

**MINISTRY**

**COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS**

**REPUBLIC OF SOUTH AFRICA**

**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**QUESTION NUMBER 1057**

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**1057. Mr D Joseph (DA) to ask the Minister of Cooperative Governance and Traditional Affairs:**

(1) Whether the Government held any discussions with the United Nations (UN) about the UN Declaration on Indigenous People; if not, (a) on what grounds did the Government enact the Traditional and Khoi-San Leadership Act, Act 3 of 2019 and (b) is the promulgation of the specified Act in line with the specified UN Declaration; if so,

(2) whether there were any agreements made about indigenous people during the discussions; if not, what is the position in this regard; if so, on what date were the agreements arrived at? NW1167E

**REPLY:**

1. Yes, the South African government participates annually in the United Nations Permanent Forum on Indigenous Issues (UNPFII) through representation by the Departments of Traditional Affairs and International Relations and Cooperation respectively. The implementation of the United Nations Declaration on Indigenous Peoples is a standing agenda item at the UN Permanent Forum which takes place every year. South Africa played a central role in the establishment of the United Nations Permanent Forum on Indigenous Issues (UNPFII) which came into existence on 28 July 2000, and a leading role in the negotiations of the United Nations Declaration on Indigenous Peoples (UNDRIP), a process that took 27 years and that culminated in the adoption of the Declaration in 2007.

The UNDRIP is considered the most comprehensive international instrument on the rights of indigenous peoples. It establishes a universal framework of minimum standards for the survival, dignity, and well-being of indigenous peoples. It further elaborates on existing human rights instruments and clarifies how they apply to the specific situations of indigenous peoples. However, the Declaration is a non-binding text, meaning that the Member States of the United Nations are not obligated to implement the declaration. Nonetheless, South Africa as a democratic State observes, protects, and promotes the rights of all the citizens including the Khoi and San.

1. Yes, South Africa participated in the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples held in 2014, which was attended by the Heads of State and government ministers. The main agreement was for States to take concrete action to achieve the ends of the UN Declaration on the Rights of Indigenous Peoples.

**End**