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of Minorities
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Agenda item 22

DRAFT REPORT OF THE SUB-COMMISSION ON PREVENTION OF
DISCRIMINATION AND PROTECTION OF MINORITIES ON ITS
FORTY-EIGHTH SESSION

Rapporteur: Ms. Lucy Gwanmesia

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* E/CN.4/Sub.2/1996/L.10 and Addenda contain the draft chapters of the report relating to the organization of the session and the various items on the agenda. Resolutions and decisions adopted by the Sub-Commission, as well as draft resolutions and decisions for action by, and other matters of concern to, the Commission on Human Rights, will be contained in documents E/CN.4/Sub.2/1996/L.11 and Addenda.

XV. DISCRIMINATION AGAINST INDIGENOUS PEOPLES

1. The Sub-Commission considered item 14 at its 28th, 29th and 35th meetings, on 26 and 29 August 1996.
2. For the documents issued under this item, see annex ... to the present report.
3. At its 28th meeting, on 26 August 1996, the Chairperson-Rapporteur of the Working Group on Indigenous Populations, Ms. Erica-Irene Daes, introduced the report of the Working Group on its fourteenth session (E/CN.4/Sub.2/1996/21 and Corr.1). As Special Rapporteur on the protection of the heritage of indigenous peoples, Ms. Daes presented her supplementary report (E/CN.4/Sub.2/1996/22).
4. At the same meeting, the Special Rapporteur on treaties, agreements and other constructive arrangements between States and indigenous populations introduced his third progress report (E/CN.4/Sub.2/1996/23).
5. In the general debate on the item, statements 1/ were made by the following members: Mr. Alfonso Martínez (29th), Mr. Bengoa (29th), Ms. Daes (29th), Mr. El-Hajjé (29th), Mr. Guissé (29th), Ms. Mbonu (29th), Ms. Warzazi (29th) and Mr. Weissbrodt (29th).
6. Statements were also made by the observers for Bangladesh (29th), Chile (29th), Peru (29th), the Philippines (29th) and Ukraine (29th). A statement was made by the observer for the International Labour Organization (29th).
7. Statements were also heard by the following non-governmental organizations: American Association of Jurists (29th), Commission of the Churches on International Affairs of the World Council of Churches (29th), International Human Rights Association of American Minorities (29th), International Islamic Federation of Student Organizations (29th), International Organization of Indigenous Resource Development (29th), Latin American Federation of Associations of Relatives of Disappeared Detainees (29th), Liberation (29th), Movement against Racism and for Friendship among Peoples (29th), Saami Council (29th), World Federalist Movement (29th).

Discrimination against indigenous peoples

8. At its 35th meeting, on 29 August 1996, the Sub-Commission considered draft resolution E/CN.4/Sub.2/1996/L.31, sponsored by Mr. Alfonso Martínez, Mr. Boutkevitch, Mr. Chernichenko, Ms. Daes, Mr. Guissé and Mr. Hatano.

9. Ms. Daes orally revised the draft resolution by replacing, in operative paragraphs 11 and 13, the words "indigenous peoples: land and environment" by "indigenous peoples: environment, land and sustainable development".

10. A statement in connection with the draft resolution was made by Ms. Warzazi.

11. The draft resolution, as revised, was adopted without a vote. For the text of the resolution, see chapter II, section A, 1996/...

United Nations Voluntary Fund for Indigenous Populations and Voluntary Fund for the International Decade of the World's Indigenous People

12. At its 35th meeting, on 29 August 1996, the Sub-Commission considered draft resolution E/CN.4/Sub.2/1996/L.32, sponsored by Mr. Alfonso Martínez, Mr. Boutkevitch, Ms. Daes, Mr. Guissé and Mr. Hatano. Mr. Ali Khan, Mr. Fix Zamudio, Ms. Gwanmesia, Ms. Palley and Mr. Weissbrodt subsequently joined the sponsors.

13. Ms. Daes orally proposed to revise the draft resolution as follows:

(a) Delete, in the third preambular paragraph of the English version, after the word "establishing" the words "the advisory group for";

(b) Delete the fourth preambular paragraph.

14. The draft resolution, as revised, was adopted without a vote. For the text of the resolution, see chapter II, section A, 1996/...

International Decade of the World's Indigenous People

15. At its 35th meeting, on 29 August 1996, the Sub-Commission considered draft resolution E/CN.4/Sub.2/1996/L.33, sponsored by Mr. Alfonso Martínez, Mr. Boutkevitch, Mr. Chernichenko, Ms. Daes, Mr. Guissé and Mr. Hatano.

16. Ms. Daes orally revised the draft resolution by placing, in operative paragraph 2, the words "United Nations declaration on the rights of indigenous peoples" in quotation marks.

17. The draft resolution, as revised, was adopted without a vote. For the text of the resolution, see chapter II, section A, 1996/...

Permanent forum in the United Nations for indigenous people

18. At its 35th meeting, on 29 August 1996, the Sub-Commission considered draft resolution E/CN.4/Sub.2/1996/L.34, sponsored by Mr. Alfonso Martínez, Mr. Boutkevitch, Mr. Chernichenko, Ms. Daes, Mr. Guissé and Mr. Hatano.

19. Mr. Alfonso Martínez orally revised the title of the Spanish version by replacing the word "pueblos" by "poblaciones".

20. The draft resolution, as revised, was adopted without a vote. For the text of the resolution, see chapter II, section A, 1996/...

Religious freedom of indigenous peoples

21. At its 35th meeting, on 29 August 1996, the Sub-Commission considered draft resolution E/CN.4/Sub.2/1996/L.39, sponsored by Mr. Alfonso Martínez, Mr. Ali Khan, Mr. Boutkevitch, Ms. Daes, Mr. Diaz Uribe, Mr. El-Hajjé, Mr. Guissé, Mr. Ibarra, Mr. Joinet, Ms. Mbonu, Mr. Mehedi and Mr. Yimer.

22. Ms. Daes orally revised the draft resolution by deleting, at the end of operative paragraph 4, the words "including the region of Big Mountain".

23. The draft resolution, as revised, was adopted without a vote. For the text of the resolution, see chapter II, section A, 1996/...

Protection of the heritage of indigenous people

24. At its 35th meeting, on 29 August 1996, the Sub-Commission considered draft resolution E/CN.4/Sub.2/1996/L.51, sponsored by Mr. Alfonso Martínez, Mr. Bossuyt, Mr. Boutkevitch, Mr. Fix Zamudio, Mr. Guissé, Mr. Ibarra, Mr. Khalil, Ms. Koufa, Ms. Mbonu, Ms. Warzazi, Mr. Yimer, Mr. Yokota and Mr. Zhong Shukong.

25. Ms. Daes orally revised the draft resolution as follows:

(a) Replace, in operative paragraph 7, the words "improving coordination and cooperation" by "how they can contribute to her work";

(b) Insert, in operative paragraph 8, after the words "coordination" the words "between the Working Group and these bodies";

(c) Replace, in operative paragraph 9, the words "improving coordination and cooperation" by "how they can contribute to her work".

26. The draft resolution, as revised, was adopted without a vote. For the text of the resolution, see chapter II, section A, 1996/...

Study on indigenous land rights

27. At its 35th meeting, on 29 August 1996, the Sub-Commission considered draft resolution E/CN.4/Sub.2/1996/L.52, sponsored by Mr. Alfonso Martínez, Mr. Boutkevitch, Mr. Chernichenko, Mr. Fix Zamudio, Mr. Guissé, Mr. Ibarra, Mr. Khalil, Ms. Koufa, Ms. Mbonu, Ms. Warzazi, Mr. Yimer, Mr. Yokota and Mr. Zhong Shukong. Mr. Weissbrodt subsequently joined the sponsors.

28. Ms. Daes orally revised the draft resolution as follows:

(a) Delete, in the first and second preambular paragraphs, after "lands" the word ", territories";

(b) Delete, in operative paragraph 1 (b), after the words "indigenous land rights" the phrase "and the identification of problems in the

implementation of such laws, policies and procedures, with a view to developing recommendations on potential solutions to such problems".

29. Statements in connection with the draft resolution were made by Mr. Alfonso Martínez, Ms. Daes, Ms. Gwanmesia, Mr. Joinet, Mr. Lindgren Alves, Ms. Palley and Mr. Weissbrodt.

30. The draft resolution, as revised, was adopted without a vote. For the text of the resolution, see chapter II, section A, 1996/...

Study on treaties, agreements and other constructive arrangements between States and indigenous populations

31. At its 35th meeting, on 29 August 1996, the Sub-Commission considered draft decision E/CN.4/Sub.2/1996/L.57, sponsored by Mr. Alfonso Martínez, Ms. Daes, Mr. El-Hajjé and Mr. Hatano.

32. The draft decision was adopted without a vote. For the text of the decision, see chapter II, section B, decision 1996/118.
