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**THE SASKATOON STATEMENT ON SELF-DETERMINATION**

Adopted by substantial majority at the Martin Ennals  
Memorial Symposium on Self-Determination

Co-sponsored by the College of Law, University of  
Saskatoon and International Alert

Saskatoon, Saskatchewan, Canada

6 March 1993

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1. All peoples have the right to self-determination under international law. This right is now well established in customary international law, and the principle is recognised in the *Charter* of the United Nations. As well, more than 115 States are legally bound by this norm through their adherence to one or both of the *International Covenants* on human rights. The inclusion in both *Covenants* of the right to self-determination underscores the fact that full implementation of this right also implies the guarantee of all other civil, political, economic, social and cultural rights, in particular the rights to equality and non-discrimination.

2. Self-determination serves at least two primary purposes: ensuring a representative, democratic and participatory framework in which people have the possibility of effective participation in political, social and economic life, and in creating the conditions necessary for a people to protect and develop its identity. Achievement of these purposes is equally important to all individuals - women and men - minorities, and other groups within society.

3. National, ethnic, religious, linguistic, and other minorities are entitled to respect and to have the fullest opportunity to maintain and develop their distinctive characteristics. Minorities lacking adequate resources to do so should be accorded a fair share of public funds, sufficient to enable the preservation of their distinctive characteristics. States should, at a minimum, conform to the principles set forth in the *Declaration on the Rights of*

*Persons Belonging to National or Ethnic, Religious and Linguistic Minorities*, which was adopted by the United Nations General Assembly in December 1992. The legitimate rights of the majority in a State should be exercised in the context of effective participation by members of minorities in the larger society.

4. Peoples may exercise their right to self-determination in a wide variety of forms, responding to their particular circumstances. The right to self-determination may conflict with other rights, and is often reflected in constitutional arrangements such as confederation, federation, autonomy, self-government, devolution, decentralisation, and other mechanisms which are devised by mutual agreement.

5. Recent events have starkly drawn attention to the ways in which the purported exercise, or denial, of a people's right to self-determination can give rise to violations of individual human rights and the rights of minorities, based on intolerant notions of ethnic superiority and exclusivity. Self-determination is not necessarily tied to ethnicity. A heterogeneous, multicultural and multilingual society may reflect its peoples' right to self-determination as effectively as a more homogeneous society would.

6. The formation and re-formation of states may be one outcome of the exercise of the right to self-determination but it is not a necessary or even usual consequence of fulfilment of a people's right to self-determination. There are some circumstances in which the international community has recognised the right of peoples to form or re-form a State. Without purporting to exhaust the instances in which such rights have been so recognised, they include:

- \* situations of colonisation;
- \* situations in which the government of a State is unrepresentative of its peoples by virtue of the fact that it excludes a distinct group from equal participation in political life;
- \* cases of the occupation or domination of the population of a State as a whole by foreign forces; and
- \* by agreement of the peoples of the State concerned.

7. There is not yet widespread agreement on all of the conditions which would give rise to a right to secession under the international law. However, it should be emphasised that international law does not prohibit secession or dissolution of a State. In addition, a people may possess a right to self-determination which should be respected, even if the exercise of that right does not include secession in their particular circumstances at that time.

8. In this International Year of Indigenous Peoples, it is especially appropriate to recognise and reaffirm the right of indigenous peoples to self-determination as provided by international law. By virtue of this right, they should be free to determine their political status and freely pursue their economic, social and cultural development. Many indigenous peoples have been systematically excluded from the formation of, and participation in, the States which now surround them.

9. In addition, it is essential that indigenous peoples have the possibility of effective, direct access to international forums, including those which are considering the definition of their rights. Indigenous peoples should be recognised as active and effective participants in international bodies which consider matters of direct concern to them. Governmental and non-governmental bodies must become more aware of the unique situation of indigenous peoples and their extreme vulnerability to ecological degradation, exploitation and gross violations of human and peoples' rights.

10. Additional legal and political attention needs to be given to elaborating the substantive content of, and procedural mechanisms for, achieving self-determination. Concepts such as sovereignty, statehood, nationalism, territorial integrity and discovery and settlement based on the doctrine of *terra nullius* having evolved in specific historical contexts, have not prevented human rights abuses or wars, and do not respond adequately to the complex and often contradictory requirements of political, economic and technological realities as they exist at the end of the twentieth century. New solutions must be found that go beyond the current, limited domain of international law so as to address the changing nature of State sovereignty and the implications of an increasingly inter-dependent world in which borders are becoming less relevant.

11. The participants in the Symposium considered that it should be followed by:

- \* Similar symposia in other parts of the world to monitor progress in the self-determination of peoples; and
- \* An international conference on the rights of indigenous peoples to self-determination.

12. In its essence, the right of peoples to self-determination is a liberating concept. Therefore, its achievement must be secured in a way that will promote respect for the rights of women and men, minorities and other groups within society. Equally it must contribute to peace and security in the world.