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REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

United Nations voluntary fund for indigenous populationsReport of the Secretary-General

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I. INTRODUCTION

1. The Economic and Social Council, by resolution 1985/38 of 30 May 1985, recommended to the General Assembly for adoption a draft resolution, by which, the Assembly would decide to establish a United Nations voluntary fund for indigenous populations.
2. The present report has been prepared in accordance with the revised policies for establishing and managing trust funds as from 1 January 1982. 1/
3. By its resolution 1982/31 of 10 September 1982, the Sub-Commission on Prevention of Discrimination and Protection of Minorities decided to request the Commission on Human Rights and the Economic and Social Council to establish a fund for the purpose of allowing representatives of indigenous populations to travel to Geneva to participate in the work of the Working Group on Indigenous Populations. The Commission on Human Rights adopted resolution 1983/23 of 4 March 1983, by which it decided, inter alia, to request the Sub-Commission to make more specific proposals regarding the possible establishment of such a fund, including criteria for its administration, as well as appropriate standards for making such a fund available to those who might be considered eligible. The Commission also requested the Secretary-General to provide the Sub-Commission with suggestions as to how such a fund might be administered. Pursuant to the request of the Commission, the Secretary-General submitted relevant information to the Sub-Commission at its thirty-sixth session (E/CN.4/Sub.2/1983/20).
4. At its second session, in 1983, and third session, in 1984, the Working Group on Indigenous Populations examined the question of criteria for the administration of a possible fund and made relevant suggestions to the Sub-Commission at its thirty-seventh session. 2/ By its resolution 1984/35 C, the Sub-Commission recommended that the Commission on Human Rights and the Economic and Social Council should decide to establish a voluntary fund for indigenous populations and submitted criteria for the administration of the proposed fund, contained in operative paragraph 2 of its resolution (see annex).
5. The Economic and Social Council, having considered the recommendations of the Sub-Commission on Prevention of Discrimination and Protection of Minorities and the Commission on Human Rights, adopted resolution 1985/38, by which it recommended to the General Assembly the establishment of a Voluntary Fund for Indigenous Populations (see A/C.3/40/L.32).

II. CRITERIA TO BE APPLIED TO DISBURSEMENTS FROM THE UNITED NATIONS VOLUNTARY FUND FOR INDIGENOUS POPULATIONS

6. As indicated in Economic and Social Council resolution 1985/38, the purpose of the fund is intended to assist representatives of indigenous communities and organizations to participate in the deliberations of the Working Group on Indigenous Populations by providing them with financial assistance, funded by means of voluntary contributions from Governments, non-governmental organizations and other private or public entities.

7. The Economic and Social Council further recommended that the only beneficiaries of assistance from the fund should be representatives of indigenous people's organizations and communities: (a) Who would be so considered by the Board of Trustees; (b) Who would not, in the opinion of the Board, be able to attend the sessions of the Working Group without the assistance provided by the fund; (c) Who would be able to contribute to a deeper knowledge on the part of the Working Group of the problems affecting indigenous populations and who would secure a broad geographical representation. However, it is understood that the administrative costs connected with the operation of the fund, including the travel and subsistence of the Board of Trustees when they are called upon to attend meetings of the Board, shall be borne by the fund.

8. In considering the establishment of a voluntary fund for indigenous populations, the Sub-Commission took into consideration that for lack of funds, indigenous populations from many parts of the world had often not been able to travel to Geneva to participate in the deliberations of the Working Group on Indigenous Populations. During the debate on the subject in the Working Group on Indigenous Populations, the Sub-Commission on Prevention of Discrimination and Protection of Minorities and the Commission on Human Rights, ^{3/} it was hoped that the fund would enable the Working Group to obtain a wide range of opinion within the indigenous populations whose rights and interest it sought to serve, and that organizations concerned with the defence of indigenous populations would be adequately represented on the proposed Board of Trustees of the fund. The Sub-Commission, in its resolution 1984/35 C, expressed the conviction that the establishment of a voluntary fund for indigenous populations would constitute a significant development for the future promotion and protection of the human rights of indigenous populations.

III. SPECIAL TERMS PERTAINING TO THE FUND

9. The United Nations voluntary fund for indigenous populations, if established, would be administered as a trust fund in accordance with the Financial Regulations of the United Nations and the procedures established from time to time by the Secretary-General for the operation, administration and control of trust funds. The Centre for Human Rights would be responsible for its administrative and operational requirements. The Centre would be advised by a Board of Trustees as described in subparagraph (e) of the draft resolution before the General Assembly for adoption.

10. The Economic and Social Council recommends, in this regard, that the Board of Trustees be composed of five persons with relevant experience on issues affecting indigenous populations, who would serve in their personal capacity in advising the Secretary-General in the administration of the fund. While their travel and subsistence needed to attend meetings of the Board will be borne by the fund, no remuneration will be payable to the Trustees. The members of the Board of Trustees would be appointed by the Secretary-General for a three-year term renewable in consultation with the current Chairman of the Sub-Commission; at least one member of the Board would be a representative of a widely-recognized organization of indigenous people.

11. It has been determined that the proposed fund has no financial implications for the regular budget of the United Nations.

Notes

1/ ST/SGB/188.

2/ E/CN.4/Sub.2/1983/22, chap. IV, and E/CN.4/Sub.2/1984/20, chap. IV.

3/ E/CN.4/Sub.2/1984/20; E/CN.4/Sub.2/1984/SR.31, 32 and E/CN.4/1985/SR.35, 36 and Add.1, and 37.

ANNEX

Proposed arrangements for the management of the United Nations
Voluntary Fund for Indigenous Populations

1. The Secretary-General shall apply the following arrangements for the management of the United Nations Voluntary Fund for Indigenous Populations:

I. SOLICITATION AND ACKNOWLEDGEMENT OF PLEDGES AND THE
COLLECTION OF CONTRIBUTIONS

2. The Controller, in consultation with the Under-Secretary-General for Political and General Assembly Affairs and the Assistant Secretary-General for Human Rights and with the advice of the Board of Trustees, shall determine the procedures for soliciting voluntary contributions to the fund.

3. Any prospective donor desiring to make a voluntary contribution to the fund shall submit a written proposal to the Secretary-General; the request for acceptance should contain all relevant information, including the amount of the proposed contribution, the currency and the timing of payments.

4. The proposal, with the comments of the Under-Secretary-General for Political and General Assembly Affairs and the Assistant Secretary-General for Human Rights, shall be forwarded to the Controller for determination that the proposal is acceptable under the Financial Regulations and Rules of the United Nations, including the determination of whether or not any proposed gift or donation might directly or indirectly involve additional financial liability for the Organization. Before acceptance of any gift or donation involving such liability, the Controller shall request and obtain the approval of the General Assembly.

5. The Controller shall acknowledge all pledges and shall determine the bank account or accounts in which contributions to the fund should be deposited; he shall be responsible for collecting contributions and following up on payments on contributions pledged.

6. The Controller may accept contributions in such currencies as he deems usable by the fund or readily convertible into usable currencies.

II. OPERATION AND CONTROL

7. The Controller shall ensure that the operation and control of the fund shall be in accordance with the Financial Regulations and rules of the United Nations; he may delegate responsibility for the operation and administration of the fund to the heads of departments or offices designated by the Secretary-General to execute activities financed by the fund; only officials so designated may authorize the execution of specific activities to be financed by the fund.

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8. In respect of activities conducted by the United Nations, requests for allotments of funds shall be submitted to the Controller by the Assistant Secretary-General for Human Rights accompanied by such supporting information as the Controller may require. After review, allotments to provide for expenditures of the funds received shall be issued by the Director of the Budget Division, and certifying officers for the fund shall be designated by the Controller in accordance with established procedures.

9. The Controller shall be responsible for the reporting of the financial transactions of the fund and shall issue quarterly statements of assets, liabilities and unencumbered fund balance, income and expenditure.

10. The fund shall be subject to audit by both the Internal Audit Service and the Board of Auditors, in accordance with the Financial Regulations and Rules of the United Nations.

III. REPORTING

11. A detailed biennial report showing funds available, pledges and payments received and the expenditure made from the fund shall be prepared by the Controller and submitted, together with a report on the activities undertaken with the resources of the fund prepared by the Assistant Secretary-General for Human Rights, to the General Assembly, and, as appropriate to the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities.
