

OceaniaHR

A Grassroots NGO Movement
For the Promotion & Protection of
Global Human Rights in the Pacific

OceaniaHR is pleased to participate in the second session of the UN Human Rights Council Working Group on the Universal Periodic Review. It is in this historic session that the human rights situation in Oceania – the liquid continent – is being part of the global dialogue in this new body.

We are pleased to participate and look forward to further creative collaboration to ensure the effective promotion and protection of human rights in the Pacific.

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FRANCE: Focusing Specifically on Indigenous Peoples in the Pacific

Issue: France is one of the birthplaces of human rights inspiring people around the planet to aspire toward the values enshrined in declarations written in Paris in the 19th and 20th century. France also has ratified the core human rights instruments and institutions of the UN. One area of concern is that the special mechanisms of the UN Human Rights Council do not have an open invitation to visit Tahiti and Kanaky. Please provide update on steps taken regarding human rights of indigenous peoples since the first round of the UPR.

Question: Would France be willing to issue a standing open invitation for the UN Special Rapporteur on the Human Rights and Fundamental Freedoms of Indigenous People to visit Tahiti and Kanaky? Also, how does France plan to implement the recently adopted UN Declaration on the Rights of Indigenous Peoples (UN DRIP).

Recommendation: France issue a standing invitation for the UN special rapporteurs to be able to visit Tahiti and Kanaky. Also, that France work with the UN Office of the High Commission for Human Rights to arrange a visit before the June 2009 session of the UN Human Rights Council. Also, France share plans on implementation of the UN DRIP for the people of Tahiti in relation to land rights. France establish a timeline to focus on human rights of indigenous peoples with the second cycle of the UPR including the midterm report in 2014

Issue: The people of Tahiti and Kanaky are very interested in learning more about human rights. There are very little opportunities for the people of Tahiti to learn about their basic rights and fundamental freedoms. If we do not know our rights, we cannot realize our rights.

Question: Would France be willing to work with NGOs in the region to sponsor trainings, seminars and workshops in Oceania to enrich the dialogue of human rights in the Pacific?

Recommendation: France would collaborate with regional governmental and non-governmental organizations to sponsor a training for how NGOs can access the UN Human Rights mechanisms such as the charter and treaty bodies. France would also sponsor a seminar on Human Rights in Oceania to bring together advocates for human rights in the region.

Issue: The indigenous peoples of Oceania are pleased that France has stopped nuclear testing in the Pacific. It is imperative that France fulfill its promises to the Tahitian workers in Moruroa and Fangataufa. One important part of this promise is the releasing of the “fiches de sante” (health records) of the workers so they can continue their treatments to secure the basic right to health.

Question: As a country that believes in the right to health, would France please release the “fiches de sante” to the employees that worked in the nuclear testing sites of Moruroa and Fangataufa?

Recommendation: France release immediately the “fiches de sante” to assist in the full realization of the right to health for the employees at Moruroa and Fangataufa.

Issue: In Kanaky (New Caledonia), the issue of land rights in general and specifically in relation to impact on right to health and environment is an imminent issue. In the past and currently at the Goro Nickel mining project, the pollution from the mining is impacting the indigenous Kanaky living in their historic homeland since time immemorial.

Question: Would France assist the Kanaky to ensure the right of Free, Prior and Informed Consent in the UN DRIP in relation to current and any future mining projects in Kanaky?

Recommendation: France ensure the rule of law and the specific articles dealing with land rights in Kanaky to ensure the protection of the indigenous peoples living on their lands and also to ensure the right to health and a clean environment.

Thank you for your consideration on these important issues in Oceania

