E Tahiri (Government of Kosova, Democratic League of Kosova)  
Mr Q Sheji (Democratic League of Kosova, Albanians in Macedonia)

**Kurdistan**

Government of Iraqi Kurdistan Dr L Rashid  
Mr K Fuad Hussein  
Mr Shazad Saib

**Mapuche**

Mapuche Inter-Regional Committee  
Mr R Mariqueo  
Ms R Mariqueo  
Ms R Quiroga

**Mari**

Mari National Congress  
Mr K Sanukov (Chairman)

**Nagaland**

National Socialist Council of Nagaland  
Mr Isak Chishi Swu (Chairman)  
Mr T H Muivah (General Secretary)

**Ogoni**

Movement for the Survival of the Ogoni People  
Mr Ken Saro-Wiwa (President)

**Sanjak**

Muslim National Council of Sanjak (MNCS)  
Mr A Mahmutovic (Deputy of the Assembly of MNCS)  
Ms V Gusinac  
Mr Z Colovic

**Scania**

Stiftelsen Skansk Framtid

Mr G Hansson

**The South Moluccas**

The Republic of the South Moluccas (RMS)

Dr J A Manusama (President)

Ms J Risamenapatty-Akihary

Mr O Matulesy

Dr J Wattilete

Ms F Sarhuwat-Tomas

Dr F Tutuhaturunewa

**Taiwan**

Democratic Progressive Party

Ms Hsiu-Lien Annette Lu (Member of Parliament)

**Tibet**

Government of Tibet in Exile/International Campaign for Tibet

Kasur Lodi Gyari (Special Envoy of H.H. The Dalai Lama/ President of the Campaign for Tibet)

Mr Gyaltzen Gyaltag (Representative of H.H. The Dalai Lama)

Mr Dawa Thondup (Representative of H.H. The Dalai Lama)

**West Papua**

West Papuan People's Front

Mr V Kaisidpo

Mr M L Kafiar

Ms Beacarek-Mamoribo

**Supporting Members:**

**Estonia**

Government of Estonia

Dr L Maell (Vice-Chairman of Estonian National Independence Party)

**Latvia**

Citizen's Congress of Latvian Republic

Mr G Vilcans

**Observers:**

**Australian South Sea Islanders**

Ms N Enares

Ms T Leo

**Brittany**

Brettonne Democratic Union European Free Alliance

Mr K Guyonvare'h

**Burma**

National Coalition Government

Mr P Limbin (Foreign Minister)

**EMIRON**

(Ethnic Minority Rights Organization of Nigeria)  
Mr Ken Saro-Wiwa

**Friesland**

Council of the Frisian Movement  
Mr J Rinzema

**Home Land Mission<sup>1</sup>**

Moluccas

Mr N Souisa  
Mr B S Bernard  
Mr T Bernard

**IHRAAM**

(International Human Rights Association of American Minorities)

Mr S Muhammad (Lost Found Nation of Islam)  
Ms H Abubakr (Lost Found Nation of Islam)  
Mr S M Abubakr (Lost Found Nation of Islam)  
Mr T Eagans (Lost Found Nation of Islam)  
Mr V Mc Davis (National Peoples Democratic Uhuru Movement)  
Mr M Ousainou (National Peoples Democratic Uhuru Movement)

**Inner Mongolia**

Mr Xiheiming  
Mr Hasbaatar

**Jura**

Mouvement Independantiste Jurassien  
Mr M Pascal  
Mr R Cedric

**Kuiu Kwan Thlingit Nation**

Mr R James  
Ms Diana Wynne James

**Lado**

State of Lado  
Mr J B Agami (Head of State)  
Mr D P Mukii (Minister)

**Lakota Nation**

Lakota Nation Sovereignty Organizing Committee  
Mr R Grass

**Mohawk Nation**

Kahnawake Territory  
Okwaoraken (Mr R C LaFrance)

---

<sup>1</sup> Attended the conference without active participation.

**Nigritia**

Ms N S Shabaka (Mr Jurline Woolen)  
Mr M Brooks  
Mr P Shelby  
Ms D Buttler  
Mr C Youngblood

**Ossetia**

South Ossetia:

Mr A R Chochiev  
Mr Z Tskhovrebov

North Ossetian Research Institute of Humanities:

Mr A Chermenovitch  
Mr V M Kaitukov  
Mr Z Tskhovrebov  
Mr A Kasaev

**Rom**

Stichting Europese Zigeuners  
Vereniging ROM  
Mr K Petalo

**Shan**

Shan State Organization (SSO) / Human Rights Foundation (SHRF)  
Mr Khun Kom  
Ms Nang Nawe Kham  
Mr Khun

**Shiites in Irak**

Al-Khoei Foundation  
Mr Y Alkoei

**South Tirol**

Union for Sud Tirol  
Mr A Benedikter

**Tai People**

Tai Studies Center  
Mr T T Baccam  
Mr W Johnson

**Federation of the West-Thrace Turks in Germany**

Mr R Ismail

**Sahrawi Republic (Western Sahara)**

Polisario

Mr Ahmed B Sadapha (Representative for Benelux and the European Community)

**Yakutia**

Government of the Sakha Republic

Mr V M Vlassov (Vice Chairman of the Supreme Soviet) Mr  
V P Artamonov (Minister of Foreign Relations)

Mr A P Illarionov (Counsellor of the President)

12 Oktober Manifest

Mr C N Mercedes Manchego

**Observer Delegations of State Governments:**

|                          |   |
|--------------------------|---|
| <b>Bulgaria</b>          | Dr Stoyan Rankov, Chargé d'affaires,<br>Embassy of Bulgaria   |
| <b>Canada</b>            | Mr L Greene, Political Affairs Officer,<br>Embassy of Canada  |
| <b>Denmark</b>           | Mr A A Jensen, Commercial Counsellor,<br>Embassy of Denmark   |
| <b>Greece</b>            | Mr A Avoustidis, Press Attaché,<br>Embassy of Greece  |
| <b>Hungary</b>           | Mr Imre Ugrai, Counsellor,<br>Embassy of Hungary  |
| <b>Mexico</b>            | Mr Antonio Perez Manzano, Counsellor,<br>Embassy of Mexico  |
| <b>The Netherlands</b>   | Mr Paul Peters<br>Mr Koen Davidse<br>Ms Ali van der Laan<br>Ministry of Foreign Affairs   |
| <b>Republic of Yemen</b> | HE Mohammed Abdo Sindi, Minister Plenipotentiary<br>HE Ahmed Hassan, Minister Plenipotentiary<br>Embassy of the Republic of Yemen |
| <b>Romania</b>           | HE Ion M Anghel, Ambassador<br>Mr Emil Manoiu, Counsellor<br>Embassy of Romania   |
| <b>Sweden</b>            | HE Per Lindstrom, Ambassador,<br>Foreign Ministry of Sweden   |
| <b>United Kingdom</b>    | Mr C E F Newns, Second Secretary, Embassy of the United<br>Kingdom  |

**Special Guests:**

HSH Prince Hans-Adam 11 Von Und Zu Liechtenstein, Head of State of Liechtenstein

HE V P Artamonov, Minister of Foreign Relations of the Sakha Republic

HE J B Agani, Head of State of Lado

Lord Ennals, Member of the British House of Lords, former Minister of Foreign Affairs and  
Defence of the United Kingdom

Mr Koko Petalo, King of the Rom

HE U P Limbin, Foreign Minister of the National Coalition Government of Burma

Ms M Corrigan Maguire, Nobel Peace Laureate 1976, President of The Peace People, Belfast

Dr J A Manusama, President of the Republic of the South Moluccas

Mr S Patijn, Commissioner of The Queen in the Province of Zuid-Holland, The Netherlands



HRH Tengku Hasan di Tiro, President of the Aceh/Sumatra Liberation Front

Mr D Thondup, Representative of HH The Dalai Lama in Paris, representing HE Kalon Tashi Wangdi, Foreign Minister of The Tibet Government in Exile

Dr S Trifunovska, Senior Lecturer Public International Law, Catholic University of Nijmegen

HE V M Vlassov, Vice Chairman of the Supreme Soviet of the Sakha Republic

Mr C V Martini, Deputy Mayor of the City of the Hague

GENERAL ASSEMBLY

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GENERAL  
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August 1991 Item  
18 (1) of the  
agenda

**UNANIMOUSLY REAFFIRMING THE PRINCIPLE OF SELF-  
DETERMINATION**

THE GENERAL ASSEMBLY OF THE UNREPRESENTED NATIONS AND PEOPLES  
ORGANIZATION

Recalling the Charter of the United Nations, the international Human Rights Covenants and other international instruments which state that all peoples have the right of self-determination,

Affirming that the Unrepresented Nations and Peoples Organization is based on the principle of equal rights and self-determination of peoples,

Noting with deep concern that the right to self-determination is being discussed in many international fora at present and that the danger exists that this right could be subject to redefinition in a manner narrowing its original intent,

Therefore,

- 1) Reaffirms that all peoples have the right of self-determination,
- 2) urges the Secretary-General of UNPO and its members to do whatever they can to promote the right of all peoples to self-determination,
- 3) Decides that members of UNPO agree that the right of self-determination, appertaining to all peoples, shall not be limited in any way.

Second General Assembly  
August 5, 1991