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ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

Preparation and organization of the International Year
for the World's Indigenous People

Report of the Secretary-General

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I. INTRODUCTION

1. The General Assembly, in its resolution 45/164 of 18 December 1990, proclaimed 1993 as International Year for the World's Indigenous People. The International Year is intended to strengthen international cooperation for the solution of problems faced by indigenous communities in areas such as human rights, the environment, development, education and health. In the resolution, States are invited to ensure that preparations are made for the Year, and the specialized agencies, regional commissions and other organizations in the United Nations system, as well as organizations of indigenous people and other non-governmental organizations are asked to consider the contributions they can make to the Year. The Secretary-General was authorized to accept and administer voluntary contributions for the purpose of funding programme activities for the Year and was requested to submit a draft programme of activities to the General Assembly at its forty-sixth session.

2. In the above-mentioned resolution, the General Assembly requested the Commission on Human Rights to consider at its forty-seventh session possible United Nations activities in connection with the Year. The Commission, in its resolution 1991/57 of 6 March 1991, recommended that the specialized agencies, regional commissions and other organizations of the United Nations system, in their consideration of the contributions that they can make to the success of the International Year, be guided by how (a) their operational activities can most effectively contribute to the solution of problems faced by indigenous peoples and (b) indigenous peoples can play an important role in the planning, implementation and evaluation of projects which may affect them. The Commission encouraged the Secretary-General, in preparing the draft programme of activities, to take into account the ongoing work of the Subcommission on Prevention of Discrimination and Protection of Minorities, as well as the Working Group on Indigenous Populations and to consider specific recommendations for the coordination and implementation of the activities for the Year.

3. The present report is submitted in accordance with General Assembly resolution 45/164 and provides, in section II, a summary of the replies received from Governments, intergovernmental organizations, as well as indigenous people's and interested non-governmental organizations, as at 30 August 1991. Proposed guidelines, as well as a draft programme of activities for the International Year, based upon information received, are contained in section III and in the annex. Section IV contains suggestions about possible coordination and financing of the International Year.

4. On 17 May 1991, notes verbales were sent to Governments and letters to intergovernmental organizations, as well as indigenous and interested non-governmental organizations, requesting information concerning activities being planned in connection with the International Year.

5. As at 30 September 1991, the following Governments had responded to the above-mentioned note verbale: Bangladesh, Brunei Darussalam, Finland and Papua New Guinea.

6. As at 30 September 1991, the following intergovernmental organizations, including organizations in the United Nations system, had responded to the letter dated 17 May 1991: Department of Technical Cooperation for Development of the Secretariat, United Nations Centre against Apartheid, Department for Special Political Questions, Regional Cooperation, Decolonization and Trusteeship of the Secretariat, Economic Commission for Latin America and the Caribbean, Economic and Social Council, International Court of Justice, Food and Agriculture Organization of the United Nations (FAO), International Fund for Agricultural Development (IFAD), World Food Programme (WFP), United Nations Development Programme (UNDP), United Nations Development Fund for Women, Office of the United Nations Disaster Relief Coordinator, United Nations Educational, Scientific and Cultural Organization (UNESCO), Office of the United Nations High Commissioner for Refugees (UNHCR), United Nations Interregional Crime and Justice Research Institute, World Health Organization (WHO), World Tourism Organization, Inter-American Indian Institute and Organization of American States.

7. As at 30 September 1991, the following indigenous people's organizations had responded to the letter dated 17 May 1991: Haudenosaunee, Indian Council of South America and Nordic Sami Council.

8. As at 30 September 1991, the following non-governmental organizations had responded to the above-mentioned letter: Asian Cultural Forum on Development, International Council of Environmental Law, International Fellowship for Reconciliation, Inter-Parliamentary Union, Latin American Association for Human Rights and Servicio Paz y Justicia en America Latina (Serpaj-Al).

II. SUMMARY OF REPLIES RECEIVED

A. Replies from Governments

9. The Government of Bangladesh stated that it planned the following activities: issuance of a commemorative stamp on 1 January 1993; a meeting of indigenous people to be opened by the Prime Minister in March 1993; an exhibition of indigenous people's culture in March-April 1993; special programmes for radio and television during the Year; publication of a special supplement on indigenous peoples in the press in July 1993; a two-day international seminar on indigenous people and development in October 1993; a cultural festival for two days in October 1993; immunization and primary health care programme in July; a two-day cultural festival in July; a governmental review of measures taken and the formulation of a new strategy for adoption in a five-year plan; and an announcement of the national plan by the Prime Minister in December 1993.

10. The Government of Finland referred to an agreement concluded by Canada, Denmark, Finland, Norway, Sweden, the United States of America and the Union of Soviet Socialist Republics at Rovaniemi, Finland, in June 1991. The agreement strengthens environmental cooperation in the Arctic region and has as one of its basic principles the involvement of indigenous peoples. The next inter-ministerial conference on environment in the Arctic will be held in Greenland in 1993, the International Year for the World's Indigenous People.

B. Replies from intergovernmental organizations

11. The intergovernmental organizations, responding to the request for information, made references to their ongoing activities with indigenous people as well as action they proposed to take in connection with the Year.

12. The Economic and Social Council drew attention to the text of decision 2/7 adopted at the Second Preparatory Committee for the United Nations Conference on Environment and Development 1/ entitled "Indigenous people and local communities".

13. FAO provided information about a review of indigenous peoples of the Latin American and Caribbean region carried for the Fourth Government Consultation on Follow-up to the World Conference on Agrarian Reform and Rural Development for Latin America and the Caribbean. The document identifies possible lines of action for programming activities in favour of rural indigenous communities. The Organization also referred to a national workshop held at Lima, Peru, in May 1991, which focused attention on improving the productivity of indigenous communities in the Andean and Amazonian region.

14. WFP stated that it supports several forestry projects in India that predominantly involve tribal groups. A pre-appraisal project is expected to determine appropriate beneficiary selection criteria and the most feasible forms of forestry associations; analyse present land-use practices and the viability of proposed changes in land-use from the perspective of the target group; and define the appropriate arrangements to ensure that species selection, and land, tree-tenure and harvesting rights are compatible with the tribal peoples existing uses and needs for forestry products.

15. IFAD noted that many of its projects were directed towards peasant farmers of indigenous background. The Organization is currently investing in lending programmes for indigenous families in Bolivia, Ecuador, Guatemala, Peru and Mexico and is preparing a regional programme for indigenous peoples in the Amazon basin. Workshops in connection with the Amazonian programme have been held in Venezuela in March 1991, in Bolivia in July 1991, and a reconnaissance mission took place in Brazil in mid-May 1991 to discuss urgent action for the Yanomami people.

16. UNDP referred to its decision 91/12 on the International Year, in which the Administrator was requested to prepare a concrete plan in his report to the Governing Council at its thirty-ninth session (1992). The organization

stated that it had consulted with several indigenous people's groups on the question of poverty, environment and development and is considering funding participation by indigenous peoples at the United Nations Conference on Environment and Development. It also had prepared a draft plan for a small-grants programme under the Global Environment Facility, which specifically envisages support for activities involving indigenous peoples. Specific projects involving indigenous peoples were also being prepared by UNDP in Asia and Latin America. UNDP referred also to a project in cooperation with the Government of Bolivia to review the situation of indigenous peoples in the eastern part of the country, with a view to initiating a programme of land legislation, including protection of territorial rights.

17. The United Nations Development Fund for Women provided a description of its activities in support of indigenous people in Latin America and Africa. UNESCO referred to expert seminars and research that it has carried out, in particular on the concept of ethnodevelopment and on the right to culture. It made reference to its future activities, including an international meeting of experts on the rights of peoples, self-determination and cultural identity to be held in Hungary in September 1991; a programme to promote documentation on human rights and indigenous and tribal peoples; the commemoration of the Five-Hundredth Anniversary of the Encounter between Two Worlds (1492-1992); and a meeting of indigenous peoples of the Americas to be held in Ottawa in November 1991.

18. UNHCR stated that there was a need for a more concerted effort by the United Nations system to address the problems faced by indigenous peoples. Bearing in mind its mandate, UNHCR expressed concern about improving understanding of the causes, conditions and dynamics of the forced migration of indigenous peoples; providing better assistance and protection of indigenous peoples in refugee situations, taking into account their cultures and social organization and consulting with the affected peoples in the planning, design and implementation of operations; identifying ways of strengthening the instruments and modalities through which the international community extends recognition, protection and assistance to indigenous peoples suffering discrimination, persecution, forced assimilation or denial of basic human rights. UNHCR hopes to undertake the following activities in connection with the Year: develop general policy guidelines on protection and assistance of indigenous peoples for issuance to all its field offices; consider special issues or supplements of UNHCR periodicals dealing with the subject of indigenous peoples as refugees; and convene a round-table on the subject of indigenous and minority rights and the international refugee regime.

19. The United Nations Interregional Crime and Justice Research Institute suggested that its research project entitled "Environmental crime, sanctioning strategies and sustainable development" might be of interest to representatives of indigenous people and eventually be a useful tool in trying to protect their homelands from environmental hazards and destruction.

20. WHO stated it had initiated a strategy of intensified technical and economic cooperation with countries and peoples in greatest need. This programme would bring benefits to indigenous and tribal peoples. The World Tourism Organization provided two documents: "Report of Globe 90: an Action Strategy for Sustainable Tourism Development" and "Tourism Bill of Rights and Tourist Code". The former report emphasizes the need to involve local people in tourism planning, while providing a degree of local control; the latter seeks to foster the understanding of tourists of the customs of the host communities. The organization also advocates, in the framework of its technical cooperation activities, the need to limit the numbers of tourists in order to protect the traditions of indigenous peoples.

C. Indigenous people's organizations

21. The Haudenosaunee people suggested that the activities of the Year should reflect coexistence through partnership and consist of a reaffirmation of treaties and freedom of movement within traditional territories; restoration of traditional territories; return and restoration of cultural property; re-establishment of economic activity based on products and institutions developed by indigenous peoples; and application of traditional indigenous values in environmental matters.

22. The Indian Council of South America provided information about activities it planned to organize during 1993. These included arranging a conference of indigenous peoples and a seminar on international law and its applicability for indigenous peoples in different States. The organization also plans to run a series of workshops to elaborate a plan for socio-economic development.

23. The Nordic Sami Council stated that, among other activities, it would continue to take part in the Working Group on Indigenous Populations, develop relations with indigenous peoples in the Arctic region, initiate a history book of indigenous peoples written by the indigenous peoples themselves, and organize an international conference on indigenous subsistence harvesting.

24. The Asian Cultural Forum on Development stated that it would promote exchange visits of indigenous peoples in the Asia-Pacific region and would hold a preparatory meeting in Nepal in November 1991. The organization also plans to hold an Asia-Pacific indigenous peoples forum in the Philippines in March 1992 and to publish a book on indigenous peoples and sustainable development in 1993.

25. The International Council of Environmental Law stated that it worked actively in the Working Group on indigenous peoples and environmental law of the International Union for the Conservation of Nature. The International Fellowship of Reconciliation stated that it planned to hold its quadrennial International Council in Quito, Ecuador, in 1992, and focus on the struggles of indigenous peoples. The Latin American Association for Human Rights referred to the legal advice it provides to help indigenous peoples, especially on land questions. It is also running an educational programme on

human rights which is in part aimed at indigenous peoples and has begun the work of translating the Universal Declaration of Human Rights into various indigenous languages.

26. Servicio Paz y Justicia en America Latina informed that it is its goal to promote peace and justice for indigenous peoples. It is supporting and organizing, with other organizations, the Assembly of God's Peoples, which will be held at Quito, Ecuador, from 6 to 10 July 1992.

27. The draft guidelines, contained below in section III, and programme of activities, contained in the annex, for the International Year are based on the written comments received from Governments, intergovernmental organizations, indigenous people's organizations and non-governmental organizations, as well as Commission on Human Rights resolution 1991/57 and Subcommission on Prevention of Discrimination and Protection of Minorities resolution 1991/33. Suggestions have also been drawn from the two working papers on possible United Nations activities for the International Year submitted by Mr. Eide and Ms. Mbonu (E/CN.4/Sub.2/1990/41 and E/CN.4/Sub.2/1991/39). In addition, and in accordance with Commission on Human Rights resolution 1991/57, note was taken of the ongoing work of the Subcommission on Prevention of Discrimination and Protection of Minorities and the Working Group on Indigenous Populations in preparing the draft programme of activities for the Year and in considering specific recommendations for the coordination and implementation of the draft programme.

III. GUIDELINES FOR THE YEAR

A. International cooperation

28. General Assembly resolution 45/164 calls for international cooperation for the solution of problems faced by indigenous communities in areas such as human rights, the environment, development, education and health. In view of the disadvantaged situation of indigenous people, further cooperation between States and intergovernmental bodies to address these problems and find solutions should be seen as a goal of the Year. Attention may be drawn in particular to the Working Group on Indigenous Populations and its preparation of a draft declaration on the rights of indigenous people. Any future international instrument protecting and promoting the rights of indigenous people will require increased involvement of concerned Governments and a wider participation of indigenous people.

29. It may be noted, in connection with the above-mentioned objective, that the Governing Council of UNDP adopted decision 91/12 and the Executive Board of the United Nations Children's Fund (UNICEF) adopted decision 1991/7 by which these organizations undertake to carry out programmes benefiting indigenous peoples. In the light of these initiatives, other United Nations bodies and the specialized agencies may feel it appropriate to adopt policies that assist directly indigenous people.

B. Participation

30. Commission on Human Rights resolution 1991/57 recommends that the specialized agencies, regional commissions and other organizations of the United Nations system be guided by how indigenous people can play an important role in the planning, implementation and evaluation of projects that may affect them. In the second working paper submitted by Mr. Eide and Ms. Mbonu (E/CN.4/Sub.2/1991/39), the authors suggest that indigenous people's representatives are involved at all stages and at all levels of the planning, implementation and evaluation of the Year. One Government (see para. 10), in its reply, stated that it would involve the indigenous people in environmental strategies being planned in the areas where they live. A number of intergovernmental organizations also stated their intention of consulting with indigenous people in the planning and implementation of operations affecting them. Indigenous people in their communications with the United Nations in connection with the Year have emphasized their strongly felt conviction that all projects affecting them should be carried out after full consultation.

C. Raising of public awareness

31. There is continuing stereotyping of indigenous people and discrimination directed against them, as well as little understanding of their value systems, traditional knowledge, methods of managing resources and of living harmoniously with nature, and of their culture. This lack of understanding of indigenous people by decision makers and opinion-formers, as well as the wider public, is considered by indigenous people themselves to be an obstacle to their full enjoyment of human rights. Intergovernmental organizations, and indigenous people's and non-governmental organizations have stressed the need for activities which can help to bridge the gap in understanding. Suggestions have been made concerning meetings and conferences, and publication and dissemination of information about indigenous people and United Nations action in that regard and other promotional activities.

IV. ARRANGEMENTS FOR COORDINATING AND FINANCING THE YEAR

A. Coordination of the Year

32. As has been the case in several previous international years, it is recommended that the General Assembly designate a coordinator for the Year. In view of the lead taken by the Commission on Human Rights in the promotion and protection of the human rights of indigenous people, it would seem appropriate that the coordinator for the Year be the Under-Secretary-General for Human Rights.

33. Furthermore, and drawing on the experience of other Years, it would be useful to establish a small organizational secretariat within the Centre for Human Rights. The Centre has nearly two decades of experience in the field of

human rights and indigenous people. It is proposed that the secretariat would serve as a preparatory body which would stimulate system-wide the elaboration of a programme of activities for the Year and act as a catalyst for the implementation of a programme once it is authorized by the General Assembly.

34. It is also suggested, in line with a number of the communications received from Governments, intergovernmental organizations and indigenous people's organizations, to consider the practicality of using qualified indigenous people in any organizational units and projects that might be set up at the international, regional and national levels.

B. Financing of the Year

35. The guidelines for international years and anniversaries, adopted by the General Assembly in its decision 35/424 of 5 December 1980, provide that the financing of international years should in principle be based on voluntary contributions. Accordingly, in its resolution 45/164, the General Assembly authorized the Secretary-General to open a special United Nations fund for voluntary contributions from Governments, intergovernmental and non-governmental organizations for the purpose of funding programme activities for the Year. The fund was opened by the Secretary-General in July 1991.

36. In order to ensure funding for the International Year for the World's Indigenous People, the General Assembly will need to take appropriate measures at its present session. In accordance with the practice in some previous Years, it is suggested that a letter of appeal be sent to all Governments, intergovernmental organizations, and indigenous people's and non-governmental organizations requesting contributions to the voluntary fund so that the programme of activities which may be approved by the General Assembly can be carried out.

37. Furthermore, it is suggested that the programme budget of the Centre for Human Rights for the biennium 1992-1993 could receive additional resources to allow for the servicing of the Year by the Centre.

Notes

1/ Official Records of the General Assembly, Forty-sixth Session, Supplement No. 48 (A/46/48), annex I.

ANNEX

Draft programme of activities for the International Year for
the World's Indigenous People

I. ACTIVITIES AT THE INTERNATIONAL LEVEL

A. United Nations observances to set the general tone
for activities under the International Year

(a) A formal opening-day ceremony by the Secretary-General in New York, during the forty-seventh session of the General Assembly;

(b) A formal day of observance during the fiftieth session of the Commission on Human Rights, at Geneva;

(c) Issuance of slogan cancellations by the United Nations Postal Administration, paraphrasing "indigenous people-indigenous rights"/International Year for the World's Indigenous People 1993;

(d) Design of a symbol by an indigenous artist for use in connection with activities during the International Year;

(e) Messages of support by executive heads of United Nations bodies as well as chairpersons of the principal committees.

B. Projects and activities to be undertaken by the Department
of Public Information, in cooperation with the Centre for
Human Rights and indigenous non-governmental organizations

(a) Production in all languages and dissemination of a poster highlighting the global diversity of indigenous people, and of a public service announcement using the same design as the poster for placement in international magazines, as space is donated;

(b) Publication of both the Universal Declaration of Human Rights and the declaration of the rights of indigenous people in local languages;

(c) Production and wide distribution of special programmes in the radio series of the Department of Public Information of the Secretariat, aimed at general and non-indigenous audiences;

(d) Production in all six official languages of an illustrated brochure on the Year, intended for use by United Nations information centres, non-governmental organizations, schools, the media and the general public.

C. Activities of the United Nations system

(a) Increasing coordination, cooperation and technical assistance by United Nations agencies and bodies with indigenous communities for the solution of problems faced by indigenous communities in areas such as human rights, environment, development, education and health. In this connection, it is recommended that United Nations operational agencies set up consultation meetings with indigenous peoples to explore possible new areas of cooperation;

(b) Funding of concrete projects for indigenous communities at the grass-roots level that fully reflect the wishes of indigenous people and that prove to have a direct benefit to the community;

(c) Increasing effectiveness of participation of indigenous people in the United Nations system, particularly in United Nations operational agencies. For this reason, those agencies should envisage ways and means of involving indigenous people in the preparation, implementation and evaluation of projects affecting them;

(d) Increasing publicity, especially to indigenous communities, on the work of the Working Group on Indigenous Populations on the draft declaration, and increasing the distribution of information to indigenous communities. In this regard, it would be useful to prepare a directory of indigenous people's organizations to facilitate communications between United Nations bodies and indigenous people;

(e) Increasing awareness of the existence of ILO Convention No. 169, and promoting its widespread ratification and implementation;

(f) Establishing networks of indigenous organizations and communities for the sharing of information and experience in particular fields, such as health care, bilingual education, resource and environmental management;

(g) Contracting or secondment of indigenous persons and organizations with relevant expertise in carrying out projects for the benefit of indigenous communities elsewhere in the world;

(h) Convening the eleventh session (1993) of the Working Group on Indigenous Peoples in Latin America and the twelfth session (1994) of the Working Group on Indigenous Populations in Asia/Pacific in order to promote wide understanding of the draft declaration of the rights of indigenous peoples;

(i) Promoting an international trade fare of indigenous peoples' products;

(j) Providing technical assistance to Governments wishing to make provisions in their legislation for the protection and promotion of the human rights of indigenous people, in particular on questions of land, environmental protection and strengthening of cultural identity.

II. ACTIVITIES AT THE NATIONAL LEVEL

Member States should be invited, in conformity with their right to determine freely their own development objectives in the light of their particular situations, to consider adopting the following measures to ensure the success of the Year:

(a) Governments could designate a contact person for the Year in the appropriate ministry and establish national committees composed of governmental, indigenous and non-governmental representatives to prepare a national programme of activities;

(b) Governments could raise public awareness through information and education projects. These might include the publication of books, posters, and leaflets by indigenous people; an educational pack about the values, history and aspirations of indigenous people; special programmes on national radio and television; grants and awards for research about indigenous people by indigenous scholars; meetings and conferences;

(c) Governments could promote indigenous initiatives in such areas as radio and television, and model projects on education, health, employment, housing and environment;

(d) Governments could present national reports, prepared in partnership with indigenous peoples, about the situation prevailing in the country and the activities initiated during the International Year.

III. ACTIVITIES AT THE COMMUNITY LEVEL

Indigenous people's organizations and communities are invited to prepare their own programme of activities and provide information to the United Nations, so that it can be included in a consolidated calendar of activities for the Year. The following guidelines could be used:

(a) Indigenous people could establish contact points and committees for the Year;

(b) Indigenous people could prepare a programme of information activities, including publications, exhibitions, educational material, meetings, cultural events and training courses. Support for such activities, in the context of the International Year, could be sought from international organizations, Governments and non-governmental organizations;

(c) Indigenous people could plan demonstration projects in development, environment, health, education or in other areas; support for such activities could be sought from international organizations, Governments and non-governmental organizations.