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REPORT TO THE ECONOMIC AND SOCIAL COUNCIL ON THE
FIFTY-SIXTH SESSION OF THE COMMISSION

Draft report of the Commission

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* Documents E/CN.4/2000/L.10 and addenda will contain the chapters of the report relating to the organization of the session and the various items on the agenda. Resolutions and decisions adopted by the Commission, as well as draft resolutions and decisions for action by, and other matters of concern to, the Economic and Social Council, will be contained in documents E/CN.4/2000/L.11 and addenda.

Chapter XV

Indigenous issues

1. The Commission considered agenda item 15 at its 48th meeting, on 13 April, at its 49th and 50th meetings, on 14 April, and at its 63rd meeting, on 25 April, at its 67th meeting, on 26 April, and at its 68th meeting, on 27 April 2000.
2. For the documents issued under agenda item 15, see annex VI to the present report. For a list of all resolutions and decisions adopted by the Commission and Chairperson's statements, by agenda item, see annex V.
3. At the 48th meeting, on 13 April 2000:
 - (a) The Chairperson-Rapporteur of the open-ended inter-sessional ad hoc working group on a permanent forum for indigenous people in the United Nations system, Mr. Petter Wille, introduced the report of the Working Group (E/CN.4/2000/86);
 - (b) The Chairperson-Rapporteur of the Working Group established in accordance with Commission resolution 1995/32, Mr. Luis-Enrique Chávez, introduced the report of the Working Group (E/CN.4/2000/84);
 - (c) Statements were made by Ms. Victoria Tauli-Corpuz, Chairperson of the Board of Trustees of the United Nations Voluntary Fund for Indigenous Populations, and Mr. Michael Dodson, Chairperson of the Advisory Group of the United Nations Voluntary Fund for the International Decade of the World's Indigenous People.
4. In the general debate on agenda item 15, statements were made by members of the Commission, observers and representatives of non-governmental organizations. For a detailed list of speakers, see annex III to the present report.

Human rights and indigenous affairs

5. At its 63rd meeting, on 25 April 2000, the representative of Guatemala introduced draft resolution E/CN.4/2000/L.63, sponsored by Guatemala and Mexico.
6. At the request of the representative of Guatemala, the Commission decided to postpone consideration of draft resolution E/CN.4/2000/L.63 until its next session.
7. For the text of the decision as adopted, see chapter II, section B, decision 2000/105.

Study on indigenous land rights

8. At its 63rd meeting, on 25 April 2000, the representative of the United Kingdom of Great Britain and Northern Ireland introduced draft decision E/CN.4/2000/L.65, sponsored by the United Kingdom of Great Britain and Northern Ireland. Canada subsequently joined the sponsors.

9. The draft decision was adopted without a vote. For the text as adopted, see chapter II, section B, decision 2000/106.

10. In view of the adoption of decision 2000/106, the Commission took no action on draft decision 6 recommended by the Sub-Commission on the Promotion and Protection of Human Rights for adoption by the Commission (see E/CN.4/2000/2-E/CN.4/Sub.2/2000/54, chap. I).

Working Group on Indigenous Populations of the Sub-Commission on the Promotion and Protection of Human Rights and the International Decade of the World's Indigenous People

11. At its 63rd meeting, on 25 April 2000, the observer for New Zealand introduced draft resolution E/CN.4/2000/L.66, sponsored by Argentina, Australia, Brazil, Canada, Chile, Costa Rica, Cyprus, Denmark, Ecuador, Estonia, Finland, France, Greece, Guatemala, Honduras, Iceland, Ireland, Latvia, Mexico, New Zealand, Nicaragua, Norway, Peru, the Philippines, the Russian Federation, South Africa, Spain, Sweden, Switzerland and the United Kingdom of Great Britain and Northern Ireland. Ukraine subsequently joined the sponsors.

12. The draft resolution was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2000/56.

13. In view of the adoption of resolution 2000/56, the Commission took no action on draft decision 5 recommended by the Sub-Commission on the Promotion and Protection of Human Rights for adoption by the Commission (see E/CN.4/2000/2-E/CN.4/Sub.2/2000/54, chap. I).

Establishment of a permanent forum on indigenous issues

14. At its 63rd meeting, on 25 April 2000, the Observer for Denmark introduced draft resolution E/CN.4/2000/L.68, sponsored by Belgium, Canada, Chile, Cyprus, Denmark, Ecuador, Estonia, Finland, Greece, Guatemala, Honduras, Iceland, Latvia, Lithuania, Mexico, the Netherlands, New Zealand, Norway, Paraguay, Peru, Portugal, Spain, Sweden, Switzerland and Venezuela. Belarus, Bolivia, Costa Rica, South Africa and Ukraine subsequently joined the sponsors.

15. Operative paragraph 1 of the draft resolution was orally revised by the observer for Denmark.

16. Statements in connection with the draft resolution were made by the representatives of Brazil, Canada, Cuba, Guatemala, Indonesia (on behalf of the Group of Asian States), Mexico, Morocco, Nigeria, the United States of America, and the observer for Denmark.

17. In accordance with rule 28 of the rules of procedure of the functional commissions of the Economic and Social Council, the attention of the Commission was drawn to the estimated administrative and programme budget implications of the draft resolution.

18. At the request of the representative of Nigeria, the Chairperson postponed consideration of the draft resolution.

19. At its 67th meeting, on 26 April 2000, the Commission resumed consideration of draft resolution E/CN.4/2000/L.68. At the request of the observer for Denmark, the Chairperson again postponed consideration of the draft resolution.

20. At its 68th meeting, on 27 April 2000, the Commission resumed consideration of draft resolution E/CN.4/2000/L.68.

21. Operative paragraph 1 of the draft resolution was further orally revised by the observer for Denmark. Operative paragraph 8 was also orally revised.

22. The representative of Cuba proposed to amend the draft resolution by inserting a new preambular paragraph after the sixth preambular paragraph. In this connection, the representative of Spain proposed a sub-amendment to the amendment proposed by the representative of Cuba. The representative of Cuba proposed a further sub-amendment to be added at the end of the sub-amendment proposed by the representative of Spain, which would read as follows: "In order to avoid unnecessary overlapping in the respective mandates of the two bodies".

23. Statements in connection with the proposed amendment and sub-amendments were made by the representatives of Brazil, Cuba, Denmark, Guatemala, Nigeria, Portugal and Spain.

24. At the request of the representative of Cuba, a roll-call vote was taken on the sub-amendment proposed by the representative of Cuba.

25. Explanations of vote before the vote on the sub-amendment proposed by the representative of Cuba were made by the representatives of Argentina, Canada, Guatemala and Nigeria.

26. The Commission decided, by 11 votes to 21, with 20 abstentions, to reject the sub-amendment proposed by the representative of Cuba. The voting was as follows:

- In favour: Brazil, Burundi, China, Congo, Cuba, Nigeria, Pakistan, Russian Federation, Sudan, Swaziland, Zambia.
- Against: Argentina, Canada, Chile, Czech Republic, Ecuador, El Salvador, France, Germany, Guatemala, Italy, Japan, Latvia, Luxembourg, Norway, Peru, Poland, Portugal, Romania, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America.
- Abstaining: Bangladesh, Bhutan, Botswana, Colombia, India, Indonesia, Madagascar, Mauritius, Mexico, Morocco, Nepal, Niger, Philippines, Qatar, Republic of Korea, Rwanda, Senegal, Sri Lanka, Tunisia, Venezuela.

27. At the request of the representative of Cuba, a roll-call vote was taken on the sub-amendment proposed by the representative of Spain.

28. Statements in explanation of vote before the vote on the sub-amendment proposed by the representative of Spain were made by the representatives of Cuba and Guatemala.

29. The Commission decided, by 20 votes to 6, with 26 abstentions, to adopt the sub-amendment proposed by the representative of Spain. The voting was as follows:

- In favour: Argentina, Canada, Chile, Czech Republic, El Salvador, France, Germany, Guatemala, Italy, Japan, Latvia, Luxembourg, Mexico, Norway, Peru, Poland, Portugal, Romania, Spain, United Kingdom of Great Britain and Northern Ireland.
- Against: Burundi, China, Cuba, Nigeria, Russian Federation, Swaziland.
- Abstaining: Bangladesh, Bhutan, Botswana, Brazil, Colombia, Congo, Ecuador, India, Indonesia, Madagascar, Mauritius, Morocco, Nepal, Niger, Pakistan, Philippines, Qatar, Republic of Korea, Rwanda, Senegal, Sri Lanka, Sudan, Tunisia, United States of America, Venezuela, Zambia.

30. At the request of the representative of Cuba, two separate votes by a show of hands were taken on operative paragraphs 1 and 8 of draft resolution E/CN.4/2000/L.68, as orally revised.

31. The Commission decided, by 43 votes to none, with 9 abstentions to retain operative paragraph 1, and, by 35 votes to none, with 16 abstentions, to retain operative paragraph 8.

32. The representative of Cuba requested a vote. At the request of the representative of Guatemala, a roll-call vote was taken on the whole draft resolution as orally revised and amended, which was adopted by 43 votes to none, with 9 abstentions. The voting was as follows:

In favour: Argentina, Bangladesh, Bhutan, Botswana, Brazil, Canada, Chile, China, Colombia, Czech Republic, Ecuador, El Salvador, France, Germany, Guatemala, India, Indonesia, Italy, Japan, Latvia, Luxembourg, Mexico, Nepal, Norway, Pakistan, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Rwanda, Senegal, Spain, Sri Lanka, Swaziland, Tunisia, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela, Zambia.

Against: None.

Abstaining: Burundi, Congo, Cuba, Madagascar, Mauritius, Morocco, Niger, Nigeria, Sudan.

33. Statements in explanation of vote after the vote were made by the representatives of Canada, Chile, Cuba, Ecuador, Guatemala, India and the United States of America.

34. For the text of the resolution as adopted, see chapter II, section A, resolution 2000/87.

Working Group of the Commission on Human Rights to elaborate a draft declaration in accordance with paragraph 5 of General Assembly resolution 49/214 of 23 December 1994

35. At its 63rd meeting, on 25 April 2000, the representative of Canada introduced draft resolution E/CN.4/2000/L.71, sponsored by Argentina, Australia, Canada, Chile, Costa Rica, Cyprus, Denmark, Finland, Greece, Guatemala, Mexico, New Zealand, Norway, Peru, Spain, Sweden, Switzerland and the United Kingdom of Great Britain and Northern Ireland. Brazil, Ecuador, Estonia, France, South Africa and the Russian Federation subsequently joined the sponsors.

36. The draft resolution was adopted without a vote. For the text as adopted, see chapter II, section A, resolution 2000/57.
