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COMMISSION ON HUMAN RIGHTS

Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
Fiftieth session
Agenda item 14 (c)

CONCLUDING ITEMS:

ADOPTION OF THE REPORT ON THE FIFTIETH SESSION

Draft report of the Sub-Commission on Prevention of
Discrimination and Protection of Minorities

Rapporteur: Mr. Ioan MAXIM

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* Documents E/CN.4/Sub.2/1998/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 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.2/1998/L.11 and addenda.

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1998/15. Women and the right to land,
property and adequate housing

The Sub-Commission on Prevention of Discrimination and Protection of
Minorities,

Recalling Commission on Human Rights resolution 1998/51 of 17 April 1998 calling for the integration of the human rights of women throughout the United Nations system,

Recalling also Sub-Commission resolutions 1997/19 of 27 August 1997, entitled "Women and the right to adequate housing and to land and property", and 1997/9 of 22 August 1997, entitled "Implementation of the human rights of women and the girl child",

Recalling further the recognition and legal foundations of the right to adequate housing contained in, inter alia, articles 7, 12, 17 and 25, paragraph 1, of the Universal Declaration of Human Rights; article 2, paragraph 2, and article 11, paragraph 1, of the International Covenant on Economic, Social and Cultural Rights; article 2, paragraph 1, and articles 17 and 26 of the International Covenant on Civil and Political Rights; the Optional Protocol to the International Covenant on Civil and Political Rights; article 5 (e) (iii) of the International Convention on the Elimination of All Forms of Racial Discrimination; articles 4 and 27 of the Convention on the Rights of the Child and article 14, paragraph 2 (g) and (h) and article 16 (h) of the Convention on the Elimination of All Forms of Discrimination against Women,

Reaffirming the right to be free from discrimination based on sex and the equal right of men and women to the enjoyment of all civil, cultural, economic, political and social rights as stipulated in, inter alia, the International Bill of Human Rights,

Bearing in mind the Habitat Agenda (A/CONF.165/14), adopted by the United Nations Conference on Human Settlements (Habitat II), and the Platform for Action (A/CONF.177/20) adopted by the Fourth World Conference on Women,

Concerned that as a result of the discrimination faced by women with respect to acquiring and securing land, property and housing, the number of women living in poverty is increasing disproportionately to the number of men and that women's experiences of poverty are particularly severe and prohibit women from escaping the poverty trap,

Recognizing that the existence and perpetuation of gender-biased laws, policies and traditions which deny women credit and loans and keep women from owning and inheriting land, property and housing and which exclude women from fully participating in development processes discriminate against women and create insecure and inadequate housing and living conditions,

Deeply concerned that inadequate and insecure housing and living conditions give rise to serious mental and physical health problems for women and contribute to, cause and are often the result of violence against women,

Stressing that the impact of discrimination and violence against women on women's ability to access and secure land, property and housing is particularly acute for women who are internally displaced as a result of armed conflict situations and development projects,

Concerned that international and regional trade, finance and investment policies often increase gender inequality in terms of access to land, property, housing and other productive resources and undermine women's capacity to gain and retain these resources,

Mindful that women's inequality will not always be remedied by the identical treatment of men and women and that adequate remedies may require that women be treated differently from men based on a consideration of women's specific socio-economic context,

1. Affirms that the discrimination faced by women with respect to acquiring and securing land, property and housing, as well as financing for land, property and housing, constitutes a violation of women's human rights to equality, protection against discrimination and to the equal enjoyment of the right to an adequate standard of living, including adequate housing;

2. Strongly urges Governments to comply fully with all of their international and regional obligations and commitments concerning women's rights to land, property, inheritance, adequate housing, including security of tenure, and an adequate standard of living;

3. Urges Governments to take all necessary measures in order to amend and/or repeal laws and policies pertaining to land, property and housing which deny women security of tenure and equal access and rights to land, property and housing, to encourage the transformation of customs and traditions which deny women security of tenure and equal access and rights to land, property and housing, and to adopt and enforce legislation which protects and promotes women's rights to own, inherit, lease or rent land, property and housing;

4. Encourages Governments, international agencies and non-governmental organizations to provide judges, lawyers, political and other public officials, community leaders and other concerned persons with information and human rights education concerning women's rights to land, property and housing;

5. Recommends that Governments, international financial institutions, local lending agents, housing finance institutions and other credit facilities review their policies and eliminate those which discriminate against women and keep women from securing financial resources necessary to access and secure land, property and housing and, in this regard, that special consideration be given to single women and households headed by women;

6. Calls upon that the international trade, investment and financial institutions, in particular the World Bank, the International Monetary Fund, the World Trade Organization and the Organization for Economic Cooperation and Development, take fully into account the human rights implications for women of their policies;

7. Invites Governments, the United Nations Development Programme, the Office of the United Nations High Commissioner for Human Rights, the Office of the High Commissioner for Refugees, the United Nations Centre for Human Settlements and the United Nations Development Fund for Women to allocate resources for further documentation of the impact of internal displacement as a result of armed conflict situations and development projects on women, particularly with respect to women's access to land, property and housing;

8. Invites the United Nations High Commissioner for Human Rights, in pursuance of her mandate and in coordination with the appropriate United Nations bodies to undertake initiatives that promote women's rights to land, property and to an adequate standard of living, including adequate housing;

9. Invites the Committee on the Elimination of Discrimination against Women to pay special attention to women's rights to land, property and an adequate standard of living, including adequate housing, when examining States parties' reports and to explore the possibility of adopting a general recommendation on this theme as it relates, inter alia, to the provisions of article 14 of the Convention on the Elimination of All Forms of Discrimination against Women, with a view to clarifying the obligations of States parties to the Convention in this respect;

10. Invites to the Committee on Economic, Social and Cultural Rights to undertake a thorough discussion of the critical issue of the relationship between women's rights to land and property and the International Covenant on Economic, Social and Cultural Rights and to include the results of this discussion in its general comment on women.

29th meeting

21 August 1998

[Adopted without a vote. See chap. VII.]

1998/16. Traditional practices affecting the health of women and the girl child

The Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Recalling its resolution 1997/8 of 22 August 1997,

Affirming that female genital mutilation is a cultural practice which profoundly affects the physical and mental health of the girl child and of the women who are its victims,

Recalling that the Universal Declaration of Human Rights, in its article 5, and the International Covenant on Civil and Political Rights, in its article 7, proclaim that no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment,

Taking note with appreciation of the second report on the situation regarding the elimination of traditional practices affecting the health of women and the girl child by the Special Rapporteur, Ms. Halima Embarek Warzazi (E/CN.4/Sub.2/1998/11), the poor response to her inquiries as well as the lack of appropriate resources to effectively carry out her mandate to follow up and monitor developments,

Sharing the Special Rapporteur's deep concern for the situation in many countries where harmful traditional practices prevail,

Regretting the inadequate response from Governments in respect of the Plan of Action adopted by the Sub-Commission (E/CN.4/Sub.2/1994/10/Add.1 and Corr.1),

Emphasizing the centrality of the Plan of Action to the eradication of harmful traditional practices and the relevance of the conclusions reached at the regional seminars held in Burkina Faso (E/CN.4/Sub.2/1991/48) and Sri Lanka in 1994 (E/CN.4/Sub.2/1994/10/Add.1 and Corr.1),

Recalling the leading role taken by the Sub-Commission on the issue of harmful traditional practices by its resolution 1983/1 of 31 August 1983 which began the process of drawing world attention to the problems raised by some traditional practices affecting the health of women and the girl child at a time when the subject was considered taboo and barely treated seriously within the public domain,

Noting the report of the meeting of special rapporteurs/representatives, experts and chairpersons of working groups of the special procedures of the Commission on Human Rights and of the advisory services programme (E/CN.4/1999/3, annex) which, inter alia, highlights the need for enhanced cooperation on the part of all actors to ensure dissemination of the recommendations of the special rapporteurs to a wider audience, especially within other departments and agencies of the United Nations, and to assist in encouraging States to implement the recommendations fully,

Expressing its satisfaction for the progress realized in certain countries in the elimination of harmful traditional practices such as female genital mutilation and encourages the Governments concerned to sustain their efforts in this field,

Noting with satisfaction General Assembly resolution 52/99 of 12 December 1997 in which the Assembly decided to invite the Commission on Human Rights to address the issue at its fifty-fourth session and to request the Secretary-General to report to the General Assembly at its fifty-third session on the implementation of the resolution,

1. Appeals to all States concerned to intensify efforts to develop awareness of and mobilize national public opinion concerning the harmful effects of the practice of female genital mutilation, in particular through education, information and training, in order to achieve its total elimination;

2. Appeals to the international community to provide material, technical and financial support to the non-governmental organizations and groups working with dedication to achieve the total elimination of this cultural practice which is harmful to girl children and women;

3. Commends the intergovernmental organizations concerned for the important contribution they are making to the efforts to eliminate harmful

traditional practices and invites them to continue their activities aimed at supporting and strengthening the efforts being made by national and local organizations engaged in this struggle;

4. Calls upon all States to give their full attention to the implementation of the Plan of Action and requests the Secretary-General to invite them to submit to the Sub-Commission regular information on the situation regarding traditional practices in their country;

5. Recommends that the mandate of the Special Rapporteur be extended to ensure the completion of her task as called for in its resolution 1996/19 of 19 August 1996 and at the same time to enable her to follow up recent developments at all levels, including the General Assembly;

6. Recommends that adequate administrative services be provided to ensure that the work required of the Special Rapporteur can take place with a reasonable chance for success;

7. Recommends that the High Commissioner for Human Rights recognize that the issue of traditional practices is a matter for both research and programme activities;

8. Recommends that appropriate resources be made available to allow the Special Rapporteur to adequately follow up progress relating to the implementation of the Plan of Action on the elimination of traditional practices affecting the health of women and children;

9. Requests the Special Rapporteur to submit her report on the follow-up to the implementation of the Plan of Action to the Sub-Commission at its fifty-first session;

10. Decides to continue its consideration of this question at its fifty-first session under the same agenda item;

11. Recommends the following draft decision to the Commission on Human Rights for adoption:

"The Commission on Human Rights, taking note of Sub-Commission on Prevention of Discrimination and Protection of Minorities resolution 1998/16 of 21 August 1998, approves the recommendation of the Sub-Commission that the mandate of Ms. Halima Embarek Warzazi as Special Rapporteur on traditional practices affecting the health of women and the girl child be extended to ensure the completion of her task as called for in Sub-Commission resolution 1996/19 of 19 August 1996. The Commission also approves the recommendation that adequate administrative

services be provided to the Special Rapporteur, as well as appropriate resources to allow her to follow up progress relating to the implementation of the Plan of Action on the elimination of traditional practices affecting the health of women and children."

29th meeting
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[Adopted without a vote. See chap. VI.]

1998/17. Situation of women in Afghanistan

The Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Guided by the spirit of the Charter of the United Nations, the Universal Declaration of Human Rights and the International Covenants on Human Rights and bearing particularly in mind article 13, paragraphs 1 and 2, of the Universal Declaration of Human Rights and article 12, paragraphs 1, 2 and 3, of the International Covenant on Civil and Political Rights which guarantee that everyone shall have the right to complete freedom of movement within the territory in which he/she is a lawful resident, and that everyone shall be free to leave any country, including his/her own,

Mindful of the provisions of the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Political Rights of Women,

Noting the recommendation contained in article 3, paragraph 3, of the World Declaration on Education for All, which states that the most urgent priority is to ensure access to, and improve the quality of, education for girls, and of article 28, paragraph 1, of the Convention on the Rights of the Child, which stipulates that States shall recognize the right of all children to education and to have, on the basis of equal opportunity, universal access to primary education,

Deeply concerned at the situation of the female population of Kabul and the other parts of Afghanistan controlled by the Taliban,

Dismayed by the Taliban's claim that Islam supports their policies concerning women,

Fully aware that the Cairo Declaration on Human Rights in Islam, adopted by the Organization of the Islamic Conference in 1990, guarantees the rights of women in all fields,

Aware that the Special Rapporteur on the situation of human rights in Afghanistan, in his report to the Commission on Human Rights at its fifty-fourth session (E/CN.4/1998/71), dealt with the general situation in the country, including briefly with the situation of women, but concerned that the Commission has not given the required attention to human rights in relation to women and girls, as requested in the Beijing Declaration and Platform for Action (A/CONF.177/20),

1. Takes note of the numerous reports dealing with the unprecedented and extremely difficult situation of women in Kabul and the other parts of Afghanistan controlled by the Taliban, in particular widows who cannot support themselves because they are not permitted to work or to benefit from humanitarian assistance, which is given only to men;

2. Expresses its deep concern at the continuous suffering of Afghan women under the prohibitions placed upon them by the Taliban, which include confinement to the home and other restrictions on their freedom of movement, as well as denial of the right to work, denial of education and limitations on their access to medical care;

3. Considers that the current policies of the Taliban as regards the female population of the territories under their control constitute a flagrant violation of the principles of Islam and international law;

4. Calls upon Muslim religious leaders and scholars to give special attention to the plight of women in Afghanistan with a view to bringing the policies and practices of the Taliban into line with the true spirit of Islam and human rights law;

5. Appeals to all States not to encourage the Taliban by extending diplomatic recognition to them, and appeals to commercial enterprises to refrain from entering into financial agreements with the regime until the Taliban ends its discriminatory treatment of women;

6. Requests the Secretary-General to provide the Sub-Commission with all relevant information on this question that is available within the United Nations system;

7. Decides to continue consideration of this question at its fifty-first session under the same agenda item.

29th meeting

21 August 1998

[Adopted without a vote. See chap. VII.]

1998/18. Systematic rape, sexual slavery and slavery-like practices during armed conflict, including internal armed conflict

The Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Recalling its resolution 1993/24 of 25 August 1993 and decision 1994/109 of 19 August 1994, establishing the mandate and the framework for the study on systematic rape, sexual slavery and slavery-like practices during armed conflict, including internal armed conflict, as well as Commission on Human Rights decision 1994/103 of 4 March 1994,

Taking note in particular of its decision 1997/114 of 27 August 1997, in which the Sub-Commission appointed Ms. Gay J. McDougall as Special Rapporteur and asked her to complete the study and to submit it at the Sub-Commission's fiftieth session,

Welcoming the provisions of the Rome Statute of the International Criminal Court, adopted on 17 July 1998 at the United Nations Conference of Plenipotentiaries, which specifically recognize that sexual violence and sexual slavery committed in the context of either an internal or an international armed conflict may constitute crimes against humanity and war crimes falling within the jurisdiction of the Court,

Encouraged that the Rome Statute of the International Criminal Court also devotes useful attention to the protection and rehabilitation of victims of sexual violence, along with significant protections for the collection of evidence and the testimony of witnesses in cases involving gender-related violence and sexual slavery,

Welcoming with great interest the final report of the Special Rapporteur on systematic rape, sexual slavery and slavery-like practices during armed conflict, including internal armed conflict (E/CN.4/Sub.2/1998/13),

1. Expresses its appreciation to the Special Rapporteur for having completed this study in a timely fashion and at a crucial point in the development of international criminal law;

2. Endorses the accepted view that regardless of whether sexual violence in armed conflict occurs on an apparently sporadic basis or as part of a comprehensive plan to attack and terrorize a targeted population, all acts of sexual violence, in particular during armed conflicts and including all acts of rape and sexual slavery, must be condemned and prosecuted;

3. Reiterates the study's conclusion that the existing international legal frameworks of humanitarian law, human rights law and criminal law clearly prohibit and criminalize sexual violence and sexual slavery in all circumstances;

4. Strongly endorses the Special Rapporteur's call for national and international responses to the increasing occurrence during armed conflicts, including internal armed conflicts, of acts of sexual violence and sexual slavery;

5. Calls upon all States to enact and enforce legislation incorporating relevant international criminal law into their municipal legal systems to allow for the effective prosecution in municipal courts of all acts of sexual violence committed during armed conflict;

6. Also calls upon all States to consider enacting legislation as required by the Geneva Conventions of 12 August 1949 to provide jurisdiction in their municipal courts for serious international crimes committed in other States, thereby increasing the potential venues in which acts of sexual violence may be prosecuted;

7. Affirms at the same time that all States must ensure that their legal systems at all levels conform to their international obligations and are capable of adjudicating international crimes and administering justice without gender bias;

8. Recognizes the need to support and strengthen the ability of the International Criminal Court to prosecute all cases of sexual violence committed during armed conflicts as human rights and humanitarian law violations;

9. Reiterates that States must respect their international obligations to prosecute perpetrators and compensate all victims of human rights and humanitarian law violations;

10. Welcomes the recommendation of the final report that it would be useful for the United Nations to organize an expert meeting in 1999 to adopt guidelines for the effective prosecution of international crimes of sexual violence at both national and international levels, with the participation of United Nations organs dealing with human rights, specialized agencies, members of the established international tribunals, a diverse group of legal practitioners representing the world's judicial systems, and relevant governmental and non-governmental experts and organizations;

11. Requests the Secretary-General to transmit the final report of the Special Rapporteur to Governments, competent bodies of the United Nations, specialized agencies, regional intergovernmental organizations, the International Tribunal for Rwanda and the International Criminal Tribunal for the former Yugoslavia, and to the Assembly of States Parties of the International Criminal Court;

12. Recommends that the final report of the Special Rapporteur be published by the United Nations in all the official languages and widely distributed by the Office of the United Nations High Commissioner for Human Rights;

13. Requests that the Special Rapporteur's mandate be extended for another year and that Ms. McDougall, as Special Rapporteur, present an update on recent developments with respect to her mandate at the fifty-first session of the Sub-Commission under the agenda item entitled "Contemporary forms of slavery";

14. Recommends the following draft decision to the Commission on Human Rights for adoption:

"The Commission on Human Rights, taking note of Sub-Commission on Prevention of Discrimination and Protection of Minorities resolution 1998/18 of 21 August 1998, approves the decision of the Sub-Commission to extend the mandate of Ms. Gay J. McDougall, as Special Rapporteur on systematic rape, sexual slavery and slavery-like practices during armed conflict, including internal armed conflict, for another year to present an update on developments with respect to her mandate at the fifty-first session of the Sub-Commission. The Commission recommends to the Economic and Social Council that the final report of the Special Rapporteur (E/CN.4/Sub.2/1998/13) be published in the official languages of the United Nations and widely disseminated. The Commission recommends to the Secretary-General that the final report be transmitted to Governments, competent bodies of the United Nations, specialized agencies, regional intergovernmental organizations, the established international tribunals and to the Assembly of States Parties of the International Criminal Court."

29th meeting

21 August 1998

[Adopted without a vote. See chap. VIII.]

1998/19. Report of the Working Group on Contemporary Forms of Slavery
The Sub-Commission on Prevention of Discrimination and Protection of
Minorities,

Taking note of the report of the Working Group on Contemporary Forms of Slavery on its twenty-third session (E/CN.4/Sub.2/1998/14) and in particular the recommendations contained in chapter VI,

Deeply concerned at the information it contains relating to the exploitation of domestic and migrant workers, slave and child labour, the sexual exploitation of children and the exploitation of the prostitution of others, and the illegal activities of certain religious and other sects,

Noting that the status of ratification of the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery of 1956 and the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others of 1949 is still unsatisfactory,

Considering the necessity of promoting the implementation of international norms and standards on trafficking in persons and exploitation of the prostitution of others, and of creating a mechanism for the implementation of the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others,

Acknowledging that the Internet can be a valuable medium of communication, and noting that article 19 of the Universal Declaration of Human Rights identifies the right to freedom of expression as a fundamental human right and that all recommendations must be implemented to protect this right,

1. Expresses its appreciation to the Working Group on Contemporary Forms of Slavery for its valuable work and in particular for its continued attention to the problems submitted to it;

2. Recommends once again that the General Assembly express its solidarity with the victims of contemporary forms of slavery by proclaiming 2 December as the international day for the abolition of slavery in all its forms.

I. TRAFFIC IN PERSONS AND EXPLOITATION OF THE PROSTITUTION OF OTHERS

3. Urges States to address the factors contributing to the traffic in persons and the exploitation of the prostitution of others;

4. Encourages States to enact and revise national laws to ensure adequate protection and assistance to victims and survivors of trafficking and the exploitation of prostitution, to develop and enforce laws and law enforcement strategies that depenalize these victims while penalizing those who exploit them, to provide for a system of civil compensation from their exploiters and to promote the reintegration of the victims and survivors of trafficking and related practices of sexual exploitation through the provision of shelter, counselling, medical care, legal services, education, job training and employment;

5. Also encourages States to review, amend and enforce existing laws, or to enact new laws on trafficking, the exploitation of prostitution, forced labour and slavery-like practices to ensure that prosecution and punishment are appropriate to the seriousness of the crime;

6. Urges States to strengthen the monitoring, prosecution and punishment of police and government officials who are responsible for complicity in trafficking and the exploitation of prostitution, as well as to adopt policies for active monitoring, prosecution and punishment of such activities;

7. Once again invites States to formulate training manuals for law enforcement and medical personnel and judicial officers who handle cases of gender-based violence, taking into account current research and materials on traumatic stress and gender-sensitive counselling techniques, with a view to sensitizing them to the needs of the victims;

8. Encourages States to facilitate, through financial support and other means, the efforts of non-governmental organizations in their work in this field;

9. Also encourages States to collaborate with non-governmental organizations which have expertise in the field to develop national plans of action in accordance with the 1996 Programme of Action for the Prevention of the Traffic in Persons and the Exploitation of the Prostitution of Others (E/CN.4/Sub.2/1995/28/Add.1), to ensure the coordination of laws and implementing agencies relevant to the prevention of trafficking and the exploitation of prostitution and the empowerment of their victims and survivors, and to transmit such plans of action to the Working Group on Contemporary Forms of Slavery for its consideration;

10. Invites the Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child to elaborate general recommendations to clarify State reporting procedures with regard to the traffic in persons and related practices of sexual exploitation;

11. Decides to follow closely the work being done on the proposed optional protocol to the Convention on the Elimination of All Forms of Discrimination against Women and the proposed optional protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography;

12. Invites States, United Nations bodies, specialized agencies and intergovernmental, regional and non-governmental organizations to provide information to the Working Group at its twenty-fourth session on aspects of trafficking and the exploitation of the prostitution of others, as well as the measures taken or necessary to implement the 1996 Programme of Action;

13. Expresses its appreciation to the Special Rapporteur on the sale of children, child prostitution and child pornography for her role in making the sexual exploitation of children a matter of national and international concern and priority;

14. Invites the Special Rapporteur on the sale of children, child prostitution and child pornography to continue to address, within her mandate, the problem of trafficking and related practices of exploitation and to recommend specific measures to strengthen the regime against the traffic in persons and the exploitation of the prostitution of others;

15. Invites the Special Rapporteur on violence against women to follow up her investigation on the traffic in women and girls and related sexual exploitation as reflected in her report to the Commission on Human Rights at its fifty-third session (E/CN.4/1998/54 and Add.1) and to conduct studies and engage in a consultative process with Governments, non-governmental organizations and other interested persons on issues such as: (a) an assessment of the global sex industry and measures to identify and penalize the perpetrators of the global sex trade; (b) the legal status of prostitution and the decriminalization of the victims of trafficking and the exploitation of prostitution; (c) international standards regarding the prevention of trafficking and related practices of sexual exploitation and the protection of

its victims; (d) the rights of victims and survivors of trafficking and the exploitation of prostitution, including the right to compensation from their exploiters; and (e) the responsibility of the customer in creating a demand for trafficking and the exploitation of the prostitution of others;

16. Decides that the Working Group on Contemporary Forms of Slavery should examine during its twenty-fourth session, in 1999, as a matter of priority and with the active participation of non-governmental organizations, the issue of the traffic in persons and the exploitation of the prostitution of others;

17. Invites the Special Rapporteur on violence against women and the Special Rapporteur on the sale of children, child prostitution and child pornography to make their contribution to the debate on the traffic in persons and the exploitation of the prostitution of others;

18. Encourages all interested States, United Nations bodies, specialized agencies, international, regional and non-governmental organizations and interested persons to participate actively in the debate;

19. Welcomes the initiative of non-governmental organizations to organize, without financial implications for the United Nations, a seminar on the issue of the traffic in persons and the exploitation of the prostitution of others, to take place immediately prior to the debate on the issue during the twenty-fourth session of the Working Group, in 1999.

II. PREVENTION OF THE TRANS-BORDER TRAFFIC IN WOMEN AND GIRLS FOR SEXUAL EXPLOITATION

20. Declares that trans-border trafficking of women and girls for sexual exploitation is a contemporary form of slavery and constitutes a serious violation of human rights;

21. Recommends that States take immediately effective measures to suppress the trans-border traffic of women and girls for sexual exploitation by rigorously applying relevant provisions of applicable treaties and conventions, customary international law and national legislation;

22. Urges States to review and amend existing laws, or to enact new laws to arrest, prosecute and punish the perpetrators of the trans-border traffic of women and girls for sexual exploitation;

23. Requests States to take appropriate legislative, administrative and judicial measures to extend full protection to the victims of trans-border trafficking of women and girls for sexual exploitation, regardless of their

nationality, national origin, citizenship, or their legal status as aliens through measures such as depenalizing the victims and providing them with adequate shelter, food, clothing, medical care, counselling, legal services, education, job training and employment;

24. Also requests States to cooperate, bilaterally and multilaterally, to monitor and combat effectively trans-border trafficking of women and girls for sexual exploitation;

25. Recommends that the Special Rapporteur on the sale of children, child prostitution and child pornography and the Special Rapporteur on violence against women address, within their respective mandates, the problem of the trans-border traffic of women and girls for sexual exploitation and make recommendations to prevent and eradicate this problem;

26. Calls upon States, United Nations bodies, specialized agencies and international, regional and non-governmental organizations to cooperate in monitoring the problem of the trans-border traffic in women and girls for sexual exploitation and in identifying areas for immediate action, particularly with regard to the protection and empowerment of its victims.

III. THE ROLE OF CORRUPTION IN THE PERPETUATION OF SLAVERY AND SLAVERY-LIKE PRACTICES

27. Urges all States to take adequate steps to monitor and enforce laws, particularly as they relate to slavery, slavery-like practices and corruption, including trafficking in women and children;

28. Urges States to examine and analyse the causes and the consequences of corruption and to take steps to eradicate the root causes;

29. Encourages existing international arrangements which aim to improve the training and professionalism of law enforcement personnel as well as their respect for human rights;

30. Decides to consider further and in depth the extent and severity of corruption and the relationship of corruption to slavery and slavery-like practices.

IV. MISUSE OF THE INTERNET FOR THE PURPOSE OF SEXUAL EXPLOITATION

31. Recommends that Governments, as a matter of priority, review, amend and enforce existing laws, or enact new laws to prevent the misuse of the Internet for trafficking, prostitution and the sexual exploitation of women and children;

32. Recommends that Governments and non-governmental organizations undertake further investigation of the misuse of the Internet for the purpose of promoting and/or carrying out trafficking, prostitution and the sexual exploitation of women and children;

33. Urges Governments to act more forcefully to eliminate the traffic in persons, the exploitation of the prostitution of others and sexual exploitation on the Internet;

34. Recommends that Governments and non-governmental organizations develop and implement educational programmes and policies and laws addressing the use of the Internet for the purpose of engaging in sexual exploitation;

35. Recommends that Governments investigate and use as evidence of crimes and acts of discrimination advertising, correspondence and other communications over the Internet to promote sex trafficking, the exploitation of prostitution, sex tourism, bride trafficking and rape;

36. Calls for new levels of cooperation among Governments and national and regional law enforcement bodies in order to combat the escalating trafficking and prostitution of women and children, the globalization of this industry, and the misuse of the Internet to promote and carry out acts of sex trafficking, sex tourism, sexual violence and sexual exploitation.

V. IMPLEMENTATION OF THE CONVENTIONS ON SLAVERY

37. Recognizes the particular problem raised by the implementation of the provisions of these instruments for both States parties and the United Nations human rights mechanisms, as well as the limited progress made so far;

38. Calls upon Governments to recognize and accept national non-governmental organizations as privileged partners in cooperation for the purpose of identifying solutions aimed at eradicating all forms of slavery and slavery-like practices.

VI. CHILD DOMESTIC WORKERS

39. Expresses its appreciation to the International Labour Organization for hosting the non-governmental round-table discussion on "Invisible child labour: girls and domestic workers" during the 1998 International Labour Conference;

40. Urges States, while attempting ultimately to eliminate the phenomenon of child domestic labour, to adopt and enforce measures and regulations to protect child domestic workers and to ensure that their labour is not exploited;

41. Recommends that the International Labour Organization continue to focus on the issue of child domestic workers and that the subject of child domestic work be more explicitly addressed in the future convention on intolerable forms of child labour;

42. Also recommends that the International Labour Organization establish additional country programmes within its International Programme on the Elimination of Child Labour;

43. Expresses its deep appreciation to the Governments which have generously contributed to the International Programme on the Elimination of Child Labour and calls upon all Governments to make additional contributions to the Programme.

VII. CHILD LABOUR - A GENDER PERSPECTIVE

44. Welcomes the proposal for new international labour standards on intolerable forms of child labour;

45. Urges the International Labour Organization, when defining intolerable forms of child labour as part of the new labour standards it is preparing, to consider the situation of girls doing domestic work;

46. Calls upon States to eliminate all discrimination against girls in education, skills development and training;

47. Requests States to enforce laws and regulations which ensure that no girl of primary-school age is employed as a domestic;

48. Invites the international community to cooperate in developing viable alternatives to child labour, in particular for young girls.

VIII. DEBT BONDAGE AND BONDED LABOUR

49. Notes with satisfaction that some countries have taken action to end debt bondage, the rehabilitation programmes of the Government of India and the special investigative team authorized by the Government of Brazil being good examples;

50. Urges States to enact specific legislation to define the offence of debt bondage and to provide for the punishment of those responsible and for the rehabilitation of the victims;

51. Urges States to support rehabilitation of the victims of debt bondage through economic, social and educational programmes;

52. Recommends that the countries in which debt bondage occurs be invited to attend the Working Group on Contemporary Forms of Slavery in order to facilitate dialogue and the consideration of best practice;

53. Invites the International Labour Organization, the World Bank, the International Monetary Fund, the World Trade Organization and other international bodies to consider debt bondage when they establish their policies;

54. Recommends that Governments cooperate with trade unions and employers' organizations at the national level to address the problem of bonded labour and that trade unions and employers' organizations at the local, national and international levels utilize the existing structures of the International Labour Organization dealing with violations of the relevant conventions concerning forced labour, and encourages concerned non-governmental organizations to strengthen their activities for disseminating information and advising trade unions in this regard;

55. Invites international bodies to investigate the role of micro-credit as a mechanism for the eradication of debt bondage;

56. Expresses its deep appreciation to the States and non-governmental organizations which have developed and generously contributed to programmes supporting the economic and social rehabilitation of bonded labourers.

IX. PROGRAMME OF ACTION FOR THE PREVENTION OF THE SALE OF CHILDREN,
CHILD PROSTITUTION AND CHILD PORNOGRAPHY

57. Expresses its concern at the persistence and growth of the sale of children, child prostitution and child pornography, and its belief that these phenomena must be combated;

58. Requests the Secretary-General to invite all States to inform the Working Group on Contemporary Forms of Slavery of measures adopted to implement the Programme of Action for the Prevention of the Sale of Children, Child Prostitution and Child Pornography and to report thereon to the Commission on Human Rights at its fifty-sixth session and to the Sub-Commission on Prevention of Discrimination and Protection of Minorities at its fifty-second session.

X. MISCELLANEOUS

59. Requests the Secretary-General to seek the views and suggestions of member States and of intergovernmental and non-governmental organizations on proposals for future action of the Working Group on Contemporary Forms of Slavery with a view to their replies being considered at forthcoming sessions of the Working Group;

60. Appeals to all Governments to send observers to the meetings of the Working Group;

61. Encourages youth organizations and young persons from various non-governmental organizations to participate in the meetings of the Working Group;

62. Recommends that the Human Rights Committee, the Committee on Economic, Social and Cultural Rights, the Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child, when examining the periodic reports of States parties, give particular attention to the implementation of, respectively, articles 8 and 24 of the International Covenant on Civil and Political Rights, articles 10, 12 and 13 of the International Covenant on Economic, Social and Cultural Rights, article 6 of the Convention on the Elimination of All Forms of Discrimination against Women and articles 32, 34 and 36 of the Convention on the Rights of the Child, and include in their guidelines an item concerning contemporary forms of slavery;

63. Recommends that the supervisory bodies of the International Labour Organization and the Committee on Conventions and Recommendations of the United Nations Educational, Scientific and Cultural Organization give particular attention in their work to the implementation of provisions and standards designed to ensure protection of children and other persons exposed to contemporary forms of slavery, such as the sale of children, child prostitution and child pornography, the exploitation of child labour, bonded labour and the traffic in persons;

64. Requests the Secretary-General to transmit to the committees mentioned above, the special rapporteurs concerned and the Working Group on Enforced or Involuntary Disappearances the recommendations of relevance to them and the report of the Working Group on Contemporary Forms of Slavery;

65. Welcomes the adoption by the Commission on Human Rights of resolution 1996/61 of 23 April 1996, in which the Commission requested

the Secretary-General to give effect to his decision to reassign to the Working Group a Professional staff member of the Office of the United Nations High Commissioner for Human Rights, as was the case in the past, to work on a permanent basis to ensure continuity and close coordination within and outside the Office on issues relating to contemporary forms of slavery;

66. Again requests the Secretary-General to designate the Office of the United Nations High Commissioner for Human Rights as the focal point for the coordination of activities and the dissemination of information within the United Nations system on the suppression of contemporary forms of slavery;

67. Recalls that the Economic and Social Council, in its resolution 1993/48 of 28 July 1993, approved the endorsement by the Commission on Human Rights of the recommendation made by the Sub-Commission on Prevention of Discrimination and Protection of Minorities, in its resolution 1992/2 of 14 August 1992, that the arrangements regarding the organization of the sessions of the Working Group, as contained in Commission decision 1992/115 of 3 March 1992, be repeated in subsequent years;

68. Decides to make provision in its agenda for adequate discussion near the commencement of each session of the reports of the Working Group, thereby strengthening its involvement in the activities of the Working Group.

29th meeting

21 August 1998

[Adopted without a vote. See chap. VIII.]

1998/20. United Nations Voluntary Trust Fund on Contemporary Forms of Slavery

The Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Recalling General Assembly resolution 46/122 of 17 December 1991 by which it established the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery to assist representatives of non-governmental organizations to participate in the deliberations of the Working Group on Contemporary Forms of Slavery by providing them with financial assistance and to extend, through established channels of assistance, humanitarian, legal and financial aid to individuals whose human rights have been severely violated as a result of contemporary forms of slavery,

Recalling also the close relationship between the mandate and activities of the Working Group and those of the Board of Trustees of the Trust Fund and the necessary cooperation between them,

Welcoming Commission on Human Rights resolution 1997/20 of 11 April 1997 requesting the Secretary-General to transmit to Governments an appeal for contributions to the Fund,

Concerned at the insufficiency of contributions to the Fund, which prevents it from effectively fulfilling its mandate,

1. Notes with satisfaction the participation of the representatives of non-governmental organizations financed by the Fund and their valuable contribution to the work of the Working Group on Contemporary Forms of Slavery at its twenty-third session;

2. Expresses its appreciation for the contributions made by donors;

3. Encourages the activities of those non-governmental organizations financed by the Fund;

4. Expresses its support for the work of the members of the Board of Trustees of the Fund, in particular their fund-raising activities;

5. Urges all Governments, non-governmental organizations, other private and public entities, and individuals to contribute annually to the Fund in order to enable the Fund to fulfil its mandate effectively;

6. Encourages all donors who have pledged a contribution to the Fund to contribute as soon as possible;

7. Emphasizes the need for contributions to the Fund on a regular basis and, if possible, before the end of the current year, in order to enable the Board of Trustees to recommend grants to assist representatives of organizations to participate in the deliberations of the Working Group on Contemporary Forms of Slavery at its twenty-fourth session, and to finance projects of humanitarian assistance by non-governmental organizations in the field;

8. Invites the members of the Board of Trustees of the Fund in a position to do so to participate at the twenty-fourth session of the Working Group;

9. Decides to continue to examine the situation and the activities of the Trust Fund at its fifty-first session.

29th meeting

21 August 1998

[Adopted without a vote. See chap. VIII.]

1998/21. Study on indigenous land rights

The Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Acknowledging that indigenous peoples in many countries have been deprived of their human rights and fundamental freedoms and that many of the human rights problems faced by indigenous peoples are linked to the historical and continuing deprivation of ancestral rights over lands, territories and resources,

Recognizing the profound spiritual, cultural, social and economic relationship that indigenous people have to their total environment and the urgent need to respect and recognize the rights of indigenous people to their lands, territories and resources,

Acknowledging that lack of secure land rights, in addition to continued instability of State land tenure systems and impediments to efforts for the promotion and protection of indigenous communities and the environment, are imperilling the survival of indigenous peoples,

Recognizing that United Nations organs and Member States have increasingly acknowledged that lands and natural resources are essential to the economic and cultural survival of indigenous peoples, and that some States have enacted legal measures that uphold indigenous land rights or have established procedures for arriving at legally binding agreements on indigenous land-related issues,

Mindful of the development of relevant international standards and programmes which promote and affirm the rights of indigenous peoples to their lands and resources, in particular, the Indigenous and Tribal Peoples Convention, 1989 (No. 169) of the International Labour Organization, Agenda 21 adopted by the United Nations Conference on Environment and Development, World Bank Operational Directive 4.20, the draft Inter-American declaration on the rights of indigenous peoples developed by the Inter-American Commission

on Human Rights of the Organization of American States, and the draft United Nations declaration on the rights of indigenous peoples,

Recognizing that despite these international and national advances, problems continue to abound which impede the effective enjoyment of indigenous land rights,

Recalling that many States in which indigenous peoples live have yet to enact laws or policies regarding indigenous land claims or in other instances have not provided adequate implementing mechanisms concerning indigenous land rights that are mutually acceptable to the parties concerned,

Noting the important working paper prepared by Mrs. Erica-Irene Daes (E/CN.4/Sub.2/1997/17 and Corr.1), which was considered by the forty-ninth session of the Sub-Commission,

Recalling its resolution 1996/38 of 29 August 1996 in which it recommended to the Commission on Human Rights the appointment of Mrs. Daes as Special Rapporteur to conduct a comprehensive study on indigenous land rights,

Recalling also decision 1997/114 of 11 April 1997 of the Commission on Human Rights and decision 1997/289 of 22 July 1997 of the Economic and Social Council, by which Mrs. Daes was appointed as Special Rapporteur with the mandate to prepare two working papers on indigenous peoples and their relationship to land with a view to suggesting practical measures to address ongoing problems in this regard,

Having heard the comprehensive and important introductory statement of the Special Rapporteur on indigenous peoples and their relationship to land,

Having considered the comprehensive progress report on the working paper on indigenous peoples and their relationship to land submitted by the Special Rapporteur (E/CN.4/Sub.2/1998/15),

1. Expresses its deep appreciation and thanks to the Special Rapporteur for her introductory statement and her progress report on the working paper on indigenous peoples and their relationship to land;

2. Requests the Secretary-General to transmit as soon as possible the progress report on the working paper on indigenous people and their relationship to land, together with the preliminary working paper on the same topic (E/CN.4/Sub.2/1997/17 and Corr.1), to Governments, indigenous peoples and intergovernmental and non-governmental organizations for their comments, data and suggestions;

3. Requests the Special Rapporteur to prepare her final working paper on the basis of the comments and information received from Governments, indigenous peoples and others and to submit it to the Working Group on Indigenous Populations at its seventeenth session and to the Sub-Commission at its fifty-first session;

4. Recommends the following draft decision to the Commission on Human Rights for adoption:

"The Commission on Human Rights, noting Sub-Commission on Prevention of Discrimination and Protection of Minorities resolution 1998/21 of 21 August 1998, approves the Sub-Commission's requests to the Secretary-General to transmit as soon as possible the progress report on the working paper on indigenous people and their relationship to land (E/CN.4/Sub.2/1998/15), together with the preliminary working paper on the same topic (E/CN.4/Sub.2/1997/17 and Corr.1), to Governments, indigenous peoples and intergovernmental and non-governmental organizations for their comments, data and suggestions, and to provide the Special Rapporteur with all the assistance necessary to enable her to complete her final working paper in accordance with Commission decision 1997/114 of 11 April 1997 and Economic and Social Council decision 1997/289 of 22 July 1997."

29th meeting

21 August 1998

[Adopted without a vote. See chap. IX.]

1998/22. International Decade of the World's Indigenous People
The Sub-Commission on Prevention of Discrimination and Protection of
Minorities,

Bearing in mind that one of the purposes of the United Nations, as set forth in the Charter, is the achievement of international cooperation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Recalling General Assembly resolution 48/163 of 21 December 1993, in which the Assembly proclaimed the International Decade of the World's Indigenous People,

Recalling also that the goal of the Decade is the strengthening of international cooperation for the solution of problems faced by indigenous peoples in such areas as human rights, the environment, development, education and health,

Recalling further General Assembly resolution 50/157 of 21 December 1995, in which the Assembly adopted the comprehensive programme of activities for the International Decade of the World's Indigenous People,

Recalling the requests by the General Assembly, in its resolutions 50/157 and 52/108 of 12 December 1997, to assess the objectives of the Decade by quantifiable outcomes that will improve the lives of indigenous peoples and to evaluate the objectives halfway through the Decade and at its end,

Having considered the report of the Working Group on Indigenous Populations on its sixteenth session (E/CN.4/Sub.2/1998/16),

1. Welcomes the observance of the International Day of the World's Indigenous People on 9 August;
2. Recommends that the celebration of the International Day of the World's Indigenous People be held on the first day of the seventeenth session of the Working Group on Indigenous Populations in order to ensure as great a participation of indigenous people as possible;
3. Welcomes the decision by the General Assembly in its resolution 52/108 of 12 December 1997 to appoint the United Nations High Commissioner for Human Rights as Coordinator for the International Decade of the World's Indigenous People;
4. Recommends that the Coordinator for the Decade consider holding a special fund-raising meeting with interested permanent missions and the members of the Advisory Group to encourage financial contributions to the Voluntary Fund for the Decade and the United Nations Voluntary Fund for Indigenous Populations, as well as the appointment of qualified staff, including indigenous persons, to assist with the work of the Office of the High Commissioner for Human Rights relating to the indigenous programme;
5. Urges Governments and intergovernmental and non-governmental organizations to contribute to the Voluntary Fund for the Decade established by the Secretary-General, and invites indigenous organizations to do likewise;
6. Also recommends that attention continue to be given to improving the extent of the participation of indigenous peoples in planning and implementing the activities of the Decade;

7. Further recommends that in accordance with General Assembly resolution 50/157 of 21 December 1995, the draft United Nations declaration on the rights of indigenous peoples be adopted as early as possible during the International Decade;

8. Welcomes Commission on Human Rights resolution 1998/20 of 9 April 1998 in which the Commission decided to establish an open-ended inter-sessional ad hoc working group on the permanent forum for indigenous peoples in the United Nations system;

9. Recommends that the permanent forum be established as soon as possible in the course of the Decade with functions that do not duplicate those already conferred on the Working Group on Indigenous Populations, financed through the regular budget of the United Nations and securing full participation of all interested indigenous peoples,

10. Congratulates the Advisory Group for the Voluntary Fund for the Decade for the work it accomplished, for its initiatives and for the transparency of its working methods and decisions;

11. Expresses its appreciation to the Government of Spain for hosting the Workshop of Indigenous Journalists in January 1998;

12. Encourages the High Commissioner for Human Rights to consider organizing a follow-up workshop to put into practice the recommendations arising from the Madrid Workshop;

13. Recommends that the Commission on Human Rights request the Economic and Social Council to authorize the Office of the High Commissioner for Human Rights to organize a three-day technical meeting immediately prior to the seventeenth session of the Working Group on Indigenous Populations in order to undertake the mid-point review of the Decade;

14. Emphasizes the importance of ensuring the largest possible indigenous participation at the technical meeting;

15. Recommends the following draft decision to the Commission on Human Rights for adoption:

"The Commission on Human Rights, taking note of resolution 1998/22 of 21 August 1998 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, endorses the recommendation of the Sub-Commission that the Economic and Social Council authorize the Office of the High Commissioner for Human Rights to organize a three-day

technical meeting immediately prior to the seventeenth session of the Working Group on Indigenous Populations in order to undertake a mid-point review of the International Decade of the World's Indigenous People."

29th meeting
21 August 1998

[Adopted without a vote. See chap. IX.]

1998/23. Working Group on Indigenous Populations

The Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Bearing in mind that one of the purposes of the United Nations, as set forth in the Charter, is the achievement of international cooperation in solving international problems of an economic, social, cultural or humanitarian character, and in promoting and encouraging respect for human rights and fundamental freedoms for all without discrimination as to race, sex, language or religion,

Reaffirming the urgent need to recognize, promote and protect more effectively the human rights and fundamental freedoms of indigenous peoples,

Recalling Economic and Social Council resolution 1982/34 of 7 May 1982, in which the Council authorized the Sub-Commission to establish annually a working group on indigenous populations,

Taking note with appreciation of the report of the Working Group on its sixteenth session (E/CN.4/Sub.2/1998/16) and, in particular, of its conclusions and recommendations,

Recalling Commission on Human Rights resolution 1993/30 of 5 March 1993, in which the Commission recommended to all thematic rapporteurs, special representatives, independent experts and working groups to pay special attention, within the framework of their mandates, to the situation of indigenous people,

Welcoming the decision of the Working Group on Indigenous Populations to highlight the specific theme of "Indigenous peoples - education and language" during its sixteenth session and the fruitful discussions on this theme and on indigenous peoples' health, standard-setting exercises, the permanent forum for indigenous peoples and the International Decade of the World's Indigenous People,

Mindful of the relevant recommendations adopted by the World Conference on Human Rights, in particular those contained in Part I, paragraph 20, and Part II, paragraphs 28 to 32, of the Vienna Declaration and Programme of Action (A/CONF.157/23),

1. Expresses its deep appreciation to the Working Group on Indigenous Populations and in particular to its Chairperson-Rapporteur, Ms. Erica-Irene A. Daes, for the important and constructive work accomplished during its sixteenth session;

2. Requests the Secretary-General to transmit the report of the Working Group on its sixteenth session to the United Nations High Commissioner for Human Rights, indigenous organizations, Governments and intergovernmental and non-governmental organizations concerned, as well as to all thematic rapporteurs, special representatives, independent experts and working groups;

3. Requests that the report of the Working Group be made available to the Commission on Human Rights at its fifty-fifth session;

4. Recommends that the Working Group cooperate as a body of experts in any conceptual clarifications or analysis, which might assist the working group established by the Commission on Human Rights in its resolution 1995/32 of 3 March 1995 to elaborate further the draft United Nations declaration on the rights of indigenous peoples;

5. Welcomes the invitation from the Director-General of the United Nations Educational, Scientific and Cultural Organization offering to host the seventeenth session of the Working Group on Indigenous Populations at the organization's headquarters in Paris;

6. Endorses the decision taken by the Working Group, in view of the concerns expressed by a number of indigenous organizations, not to take a final decision on the invitation until it receives information at its seventeenth session on the results of the consultations with their communities on this issue;

7. Recommends that the Working Group on Indigenous Populations, at its seventeenth session adopt as the principal theme "indigenous peoples and their relationship to land";

8. Takes note of the Working Group's decision to request Mr. Miguel Alfonso Martínez to submit to its eighteenth session a preliminary working paper on possible principles and guidelines for private sector energy and mining concerns that may affect indigenous lands, in the light of the opinions

expressed on this issue during the debates at its fifteenth and sixteenth sessions and those that may be expressed during the seventeenth session;

9. Requests the Commission on Human Rights to invite Governments, intergovernmental organizations and indigenous and non-governmental organizations to provide information and data, in particular on the principal theme, to the Working Group at its seventeenth session;

10. Requests the High Commissioner to encourage studies with respect to the rights to food and adequate nutrition of indigenous peoples as they relate to their access to land, cultural heritage and health and, as appropriate, to call for an international workshop on the theme with the participation of Government, United Nations bodies, programmes and organizations, indigenous and non-governmental organizations and independent experts with a view to evaluating the present access to adequate food and the nutritional status of indigenous peoples and contributing to practical measures to improve the situation;

11. Requests the Chairperson-Rapporteur of the Working Group to inform the Board of Trustees of the United Nations Voluntary Fund for Indigenous Populations that the Working Group at its seventeenth session will highlight the principal theme of "indigenous peoples and their relationship to land", so that the Board can bear this in mind when it meets for its twelfth session;

12. Requests the Secretary-General to prepare an annotated agenda for the seventeenth session of the Working Group;

13. Requests the Commission on Human Rights to request the Economic and Social Council to authorize the Working Group to meet for five working days prior to the fifty-first session of the Sub-Commission;

14. Recommends to the Commission on Human Rights the following draft decision for adoption:

"The Commission on Human Rights, taking note of resolution 1997/23 of 21 August 1997 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities endorses the request of the Sub-Commission to recommend that the Economic and Social Council authorize the Working Group on Indigenous Populations to meet for five working days prior to the fifty-first session of the Sub-Commission."

29th meeting
21 August 1998

[Adopted without a vote. See chap. IX.]
