



General Assembly

Seventy-fourth session

Official Records

Distr.: General
6 February 2020

Original: English

Third Committee

Summary record of the 16th meeting

Held at Headquarters, New York, on Friday, 11 October 2019, at 3 p.m.

Chair: Mr. Braun..... (Luxembourg)

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The meeting was called to order at 3 p.m.

Agenda item 67: Rights of indigenous peoples

- (a) **Rights of indigenous peoples (A/74/149)**
- (b) **Follow-up to the outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples**

1. **Ms. Tauli-Corpuz** (Special Rapporteur on the rights of indigenous peoples) said that her current report to the General Assembly (A/74/149) reviewed existing legal and other arrangements and procedures that reflected or were conducive to the recognition and implementation of indigenous peoples' right to autonomy or self-government, the aim being to identify positive elements as well as limitations and challenges and to provide recommendations for the achievement of fundamental collective rights.

2. Recognition of the right of indigenous peoples to self-determination had, in her view, had a positive and transformative influence on international law. Moreover, its adequate implementation at the national level called for changes in the governance of States that produced constructive results in terms of respect for human rights, the elimination of racism, discrimination and inequality, promotion of more democratic and inclusive societies, and enhancement of States' legitimacy. Implementation of the right of indigenous peoples to self-determination also afforded redress for past and ongoing human rights violations and laid the foundation for reconciliation.

3. The report examined a variety of scenarios throughout the world, including countries that failed to recognize indigenous peoples, States with historic and contemporary treaty relations with indigenous peoples, indigenous peoples living in voluntary isolation, nation-building processes based on plurinationality, and instances of recognition of certain aspects of the right to autonomy or self-government. The report concluded that existing arrangements in most States had not resulted in full compliance with the rights of indigenous peoples, who could generally only exercise what might be termed "fragmented self-determination". Adequate enjoyment of the rights to self-determination, autonomy and self-government called for full recognition of the rights of indigenous peoples to their lands, territories and natural resources, maintenance and development of their own governing institutions, and enjoyment of the ways and means to finance their autonomous functions.

4. Fulfilment of the right of indigenous peoples to self-determination called for the establishment of an intercultural dialogue that took into account indigenous

peoples' own concepts of autonomy or self-government. Adequate attention should be given to their interpretation of such rights with a view to developing and adopting measures for their implementation. A fruitful dialogue required a change in States' approach to indigenous claims, which should be viewed as justice and human rights issues which, if adequately resolved, would result in benefits for the country as a whole. Portrayal of the fulfilment of indigenous peoples' rights as entailing costs estranged them from the State and promoted the notion that they were requesting unwarranted privileges. The United Nations Declaration on the Rights of Indigenous Peoples provided the best basis for an intercultural dialogue based on a spirit of partnership and reciprocal cooperation.

5. Her report to the forty-second session of the Human Rights Council (A/HRC/42/37) analysed indigenous peoples' access to justice, both through ordinary judicial systems and indigenous judicial mechanisms, and examined interaction between systems, harmonization and the opportunities offered by legal pluralism. In the absence of accessible State courts or other legal mechanisms to protect their rights, indigenous peoples were vulnerable to actions that threatened their land, natural resources, culture, sacred sites and livelihoods. Furthermore, recognition of indigenous peoples' own justice systems was essential in order to guarantee their right to maintain their autonomy, customs and traditions. States, the United Nations and other stakeholders should support indigenous peoples' efforts to secure recognition of their justice systems in line with Sustainable Development Goal 16 concerning access to justice for all.

6. She had undertaken official country visits to Ecuador in November 2018 and to Timor-Leste in April 2019, and would undertake a visit to the Republic of the Congo the following week. Although she had been invited to visit Denmark, Greenland, Namibia and Vanuatu, she would only be able to undertake one more official country visit prior to the expiry of her mandate.

7. She reiterated the importance of engaging in international dialogue and policy forums related to achievement of the Paris Agreement under the United Nations Framework Convention on Climate Change and the 2030 Agenda for Sustainable Development.

8. **Mr. Bentley** (United States of America), noting that the Special Rapporteur, in her report to the General Assembly, recommended that Member States enshrine indigenous peoples' right to self-government in their national legal systems, including in their constitutions, said that his country's treaties, court decisions and federal statutes underpinned the Federal Government's

recognition of the 573 tribes that had a Government-to-Government relationship with the United States. While the tribes were regarded as having inherent rights to self-government, they nonetheless remained entitled to receive federal benefits, services and protection from the Department of the Interior's Bureau of Indian Affairs, either directly or through contracts, grants or compacts. The Bureau worked with tribal governments on a wide variety of issues, including law enforcement and justice, tribal governance, child welfare, health, education, economic development, disaster relief and natural resource management.

9. The Special Rapporteur also recommended the establishment of formal mechanisms for dialogue between Member States and indigenous peoples. United States Executive Order 13175 required all federal agencies to consult regularly with tribes in developing federal policies that had tribal implications.

10. The Special Rapporteur suggested that many Member States subordinated the decision-making power of indigenous authorities to State bodies and decision-making processes, and that they had inadequate processes for recognition and registration of indigenous governing institutions. Given that indigenous peoples resided within States, he wished to know how State authorities could square their own decision-making processes with proper recognition of such institutions.

11. **Mr. Elizondo Belden** (Mexico) said that the Mexican Government appreciated the Special Rapporteur's visit to Mexico and her participation in the international seminar on the right to autonomy and self-government as a manifestation of the right to self-determination of indigenous peoples. The seminar had been organized by the National Institute of Indigenous Peoples in collaboration with the Inter-American Commission on Human Rights, the Permanent Forum on Indigenous Issues, the Expert Mechanism on the Rights of Indigenous Peoples, the International Work Group for Indigenous Affairs (IWGIA), the Tebtebba Foundation and the Office of the United Nations High Commissioner for Human Rights (OHCHR).

12. The Mexican Government was committed to promoting the rights of indigenous peoples and to engaging in a constructive dialogue aimed at guiding its national action and promoting the implementation of new measures in support of indigenous peoples' rights.

13. **Ms. Wacker** (Observer for the European Union) said that the European Union was fully committed to supporting indigenous mechanisms and to engaging proactively on the basis of a range of policies, in particular the Human Rights Guidelines on Non-Discrimination adopted by European Union

Foreign Ministers in March 2019 and the Council of the European Union Conclusions on Indigenous Peoples adopted in May 2017. The European Union had confirmed in those documents its commitment to the United Nations Declaration on the Rights of Indigenous Peoples, giving priority to the fight against discrimination and inequality based on indigenous origin or identity, and to action to address violence against indigenous peoples and individuals and human rights defenders in the context of protection of the environment, biodiversity and the climate.

14. **Mr. Molina Linares** (Guatemala) said that his country had invariably respected and supported the strengthening of United Nations mechanisms aimed at promoting the rights of indigenous peoples. It greatly appreciated the action taken by the Special Rapporteur, which helped States to develop the tools required to align domestic legislation with their international obligations, thereby strengthening the legal framework for indigenous peoples. Guatemala took note of the analysis contained in her report, especially in the section on treaties, agreements and other constructive arrangements.

15. **Ms. Iileka** (Namibia) said that the pervasive loss of land and resources by indigenous groups in Namibia during the eras of colonialism and apartheid had not been overcome. As a result, access to land and security of tenure remained a challenge for most indigenous people. The Government had taken steps to address the challenge, for instance by convening the Second National Land Conference in 2018 and establishing a Presidential Commission to investigate claims concerning ancestral land rights and restitution.

16. She would appreciate hearing the Special Rapporteur's views on how a common understanding and consensus on the definition of ancestral land rights and restitution could be established, as well as on possible unintended consequences of ancestral land claims and restitution and appropriate mitigation measures.

17. Her Government was willing to host a visit by the next Special Rapporteur.

18. **Ms. Mackenzie** (Canada) said that internationally recognized rights provided the foundation for relations between States and indigenous peoples. Such rights must, however, be reflected in constitutional provisions, laws, policies and practices in order to succeed.

19. As noted in the Special Rapporteur's report, approaches to building workable self-government arrangements varied from State to State and from issue to issue. The results of her country's negotiations on

self-government agreements with indigenous representatives had proved encouraging to date, and Canada continued to learn from the best practices of other countries. Approaches to governance that were grounded in respect for human rights and commitment to dialogue naturally led to improved outcomes. States must therefore ensure that indigenous peoples were involved in decision-making processes that recognized and respected their rights.

20. Noting the reference in the report to the need for a change of mindset to ensure that indigenous peoples' claims were not seen as a threat to the State, she asked what measures the Special Rapporteur recommended to achieve that aim.

21. **Ms. Mansfield** (Australia) said that indigenous women played pivotal leadership roles in their families and communities and greatly contributed to the development, growth and diversity of Australian society. The Government accorded high priority to promoting the leadership of indigenous women and girls, and appreciated the attention given by the Special Rapporteur to the human rights situation of indigenous women and children in her country visits. It agreed that the empowerment of indigenous women in leadership ensured that their voices were reflected in domestic policies.

22. Australia was working with communities with greater transparency, including by sharing data and funding information to support community decision-making and to identify priorities and target solutions. It was partnering with indigenous Australians in formal shared decision-making to deliver and monitor the Closing the Gap framework, which was a national coordination mechanism to improve outcomes for indigenous Australians.

23. She wished to know whether the Special Rapporteur could share innovative examples of the development of leadership roles for indigenous women.

24. **Mr. Cepero Aguilar** (Cuba) said that the rights of indigenous peoples had been seriously violated. They had been subjected to discrimination, brutal treatment, forced assimilation or integration, and genocide. Their land and resources had been plundered and they had been deprived of cultural, religious and intellectual property.

25. As a means of reparation, top priority should be given to recognition of their right to self-determination as indigenous peoples. The report urged States to enshrine the right of indigenous peoples to self-determination and the related rights to autonomy or self-government in their national legal systems, including in

their national constitutions. Cuba requested the Special Rapporteur to provide some examples of positive practices she had encountered in that regard.

26. **Mr. Edbrooke** (Liechtenstein), noting that the Special Rapporteur stated in her recommendations that indigenous peoples and their cultures should be considered a valuable part of the identity of the State, asked how the recommendations could be implemented when, as noted in paragraph 39 of the report, indigenous peoples preferred to remain unrecognized. He also wished to know what measures could be taken by States to better implement peace agreements with indigenous groups that strengthened self-governance and self-government systems.

27. **Ms. Tauli-Corpuz** (Special Rapporteur on the rights of indigenous peoples) said that States could provide support at many levels for indigenous peoples' right to self-governance, for instance by recognizing that right in their constitution or a domestic law. It was enshrined, for instance, in the Mexican Constitution and a number of municipalities were recognized as autonomous. Some indigenous territories had also declared their right to self-governance and had faced legal challenges, for instance by the Electoral Tribunal and by the Government in the Supreme Court. However, they had reportedly won the cases because of the constitutional recognition of their rights. Furthermore, they were entitled to State financial support for the performance of their governmental functions, for instance in the areas of health care, education and overall development.

28. A great deal of progress had been achieved in the area of ancestral land rights and restitution. A basic demand was for States to recognize and demarcate ancestral territories in order to promote secure land tenure for indigenous peoples. The United Nations Declaration on the Rights of Indigenous Peoples recognized the right of indigenous peoples who had been forcibly removed from their land to the restoration of territories of equal quality.

29. Intercultural dialogue conducted in good faith was an effective means of achieving a change of mindset in the dominant population.

30. With regard to innovative examples of the development of leadership roles for indigenous women, she always held separate discussions with indigenous women during country visits in order to gain insight into their situation. Indigenous women in Latin America had joined indigenous movements and asserted their right to lead indigenous organizations and communities. For example, the struggle for self-government by the

Puerépecha indigenous people in the Mexican town of Cherán had been led by women.

31. According to research conducted in many countries by indigenous peoples, non-governmental organizations (NGOs) and scientists, there was greater biodiversity in indigenous territories, and forests controlled by indigenous communities were in far better shape than elsewhere. Their right to continue managing and protecting their forests should therefore be recognized. The World Bank had stated that, while indigenous peoples occupied 20 per cent of the world's landmass, they accounted for 80 per cent of biodiverse territories. Accordingly, major benefits could be derived, for instance in terms of climate change mitigation, from recognizing the right of indigenous peoples to continue managing and protecting their forests and lands.

32. She would continue to examine existing data and indicators in order to highlight examples of good governance by indigenous peoples, especially in light of the 2030 Agenda for Sustainable Development.

33. **Mr. Elizondo Belden** (Mexico), speaking also on behalf of Argentina, Australia, Bolivia (Plurinational State of), Brazil, Canada, Colombia, Denmark, Dominica, Ecuador, El Salvador, Estonia, Finland, Guatemala, New Zealand, Nicaragua, Norway, Paraguay, Peru and Spain (the Group of Friends of Indigenous Peoples), said that 10 years had passed since the adoption of the United Nations Declaration on the Rights of Indigenous Peoples. While important steps had been taken to implement the Declaration, a great deal remained to be done on behalf of, and in partnership with, the world's estimated 370 million indigenous people, who continued to face specific vulnerabilities, marginalization and discrimination. It was essential to eliminate exclusion, stigmatization, poverty and injustice. Indigenous peoples could play a key role in achieving the goals of the 2030 Agenda for Sustainable Development. Their voices must be heard, their knowledge must be harnessed, and their contributions must be taken into account.

34. Attention had been drawn during the International Year of Indigenous Languages to the urgent need to preserve, revitalize and promote indigenous languages. The Group of Friends commended the important work undertaken by the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the Steering Committee. However, a great deal remained to be done and efforts to address the challenge must be sustained beyond 2019. Languages were disappearing at an alarming rate of one language every two weeks. Given the need to revitalize indigenous languages, the

Group of Friends urged all States to support the initiative to proclaim 2022–2032 the international decade of indigenous languages.

35. It was stated in the United Nations Declaration on the Rights of Indigenous Peoples that indigenous peoples had the right to manifest, practise, develop and teach their spiritual and religious traditions, customs and ceremonies. The Group of Friends encouraged the development of a process to facilitate the international repatriation of indigenous peoples' sacred items and human remains through continuous engagement with relevant United Nations agencies and stakeholders.

36. The Group of Friends supported the resolution recently adopted by the Human Rights Council, which encouraged expansion of the mandate of the United Nations Voluntary Fund for Indigenous Peoples to further support the participation of indigenous peoples, including indigenous women, young people and persons with disabilities, in United Nations business, human rights and climate change processes.

37. The Group of Friends commended the work undertaken by diverse United Nations agencies, funds, mechanisms and stakeholders to advance the rights of indigenous peoples and renewed its call to achieve the goals of the United Nations Declaration on the Rights of Indigenous Peoples.

38. **Ms. González López** (El Salvador), speaking on behalf of the Central American Integration System (SICA), said that SICA welcomed General Assembly resolution [73/156](#), which urged Governments and the United Nations system, in consultation and cooperation with indigenous peoples, to fulfil the commitments made in the outcome document of the World Conference on Indigenous Peoples.

39. The populations of the member States of SICA were highly diverse in ethnic and cultural terms. They comprised more than 60 native peoples and accounted for about 20 per cent of the total population of the region. Respect for multiculturalism and ethnic diversity was therefore one of the guiding principles of SICA, as reflected in the Alliance for Sustainable Development (ALIDES).

40. The United Nations Declaration on the Rights of Indigenous Peoples reaffirmed that indigenous individuals were entitled, without discrimination, to all human rights and that indigenous peoples possessed collective rights for their existence, well-being and integral development as peoples. SICA therefore reaffirmed the right of indigenous peoples to their own history, languages, oral traditions, philosophies, and systems of knowledge, writing and literature, and their

right to designate and maintain names for their communities, locations and individuals. Traditional knowledge, innovations and practices of indigenous peoples could support social well-being and sustainable livelihoods, and indigenous peoples had the right to maintain, control, protect and develop their cultural heritage and traditional knowledge.

41. SICA highlighted the importance of access to justice in promoting and protecting the rights of indigenous peoples and the need to remove obstacles to justice, especially for indigenous women, children, older persons and persons with disabilities.

42. SICA welcomed the action taken by Member States during the 2019 International Year of Indigenous Languages, in collaboration with UNESCO and other United Nations bodies, and supported the idea of proclaiming an international decade of indigenous languages.

43. SICA planned to strengthen mechanisms that facilitated dialogue and the conclusion of agreements with indigenous and Afro-descendent peoples, especially with a view to promoting their integrity and security. It therefore took due note of the decisions adopted at the twenty-ninth meeting of the Council of Ministers of Culture of the Educational and Cultural Coordination of Central America held on 2 April 2019 in Guatemala, and by the Consultation Forum of indigenous people and people of African descent held by States members of the Central American Parliament on 26 August 2019 in Managua.

44. SICA encouraged all United Nations Member States and agencies to promote international technical cooperation and financial assistance to address the disadvantages faced by indigenous peoples. SICA also stressed the need to pay particular attention to the rights and special needs of indigenous women, children, older persons and persons with disabilities, in line with the United Nations Declaration on the Rights of Indigenous Peoples. The 2030 Agenda for Sustainable Development afforded the opportunity to address gaps in the implementation of the Declaration and uneven progress in realizing the rights of indigenous peoples.

45. **Mr. Gonzato** (Observer for the European Union), speaking also on behalf of the candidate countries Albania, Montenegro, North Macedonia and Serbia; the stabilization and association process country Bosnia and Herzegovina; and, in addition, the Republic of Moldova and Ukraine, said that the European Union considered that the successful discharge of the mandates of the Special Rapporteur, the Expert Mechanism on the Rights of Indigenous Peoples and the Permanent Forum on Indigenous Issues were of key importance for the

implementation of the United Nations Declaration on the Rights of Indigenous Peoples and the outcome document of the World Conference on Indigenous Peoples. The European Union reiterated its steadfast commitment to the indigenous mechanisms. Some European Union policies were directed specifically to indigenous peoples' rights in line with the United Nations Declaration, and others were policies of a general or sectoral nature in which indigenous issues were mainstreamed.

46. The European Union had decided in the Council Conclusions on Indigenous Peoples adopted in May 2017 to give priority to fighting discrimination and inequalities based on indigenous origin or identity with a view to ensuring economic, social and cultural rights and civil and political rights. Action should also be taken to address threats to and violence against indigenous peoples and individuals and human rights defenders in the context of land and natural resources, and protection of the environment, biodiversity and the climate.

47. The European Union Human Rights Guidelines on Non-discrimination in External Action adopted in March 2019 provided both conceptual and operational guidance.

48. At the panel discussion on indigenous women in power held during the twelfth session of the Expert Mechanism on the Rights of Indigenous Peoples, the European Union had highlighted the relevance of its Gender Action Plan 2016–2020 for the empowerment of indigenous women and girls. One of its core objectives was to strengthen the participation of women and girls in policy and governance processes and to guarantee equal rights to participate in and influence decision-making processes. Another core objective was the termination of all forms of violence against women and girls. Indigenous women continued to be disproportionately affected by violence, both within and outside their communities, especially in situations of conflict over land and the environment.

49. Economic and social empowerment was another core objective, and education was a key component for empowerment. According to UNESCO, minors belonging to indigenous families were less likely to be enrolled in school or training programmes. As indigenous girls were particularly affected, it was essential to remove barriers to education so that indigenous women and girls enjoyed the same level of educational attainment as other segments of the population. The European Union was deeply committed to working with indigenous mechanisms and other

partners for the empowerment of indigenous women and girls in line with Sustainable Development Goal 5.

50. While many States had enacted laws and formulated policies on the rights of indigenous peoples, many implementation gaps and challenges remained. However, progress had been achieved over the past year in a number of areas. The many activities and events held at the national and global level to mark the International Year of Indigenous Languages had raised awareness of indigenous peoples' right to revitalize, use and develop their languages and to transmit them to future generations and of the urgent need to prevent their disappearance. The European Union suggested that the resolution adopted by the Human Rights Council at its forty-second session supporting the proclamation of an international decade of indigenous languages should be endorsed by the current session of the General Assembly. Consideration should be given to collaboration not only among indigenous peoples, States and the United Nations system but also among regional treaty organizations, the private sector, including media and international telecommunications companies, civil society and the academic community. National and regional human rights institutions could also play a meaningful role.

51. The establishment by the United Nations Framework Convention on Climate Change of the Facilitative Working Group for the Local Communities and Indigenous Peoples Platform was an achievement worth celebrating. The European Union would engage in the discussions aimed at expanding the mandate of the United Nations Voluntary Fund for Indigenous Peoples in order to support the participation of indigenous peoples in United Nations procedures related to climate change and to business and human rights.

52. The European Union was pleased to note that, during the consultations held at the twelfth session of the Expert Mechanism on the Rights of Indigenous Peoples, a number of States had expressed their willingness to support the participation of indigenous peoples' representatives and institutions in the Human Rights Council. At its seventy-fifth session, the General Assembly would also continue to promote their participation in United Nations meetings on issues affecting them. The European Union would contribute constructively towards achieving consensual outcomes during the session.

53. The spike in the targeting of indigenous human rights defenders reported by the Special Rapporteur and other human rights mandate holders and NGOs was deeply unsettling, as were the reports of reprisals against

indigenous peoples' representatives who attended United Nations meetings. All allegations of human rights violations should be thoroughly investigated, and the perpetrators should be brought to justice. Effective preventive measures should also be developed to reduce the risk of violations against human rights defenders, including women. The European Union therefore wholeheartedly welcomed the choice of the following theme for discussion at the nineteenth session of the Permanent Forum on Indigenous Issues in 2020: "Peace, justice and strong institutions: the role of indigenous peoples in implementing Sustainable Development Goal 16". It would continue to stand by indigenous human rights defenders who experienced threats and violence, including in the context of natural resources, the environment, biodiversity and the climate.

54. **Ms. Wegter** (Denmark), speaking also on behalf of Estonia, Finland, Iceland, Latvia, Lithuania, Norway and Sweden, said that the promotion and protection of the rights of indigenous peoples had been long-standing priorities for the Nordic and Baltic countries, which attached great importance to the United Nations Declaration on the Rights of Indigenous Peoples.

55. Recalling General Assembly resolution [71/321](#), the Nordic and Baltic countries looked forward to the Secretary-General's report to the General Assembly and concrete recommendations on measures to enhance the participation of indigenous peoples' representatives and institutions in meetings of relevant United Nations bodies on issues affecting them. They also welcomed the efforts by the President of the General Assembly to organize informal hearings on the matter, which would facilitate the resumption of the intergovernmental process of enhanced participation during the seventy-fifth session of the General Assembly and the forging of consensus.

56. The Nordic and Baltic countries were greatly concerned about the increase in reprisals against indigenous human rights defenders, indigenous peoples' representatives attending United Nations meetings, and United Nations mandate holders working on the rights of indigenous peoples. In line with Human Rights Council resolution [42/19](#), they firmly encouraged all States to ensure that human rights violations against indigenous peoples and human rights defenders, including indigenous women, were investigated and that the perpetrators were held accountable.

57. The Nordic and Baltic countries welcomed the progress made in and the lessons learned from the International Year of Indigenous Languages. Language was an essential prerequisite for the exercise of human rights and fundamental freedoms, for developing and

transmitting tradition, culture and knowledge and for ensuring effective participation in private and public life. Linguistic diversity also promoted diversity of life, culture and identity.

58. The Nordic and Baltic countries had taken due note of the Special Rapporteur's report. The situations of different indigenous peoples and their levels of autonomy or self-government were truly complex and highly diverse. The Nordic and Baltic countries encouraged the Special Rapporteur to reflect on what constituted the greatest challenges and opportunities in terms of practical arrangements to implement the right to self-determination of indigenous peoples.

59. **Ms. Miyazaki** (Japan), noting with concern that indigenous languages were rapidly disappearing, said that action must be taken to protect and revitalize such languages. Japan was committed to supporting initiatives relating to the International Year of Indigenous Languages.

60. Since the adoption of the United Nations Declaration on the Rights of Indigenous Peoples, Japan had been taking vigorous action to preserve the culture and identity of the Ainu people. In June 2008, the National Diet of Japan had adopted resolutions recognizing the Ainu population as an indigenous people of Japan and the Government had established the Advisory Council for Future Ainu Policy. The Government and representatives of the Ainu people discussed comprehensive measures in the Advisory Council to address issues such as education, cultural revitalization and economic development. Promotion of the Ainu culture was a pillar of Japanese policy, and support had been provided for cultural projects such as the Ainu language educational programme.

61. The Government had submitted a bill to the National Diet in February 2019 aimed at implementing a comprehensive package of measures, including the promotion of local Ainu communities and industries and of national and international exchanges through tourism. The law had been enacted in April 2019. Its objective was to realize a society that would respect the pride of the Ainu, and it provided for subsidies to promote the Ainu culture, including special allowances to ensure access for the Ainu people to State-owned forests and to enable them to engage in salmon fishing in local rivers in order to protect and promote their traditional culture.

62. Japan was currently constructing a Symbolic Space for Ethnic Harmony comprising an Ainu museum and park in Hokkaido. It was called *Upopoy*, which meant "singing in a large group" in the Ainu language, and would be opened on 24 April 2020.

63. Japan was determined to continue working in close cooperation with the Ainu people to achieve a society in which the diversity of all peoples was respected.

64. **Ms. Mackenzie** (Canada) said that certain groups, including groups of indigenous peoples, faced marginalization in every region of the world. Discrimination against indigenous peoples and violations of their human rights were unacceptable and had far-reaching negative impacts, undermining political stability and economic progress. Obstacles to the enjoyment of economic, social and cultural rights in Canada continued to be significantly greater for indigenous than for non-indigenous people.

65. Freedom of expression and opinion and freedom to participate in decision-making processes led to better economic, social and cultural outcomes for indigenous peoples, just as for other communities. Countries in which representatives of indigenous peoples worked in collaboration with governments had built more successful communities by adopting approaches based on respect for human rights. Canada encouraged Member States to take the rights of indigenous peoples into account and allow indigenous voices to be heard when fulfilling their commitments relating to the 2030 Agenda for Sustainable Development.

66. Canada supported the view that deliberations at the United Nations could be further enriched by action to ensure that indigenous voices were heard on issues that affected them. Termination of the marginalization of indigenous peoples was a global challenge that could only be met in collaboration with indigenous peoples themselves.

67. **Ms. Mansfield** (Australia) said that the Australian Government had appointed its first Aboriginal Cabinet Minister, the Minister for Indigenous Australians, in 2019. He had participated in the annual panel discussion on the rights of indigenous peoples at the forty-second session of the Human Rights Council. Her country was committed to recognizing indigenous Australians in its Constitution.

68. Australia was a member of the UNESCO Steering Committee for the International Year of Indigenous Languages, thereby demonstrating its commitment to revive, maintain, celebrate and promote indigenous languages. It had supported a series of events celebrating indigenous languages, including an event entitled "The role of language in rights comprehension, agency and enjoyment for indigenous communities" at the meeting in July 2019 of the Expert Mechanism on the Rights of Indigenous Peoples.

69. Australia continued to promote the rights of indigenous women and girls at the Permanent Forum on Indigenous Issues and the Commission on the Status of Women. It had also supported a photographic exhibition by the Australian Aboriginal and Torres Strait Islander Social Justice Commissioner at the United Nations in August 2019 to mark the International Day of the World's Indigenous Peoples.

70. Indigenous peoples throughout the world were running businesses, cultivating markets and building economies. Economic empowerment was the pathway to full participation in States' economic and social life, equality of opportunity in business and employment, and enabling families and communities to thrive. Australia continued to give practical effect to the aspirations and rights enshrined in the United Nations Declaration on the Rights of Indigenous Peoples, including economic rights. It had introduced an Indigenous Procurement Policy based on the Government's purchasing power. Indigenous businesses were thriving and had been awarded contracts amounting to more than 2 billion Australian dollars (\$A). Investment in the future of indigenous peoples was a vital prerequisite for achievement of the Sustainable Development Goals.

71. Australia had concluded a landmark partnership agreement between Australian governments through the Council of Australian Governments and indigenous Australian representatives. The agreement had established the Joint Council on Closing the Gap, which provided for shared decision-making, oversight, implementation and monitoring of matters affecting indigenous Australians. Significant national meetings with the Government were being chaired by indigenous Australians for the first time in the country's history, which was a pluricultural and multilingual nation.

72. **Mr. Hernandez** (Mexico), speaking as a youth delegate, said that indigenous issues and protection and recognition of the rights of indigenous peoples were a priority for Mexico, which was a pluricultural and multilingual nation. The Government had established the National Institute of Indigenous and Afro-Mexican Peoples in 2018 through a process of dialogue and consultations with the peoples concerned. Indigenous and Afro-Mexican Peoples were thus recognized as subjects of public law, who were entitled to exercise their right to self-determination and autonomy, and to base their development and welfare on their cultures and identities.

73. One of the foremost tasks of the Institute had been to engage in free, prior and informed consultations in order to collect opinions and proposals concerning the

principles and criteria to be taken into account in the constitutional reform relating to the rights of indigenous and Afro-Mexican peoples. The reform comprised issues such as: self-determination and autonomy; the rights of indigenous women, children and adolescents; recognition of the Afro-Mexican people; land and territory, natural resources and the environment; indigenous legal systems; participation and representation; the right to consultation, health and traditional medicine; education; and comprehensive development.

74. The indigenous heritage should be recognized and safeguarded for present and future generations. Progress had been achieved in 2019 in promoting awareness of the importance of preserving, protecting and revitalizing indigenous languages. The National Institute of Indigenous Languages was taking vigorous action to preserve indigenous languages, which had the same status in Mexico as Spanish. Yet the world's indigenous languages, of which there were more than 4,000, were unfortunately disappearing at a rapid pace. Mexico therefore endorsed the initiative aimed at proclaiming 2022–2032 as the international decade of indigenous languages.

75. Mexico supported measures to facilitate the participation of indigenous representatives and institutions in meetings of United Nations bodies on issues that affected them. The Mexican Government was also committed to the United Nations Declaration on the Rights of Indigenous Peoples and supported the mainstreaming in the international agenda of issues related to indigenous peoples.

76. **Mr. Madriz Fornos** (Nicaragua) said that the multi-ethnic, multilingual and pluricultural character of Nicaragua was recognized in the country's Constitution. Indigenous peoples and peoples of African descent also benefited from cultural policies that guaranteed the preservation of their culture, languages, religions and customs.

77. Intercultural health care was supported by the General Health Act and the Autonomy Act. There was an Institute of Natural and Traditional Medicine and Complementary Therapy, and traditional justice was administered by the traditional communal authorities.

78. The officially recognized indigenous languages in the autonomous regions enhanced the identity and sense of belonging of indigenous and Afro-descendent communities and their participation in the country's socioeconomic, political and cultural life.

79. Act No. 445 provided for the restitution of 37,841.9 square kilometres of ancestral land, or one third of the national territory. A total of 23 community

property titles had been issued by the President to the Miskito, Sumu-Mayangna and Rama peoples and to Creole and Garifuna people of African descent.

80. The Government had adopted a strategy aimed at eradicating poverty. In addition, indigenous and Afro-descendent women and men were employed as civil servants and served as members of parliament, judges, ministers, directors of regional and municipal councils, presidents and coordinators of regional governments, mayors and public defenders.

81. The Autonomous Regional Education System comprised a bilingual intercultural education programme, which helped to preserve indigenous languages in basic education and in the indigenous, community and intercultural universities.

82. In line with the principle of self-determination, elections based on universal, equal and free suffrage had been held on 3 March 2019 to elect multi-ethnic authorities in the autonomous regions on the Caribbean Coast. They were tasked with administering intercultural models of health, education and administration of justice, and with promoting economic, social and cultural projects, from which the indigenous and Afro-descendent peoples had benefited for 35 years.

83. Purification plants, water pipes and safe drinking water were provided for municipalities, neighbouring rural areas and remote communities. Projects aimed at linking highways in the Caribbean area to the rest of the country were promoting socioeconomic development on behalf of indigenous and Afro-descendent peoples and the nation as a whole.

84. **Ms. Gutierréz Bacci** (Colombia) said that her country welcomed the progress achieved in implementing the United Nations Declaration on the Rights of Indigenous Peoples. As the rights of indigenous peoples in Colombia were enshrined in the Constitution, public policies focused on meeting indigenous peoples' needs.

85. The Government recognized the historic contribution of ethnic communities to the nation's identity and therefore accorded priority to promoting social dialogue in order to safeguard their rights to life, security, integrity and culture. The chapter of the National Development Plan 2018–2022 devoted to indigenous peoples contained more than 300 proposals submitted by peoples and communities, which had been converted into tasks and targets. It had a number of strategic dimensions: women, the family and generations; self-government, ancestral territories and cultural integrity; harmony and balance for the defence of life; and the covenant by and on behalf of the different

regions with their respective components, strategies and agreements.

86. The component concerning women, the family and generations focused on protection and promotion of the rights of indigenous women, including victims of violence. The self-government component provided for consolidation of interaction protocols concerning prior consultation, public policies for indigenous assemblies, and the development of justice, education and health systems.

87. The Colombian State acknowledged that diversity, including linguistic diversity, was the cornerstone of the nation's cultural heritage. As some languages were at risk of extinction, Colombia had decided, in the context of the International Year of Indigenous Languages, to declare 21 February 2019 as the National Day of Native languages. It had held strategic educational days on linguistic diversity and undertaken research with a view to promoting native language instruction in line with the sociocultural circumstances of indigenous peoples.

88. The Standing Committee on Consultation with Indigenous Peoples of the Ministry of Culture had presented a road map for feedback on territories and for launching the National Plan of the Decade for the Protection and Strengthening of Native Languages. The Plan prioritized activities on behalf of native languages that were vulnerable or at risk of extinction. Colombia also supported the initiative to proclaim 2022–2032 the international decade of indigenous languages.

89. The Government recognized the importance of promoting the involvement of indigenous peoples through appropriate procedures in all decisions affecting them, which could be enriched by their culture and world view. Coordinated action was thus undertaken with the indigenous peoples to safeguard their rights and to fully guarantee their way of life.

90. **Mr. Kashaev** (Russian Federation) said that his country had systematically pursued a policy aimed at guaranteeing the sustainable socioeconomic and ethno-cultural development of indigenous peoples, and the maintenance of their original habitat and traditional way of life. In 2019 it had drafted four bills to address issues pertaining to the livelihood of indigenous peoples, including reparations for losses sustained as a result of industrial exploitation of their territories.

91. United Nations bodies that dealt with the rights of indigenous peoples had recently devoted special attention to the rights to land and natural resources. Russian legislation supported the rights of minority indigenous peoples to have priority access to and free use of land, water, hunting grounds and other natural

resources. More than half the area of the 28 regions where indigenous peoples lived, or several hundred million hectares, was reserved for traditional places of habitation and traditional activities. In addition, more than 700 territories were reserved for the traditional use of natural resources by indigenous peoples.

92. The Russian Federation continued to improve procedures for the participation of indigenous peoples in decision-making by executive and legislative bodies, especially at the regional and local levels. It had also established councils of representatives and advisory bodies at the federal and regional levels.

93. The Russian Federation had actively supported the proclamation of the International Year of Indigenous Languages and attached great importance to linguistic diversity. A total of 277 languages and dialects were spoken in the country and 36 languages other than Russian were recognized as State languages. Education could be delivered in 24 languages and 81 languages could be taught as school subjects. The Federal Fund for the preservation and study of the native languages of Russian peoples had been launched in 2019 and a specialized institution for the study of indigenous peoples' languages had been established. Unfortunately, only a few States had taken specific measures to implement the International Year of Indigenous Languages, although the preservation of such languages was particularly important in States that had become virtually monolingual as a result of the colonial policies of European countries. The Russian Federation was therefore actively supporting the idea of proclaiming an international decade of indigenous languages.

94. The Russian Federation also urged the United Nations to engage in a constructive and non-politicized partnership dialogue, without double standards, in assessing the situation of indigenous peoples. Certain States that voiced criticism in international forums tended to overlook the situation in their own countries, where they implemented policies that marginalized and discriminated against indigenous peoples.

95. **Mr. García Paz y Miño** (Ecuador) said that it was vitally important to review the progress made and difficulties encountered in achieving the objectives of the United Nations Declaration on the Rights of Indigenous Peoples.

96. As a plurinational and intercultural State, Ecuador promoted the coexistence of indigenous peoples and the preservation of their customs, traditions and languages. The collective rights of indigenous peoples were enshrined in the Constitution, and the National Development Plan 2017–2021 reaffirmed the importance of revitalizing their identity.

97. Ecuador had strongly supported the aspiration of indigenous peoples to proclaim 2019 as the International Year of Indigenous Languages and urged all States to support the initiative to proclaim 2022–2032 the international decade of indigenous languages. It was essential to continue promoting the survival, preservation and revitalization of ancestral languages, and their transmission to future generations.

98. As declared by President Moreno, the Ecuadorian authorities were grateful to the indigenous movement for its recent peaceful demonstration and the fact that the participants had removed from their ranks persons who were promoting violence and seeking to destabilize the Government. The authorities welcomed initiatives aimed at dialogue as well as the mediation offered by the United Nations system.

99. Ecuador reaffirmed its commitment to the implementation of the 2030 Agenda for Sustainable Development and looked forward to a wide-ranging intercultural dialogue aimed at the joint development of diverse options and solutions based on cooperation and solidarity among States and indigenous peoples.

100. **Mr. Cepero Aguilar** (Cuba) said that his country agreed with the Special Rapporteur that States should enshrine the rights of indigenous peoples to self-determination, autonomy or self-government in their legal systems and primarily in their constitutions.

101. Progress had been made in implementing the United Nations Declaration on the Rights of Indigenous Peoples and in enacting legislation aimed at providing greater social protection for indigenous communities. For instance, some countries had taken steps to protect the right of indigenous communities to maintain their own institutions, cultural identity and spiritual traditions. Nonetheless, many such communities were still confronted with violence, racism, marginalization, major economic and social disadvantages, extreme poverty and dispossession of their land. Cuba reasserted the right of indigenous peoples to preserve their institutions and spiritual traditions without discrimination.

102. Cuba supported the action taken to harmonize policies for the conservation of protected areas with respect for the ancestral values of indigenous peoples. It was essential to protect communities' rights to their traditional and ancestral knowledge and to prevent such knowledge from being undermined by the failure of third parties to register their ownership. Indigenous peoples were entitled to fair and equitable participation in the benefits derived from the use of their knowledge.

103. Cuba called on the international community to display greater political will to promote concrete action to ensure that indigenous communities enjoyed all their economic, social, cultural, civil and political rights.

104. **Mr. Falzeta Zanini** (Brazil) said that his country had ratified the International Labour Organization (ILO) Indigenous and Tribal Peoples Convention, 1989 (No.169) and had supported the adoption of the American Declaration on the Rights of Indigenous Peoples and the United Nations Declaration on the Rights of Indigenous Peoples. A native of the Terena people had been appointed National Secretary for Racial Equality Promotion Policies at the Ministry of Women, Family and Human Rights, and the Special Secretariat of Indigenous Health was also headed by an indigenous woman.

105. The National Programme to Protect Human Rights Defenders, Communicators and Environmentalists focused on indigenous human rights defenders. The Federal Constitution guaranteed the right of indigenous peoples to more than 600 traditionally occupied indigenous lands, which accounted for more than 12 per cent of Brazilian territory. More than 10,000 square kilometres were subject to an interdiction order to protect isolated tribes by restricting the movement of non-indigenous people.

106. The National Indigenous Foundation (FUNAI) was committed to guaranteeing the rights of indigenous peoples through bilateral and multilateral initiatives. Allegations of human rights violations were investigated so that the perpetrators could be held accountable. During the first eight months of 2019, FUNAI had implemented more than 400 territorial protection actions in the Amazon region.

107. It was important to promote the economic empowerment of indigenous peoples, while respecting their traditions and values. A number of entrepreneurship and sustainability projects were being implemented in accordance with the wishes and demands of the indigenous peoples concerned.

108. **Mr. Mack** (United States of America) drew attention to the continuing violence, discrimination, persecution and human rights abuses to which indigenous peoples were subjected throughout the world. Attempts were also made to discredit indigenous human rights defenders. For instance, during a recent meeting of the Permanent Forum on Indigenous Issues, a representative of the World Uyghur Congress had criticized the Chinese Government's policy of ending bilingual education in Xinjiang. The Chinese delegation had responded by levelling unfounded and inappropriate accusations against him. China frequently sought to suppress the

voices of religious and ethnic minorities and indigenous peoples, who should be able to share their experiences with United Nations and other international bodies without intimidation or harassment. The Chinese Government had continued its highly repressive campaign against its indigenous populations, including Uighurs, ethnic Kazaks, Kirghiz and other Muslim minorities in Xinjiang. Since April 2017, more than a million persons had been detained by the Chinese Government in internment camps for lengthy periods. They were forced to renounce their ethnic identities, religious beliefs or cultural and religious practices, and were subjected to forced labour, torture, inhumane conditions and even death. The assertion that such detention was necessary to counter violent extremism lacked credibility, since such policies were likely to fuel the very resentment and radicalism that the policy purportedly sought to avoid.

109. The Chinese authorities also harassed Muslim minority groups abroad in order to compel them to return to Xinjiang or to keep silent about the human rights situation there. As China brought pressure to bear on Governments to return asylum seekers, the United States requested the Governments concerned to give the Office of the United Nations High Commissioner for Refugees (UNHCR) access to the asylum seekers in order to assess their need for protection.

110. The United States was also concerned about the abuse of indigenous peoples in Venezuela. According to a report issued by UNHCR in July 2019, their collective rights to traditional lands and resources had been violated. The militarization of their lands had led in recent years to violence, insecurity, illness and environmental degradation. Illicit mining operations in indigenous communities had disproportionately affected indigenous women and girls, who were at risk of sexual assault, exploitation and human trafficking. State actors had threatened and attacked indigenous authorities and leaders, including women. Communities in Bolívar State who opposed the Maduro regime faced targeted repression by State actors. OHCHR had documented seven deaths of indigenous individuals under violent circumstances in 2019. The regime must cease such attacks and respect the rights of all the country's peoples.

111. **Mr. Castañeda Solares** (Guatemala) underscored the need for joint action to implement the United Nations Declaration on the Rights of Indigenous Peoples through political commitment by decision makers, continuous monitoring of compliance and international cooperation. Guatemala was committed to protecting and promoting the rights of indigenous peoples and had made considerable progress in implementing the Declaration. It had been the first country to assess the

State's compliance with the Declaration in 2012 and in the same year had commemorated 400 years of the sacred Mayan calendar known as 13 Baktun.

112. Guatemala was a pluricultural, multilingual and multi-ethnic country, in which 43.8 per cent of the population were indigenous people. The use of indigenous languages was deemed to be vital for their survival and the transfer of knowledge and traditions, including through the media, the education system and public services such as health, security and justice. The Academy of Mayan Languages had been established in 1990. Guatemala had welcomed the International Year of Indigenous Languages as an opportunity to reaffirm its commitment to the enhancement of strategies to preserve and promote the use of such languages.

113. Guatemala had continuously sought to base its public policies on the principles of multiculturalism, citizen participation, social equity, dialogue and sociocultural diversity in order to reduce inequality and discrimination. The Public Policy for Coexistence and Elimination of Racism and Racial Discrimination was implemented by the Presidential Commission on Discrimination and Racism against Indigenous Peoples in Guatemala (CODISRA).

114. The Office for the Defence of Indigenous Women's Rights (DEMI) provided indigenous women with legal assistance and psychosocial care. It also organized awareness-raising events on the prevention of violence in order to promote new forms of coexistence and respect for Mayan, Garífuna and Xinka women. An increase of 7.36 per cent in the annual budget for 2018–2019 had facilitated increased support and wider coverage.

115. **Ms. Babedi** (South Africa) said that her Government took continuous action to give practical effect to the principle of non-discrimination and the rights enshrined in the Constitution and in the United Nations Declaration on the Rights of Indigenous Peoples.

116. Action was also being taken to mark the International Year of Indigenous Languages, since indigenous languages and multilingualism were at the core of South African culture, traditions and heritage and contributed significantly to sustainable development. As assimilation posed a major threat to linguistic development, South Africa supported the proclamation of an international decade of indigenous languages.

117. The Government acknowledged that socioeconomic and cultural development and empowerment of indigenous peoples called for quality education systems, effective public health care and services, decent jobs with living wages, and respect for their cultural heritage,

including ancestral lands. The South African National House of Traditional Leaders also played a critical role in advising the Government.

118. The Government strongly opposed the continuing gross violations of the rights and resources of indigenous peoples by multinational companies on their lands and in their territories. Furthermore, there was a continuous increase in criminalization and harassment of and attacks and threats against indigenous defenders of their right to protect their lands, territories and resources. South Africa therefore supported the elaboration of an international legally binding instrument on transnational companies and other business enterprises by the open-ended intergovernmental working group on transnational corporations and other business enterprises with respect to human rights.

119. South Africa agreed with the Special Rapporteur that the rights of indigenous peoples could not be realized without respect for their right to self-determination and related rights to their lands, territories and natural resources.

120. **Mr. Poveda Brito** (Bolivarian Republic of Venezuela) said that the multi-ethnic and multicultural character of his country, whose population included 34 indigenous peoples, was recognized in the Constitution. The State implemented plans and programmes based on claims to ancestral values and human rights. Native peoples, who accounted for almost 3 per cent of the population, had maintained their customs notwithstanding colonization and assimilation. Furthermore, the fact that more than 25 per cent of the population had aboriginal genetic roots reinforced the country's commitment to defending the rights of its native peoples. Each year 12 October was celebrated as the Day of Indigenous Resistance against colonization and extermination.

121. The chapter of the Constitution entitled "Rights of Indigenous Peoples" recognized their social, political, economic and cultural rights, their right to their ancestral, ethnic and cultural identity, values, places of culture and worship, their right to their own economic policies and political participation, and their right to resettlement on their ancestral land. The Ministry of People's Power for Indigenous Peoples, which had been established in 2007 to eradicate extreme poverty and to promote inclusiveness, had achieved important results on behalf of the indigenous population.

122. The State recognized the right to collective ownership of land and territories, the relationship between land and the continuity of indigenous culture, the joint responsibility for demarcation of indigenous peoples and the national executive, and the fact that

indigenous lands constituted their collective and inalienable property.

123. Venezuela was fully committed, during the International Year of Indigenous Languages, to the promotion and protection of historically oppressed indigenous peoples. The Indigenous Languages Act promulgated in 2015 was designed to promote the use, revitalization and preservation of indigenous languages as a means of communication and cultural expression. Such languages must also be taught in public and private educational establishments located in indigenous areas.

124. The Venezuelan policy of inclusion and veneration of indigenous peoples had contributed to the implementation of the 2030 Agenda for Sustainable Development through the Simón Bolívar National Project 2019–2025, which focused on the most vulnerable sectors of society.

125. **Ms. Yayi** (Cameroon) said that her country's Constitution required the State to preserve the rights of indigenous populations. Pending the results of a study launched by the Government to identify indigenous groups, only the so-called Pygmy group was currently recognized as indigenous by a national consensus.

126. The issue of self-determination was also controversial. Bearing in mind that African countries' achievement of independence had been based primarily on the right to self-determination, it was understandable that the notion might be a source of concern to young and fragile States. It might also be perceived as a threat to the principles of unity and indivisibility and to the sovereignty of States that required all their natural resources in order to guarantee fair and equitable development for all. Further clarification of the concept would therefore be welcome, in view of the diverse contexts in which indigenous peoples lived.

127. The Cameroonian Government regularly consulted the Pygmy communities in order to obtain their free and informed consent for projects that would affect them. For instance, they were closely involved in the review of the Forestry Act and submitted proposals to the National Committee tasked with reviewing forestry legislation. The State also organized introductory sessions on the negotiation of agreements on joint management of national parks for Pygmy groups.

128. The involvement of local communities in forestry revenue management was based on dialogue, transparency, good governance and partnership. A similar approach was adopted in the area of mining and in other areas affecting the environment and lifestyles of local communities. As a result, Pygmy communities would never again be marginalized.

129. **Ms. Iileka** (Namibia) said that her country's Government was committed to promoting the participation of indigenous people and enhancing their sense of inclusion in all spheres in order to achieve the "One Namibia – One Nation" vision. Customary law was recognized as valid unless it was inconsistent with the Constitution. The legislation also provided for the establishment of traditional authorities to administer customary laws and to protect and promote language, culture and traditions, especially on behalf of marginalized communities. The Government also provided traditional authorities with funds to perform their functions.

130. Land was used by many indigenous peoples for economic survival, as the basis of cultural identity and as a means of spiritual and social well-being. The loss of land and resources during colonialism and apartheid had not yet been remedied. Access to land and security remained a challenge for most indigenous people. A Presidential Commission established in February 2019 had been tasked with achieving a consensus on the definition of ancestral land rights and restitution, commissioning a study to identify communities that had lost ancestral land, and determining the size and boundaries of such land.

131. The Government had recognized the San, Ovatie, Ovatjimba and Ovazemba groups as particularly marginalized indigenous groups meriting special attention. They lived in remote areas, suffered from extreme poverty and had limited access to education and health-care facilities. Vision 2020, National Development Plan 5 and the Harambee Prosperity Plan established objectives and targets for ensuring the integration of marginalized communities into mainstream socioeconomic structures. Provision was made for land distribution through communal resettlement programmes, the building of schools, financial support for students and livelihood support through the creation of sustainable employment.

132. Namibia looked forward to hosting a visit by the Special Rapporteur to discuss affirmative action measures.

133. **Monsignor Hansen** (Observer for the Holy See) welcomed the fact that several Member States had taken active steps to recognize the right to autonomy or self-government of indigenous peoples. Such action contributed to the recognition and realization of indigenous peoples' rights, their cultural and spiritual heritage and their valuable contribution to society and the common good.

134. Pope Francis had stated that indigenous communities should be partners in dialogue, especially

when major projects affecting their land were proposed. Although they were best qualified to care for their ancestral land and living traditions, indigenous peoples were often under tremendous pressure to sell their land or were even forced to abandon their homes without free, prior and informed consent.

135. Formal recognition of the right of indigenous peoples to autonomy or self-government greatly contributed to achieving the objectives of the United Nations Declaration on the Rights of Indigenous Peoples, including the right to strengthen their diverse institutions and to participate fully in the political, economic, social and cultural life of the State.

136. The International Year of Indigenous Languages was designed to preserve, promote and revitalize such languages, which were important not only for indigenous peoples themselves but for the preservation and fostering of their cultural heritage on behalf of future generations and humanity as a whole. The Holy See hoped that the forthcoming session of the United Nations Permanent Forum on Indigenous issues would highlight the successes and shortcomings of the International Year of Indigenous Languages at the local, national and international levels.

137. **Mr. Hassani Nejad Pirkouhi** (Islamic Republic of Iran) said that the inhumane treatment of indigenous peoples by colonizing powers constituted a dark chapter in world history. It had included the suppression of their cultures and languages, forced assimilation, including through residential schools, widespread marginalization, disappearance and occupation of their ancestral lands and resources. Negative social and cultural stereotypes continued to deprive them of their self-esteem, identity, cultural heritage and languages.

138. As a result of harsher penalties, a disproportionate number of indigenous peoples had been placed in detention facilities. Furthermore, land rights defenders were criminalized and incarcerated in order to protect the interests of transnational corporations. Indigenous peoples were also among the main victims of ethnic and racial intolerance and supremacism.

139. The United Nations Declaration on the Rights of Indigenous Peoples and the outcome document of the World Conference on Indigenous Peoples provided a framework for the national and international empowerment of indigenous peoples. However, their needs would remain unmet in the absence of United Nations development offices in countries of the northern hemisphere inhabited by disadvantaged indigenous communities.

140. The designation of “indigenous” should be reserved for peoples who had historically and globally been recognized as such in countries with indigenous populations.

141. **Mr. Carazo** (Costa Rica) said that his country was fully committed to implementing the rights of indigenous peoples enshrined in the United Nations Declaration on the Rights of Indigenous Peoples, the ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169) and other international human rights instruments.

142. Costa Rica acknowledged its historic debt to indigenous peoples and fully respected their right to preserve their traditions and cultural and environmental practices and to exercise their right to self-determination. A constitutional amendment adopted in 2015 described the country as a democratic, free, independent, multi-ethnic and pluricultural Republic, thereby enhancing the provisions of article 76, which rendered the State responsible for the preservation and promotion of indigenous languages.

143. Eight indigenous communities (the Cabécar, Bribri, Ngäbe, Boruca, Huetar, Maleku and Chorotega peoples) inhabited 24 territories and spoke six languages. According to the population census conducted in 2011, they accounted for 2.4 per cent of the total population. With a view to involving them in consultations and in prior, free and informed decision-making, Costa Rica had adopted in 2018 Executive Decree No. 40.932, which established a general mechanism for consultation with indigenous peoples that was in line with the recommendations of the Special Rapporteur.

144. The National Plan for the recovery of indigenous territories of Costa Rica by 2022 continued to be implemented and steps had been taken to facilitate indigenous and migrant birth registration. In addition, the Act concerning protection of the right to nationality of indigenous peoples and the right to integration of transboundary indigenous individuals had been adopted in July 2019.

145. Costa Rica appreciated the support provided for the Fund for the Development of the Indigenous Peoples of Latin America and the Caribbean, and supported the initiative to proclaim the international decade of indigenous language.

146. **Ms. Bajracharya** (Nepal) said that her country’s Constitution guaranteed the right of indigenous peoples to live in dignity, and their right to the protection and promotion of their languages and traditional knowledge, skills, culture and social traditions. The 59 indigenous peoples accounted for 34.5 per cent of the population.

147. The Government had established an Indigenous Nationalities Commission to protect and promote the rights of indigenous communities. Forty per cent of the 275 members of the Federal Parliament were elected on the basis of proportional representation and the representation of indigenous peoples was guaranteed. The National Foundation for the Development of Indigenous Nationalities had been established in 2002 as an autonomous body mandated to preserve and promote the linguistic, cultural and literary diversity of indigenous peoples.

148. Nepal had ratified the ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169). Each community was legally required to preserve and promote its language, script and culture and to run primary schools in which instruction was provided in native languages. With a view to rendering State affairs inclusive, 27 per cent quotas had been established for indigenous people in Government service. The wide range of social protection programmes included cash transfer programmes on behalf of older persons, single women, persons with disabilities, Dalits and endangered ethnicities.

149. The national road map for achieving the Sustainable Development Goals underscored the need to reduce the adverse impact of climate change, particularly on women, indigenous peoples and marginalized communities. Nepal was committed to the implementation of an equitable, participatory and people-centred sustainable development process in close cooperation with the international community.

150. **Ms. Horbachova** (Ukraine) welcomed the increased participation of indigenous peoples' representatives and institutions in meetings of relevant United Nations bodies on matters affecting them.

151. Ukraine endorsed the principles enshrined in the United Nations Declaration on the Rights of Indigenous Peoples. It guaranteed the protection and promotion of the rights of the Crimean Tatar people in the sovereign and independent Ukrainian State. Since the occupation of Crimea in February 2014, Crimean Tatars and ethnic Ukrainians had been the victims of numerous human rights violations. On the previous day, for example, pro-Ukrainian activist Oleh Prykhodko had been illegally detained by the Russian occupation authorities in Crimea.

152. According to the OHCHR report on the human rights situation in Ukraine published on 17 September 2019, the number of raids of the private homes, businesses and meeting places of Crimean Tatars by the Federal Security Service and police of the Russian Federation had almost doubled compared with the

previous year. Moreover, the Mejlis, which was the self-governing body of the Crimean Tatars, was still banned notwithstanding an order to the contrary by the International Court of Justice. The United Nations Secretary-General had also urged the Government of the Russian Federation to uphold its obligations under international human rights and humanitarian law in Crimea, to respect the right to peaceful assembly and to lift restrictions imposed on the Crimean Tatar community, including the ban on the Mejlis.

153. Ukraine called on the international community to condemn the actions of the occupying Power and the oppression and persecution of indigenous people in Crimea. It also urged the Special Rapporteur to pay special attention to the case of Crimean Tatars as a persecuted indigenous people.

154. **Ms. Quiel Murcia** (Panama) welcomed the Special Rapporteur's recognition in her report that Panama had been the first Latin America country to acknowledge the right to collective ownership of lands and the political and administrative autonomy of indigenous peoples through the creation of indigenous regions. Indigenous peoples in the five regions recognized since 1938 enjoyed the right to collective ownership of land and high levels of self-government, including the election of their own authorities and control over their internal affairs. The National Council for the Comprehensive Development of the Indigenous Peoples was a forum for consultations and coordination between the Government and the indigenous authorities on the main issues affecting indigenous peoples.

155. The country's seven indigenous peoples contributed greatly to the diversity of its culture and traditions. The Government of Panama had marked the International Year of Indigenous Languages by convening the country's main indigenous leaders and organizations with a view to promoting joint action with the main custodians of indigenous art, culture and languages. Given the importance of bilingual intercultural education, school curricula in indigenous areas had been amended to align them with the requirements of local communities.

156. The Office of the Deputy Minister for Indigenous Affairs accorded priority to initiatives aimed at improving the health conditions and quality of life of indigenous peoples and reducing inequality.

157. Indigenous women were participating to an increasing extent in various sectors and had also been elected to official positions. More than 300 indigenous women would be offered training fellowships to promote their economic development and to enable craftswomen to diversify their products and become more self-reliant.

158. As climate change had a major impact on rural indigenous areas, which depended on land and natural resources, residents were actively involved in the global debate on the issue.

159. Panama reiterated its commitment to safeguarding the rights and promoting the inclusive development of indigenous peoples.

160. **Mr. Mongelos Galeano** (Paraguay) said that his country's Constitution declared that Paraguay was a multicultural country and recognized the indigenous language of Guaraní as an official language. The adoption of the Languages Act had also launched a new stage in the development of the bilingual system.

161. A National Plan incorporating the vision of the 19 indigenous peoples was being developed through countrywide consultations on issues that formed part of the mandate of the Permanent Forum on Indigenous Issues. The rights-based approach was in line with the National Development Plan and the norms enshrined in the Protocol for Consultation and Free, Prior and Informed Consent. The consultations were also based on the principles of self-determination and participation in plans and projects that affected indigenous peoples' rights and way of life.

162. The proclamation of 2019 as the International Year of Indigenous Languages had raised awareness of the need to preserve and promote indigenous languages, especially those that were at risk of extinction.

163. Indigenous communities had been cooperating closely with relevant governmental institutions in implementing national action plans to achieve the objectives of the United Nations Declaration on the Rights of Indigenous Peoples. Paraguay reaffirmed its commitment to promoting the full and effective enjoyment of the rights of indigenous peoples.

164. **Mr. León Peñaranda** (Plurinational State of Bolivia) said that his country's Constitution provided for a participatory, democratic, representative and communal form of government, with equal conditions for men and women. It recognized and guaranteed the existence of diverse cultures, which were entitled to maintain their customs, traditions and languages.

165. Major progress had been achieved in implementing the United Nations Declaration on the Rights of Indigenous Peoples. As indigenous peoples had been deprived of their identity and compelled to assimilate, it was vital to conserve, promote and revitalize indigenous cultures. On 23 December 2016 the General Assembly had adopted by consensus resolution [71/178](#) on the rights of indigenous peoples, which had proclaimed 2019 the International Year of Indigenous Languages.

About 7,000 languages currently existed throughout the world. Minority languages were spoken mainly by indigenous peoples, and those languages were disappearing at an alarming rate. It was therefore vital to recognize and preserve linguistic diversity throughout the world.

166. Over 370 million indigenous peoples, or about 6 per cent of the total world population, inhabited more than 90 countries. Although many of them were custodians of the planet's natural resources, they were still victims of abject poverty, inequality, racism and ethnic persecution. They were also subjected to capitalist tyranny and to acts of violence by major landowners with the complicity of governmental authorities.

167. If indigenous peoples were denied the right to speak their own languages and to maintain their way of life and worldview, their memories and cultures and eventually the peoples themselves would disappear. President Evo Morales had stated on the date of proclamation of the International Year of Indigenous Languages that indigenous peoples had a significant role to play in addressing the problems of the twenty-first century. If capitalists continued to squander resources and pursue their belligerent policies, there would be no future for Mother Earth.

168. **Ms. Cunningham** (Fund for the Development of the Indigenous Peoples of Latin America and the Caribbean) commended the Special Rapporteur for highlighting the situation of defenders of indigenous rights, the violence and discrimination experienced by indigenous women and girls, and self-governance and autonomy in indigenous territories.

169. According to recent official data concerning development assistance, the low level of resources allocated to indigenous peoples continued to impede their development, reduce their visibility and prevent their leaders' substantive participation in international procedures. She therefore recommended that the mandate of the United Nations Voluntary Fund for Indigenous Peoples should be expanded in order to include the two key issues of climate change, and business and human rights, as the perspective of indigenous peoples had historically been excluded from those areas.

170. An awareness-raising campaign had been launched during the International Year of Indigenous Languages to prevent the disappearance of such languages. However, as more time was needed to develop the requisite State policies, she called for the proclamation of an international decade of indigenous languages. It would then be possible to establish an Ibero-American institute of indigenous languages.

171. **Mr. Cognac** (International Labour Organization) said that the outcome document of the World Conference on Indigenous Peoples had encouraged States to ratify or accede to the ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169). The ILO stressed the importance of further ratification of the Convention across all regions.

172. The ILO had recently hosted the annual meeting of the Inter-Agency Support Group on Indigenous Peoples' Issues and actively supported its efforts to enhance the coherence and effectiveness of United Nations action to promote indigenous peoples' rights. Indigenous peoples still suffered from the worst forms of labour exploitation. They faced barriers and disadvantages in the labour market owing to their limited access to education and vocational training, and their traditional knowledge and skills were inadequately appreciated. They were thus vulnerable to bonded labour, trafficking, hazardous work and the worst forms of child labour. Moreover, they were frequently unaware of their rights and had weak connections to workers' organizations.

173. ILO Convention No. 169 had played an important role in facilitating the development of laws, policies, institutions and programmes aimed at promoting and guaranteeing the rights and well-being of indigenous and tribal peoples. It promoted tools to enhance the visibility of indigenous peoples in statistics based on self-identification, to guarantee their rights to land, to promote consultation and participation mechanisms, to ensure culturally relevant education and health care, and to strengthen institutions responsible for indigenous issues. The Convention also addressed issues relating to employment, vocational training, social security, customary law, traditional institutions, languages, religious beliefs and cross-border cooperation.

174. **Mr. Zhang Zhe** (China), speaking in exercise of the right of reply, said that China firmly rejected the groundless allegations made by the representative of the United States. China was a multi-ethnic country and pursued a policy of ethnic equality. The country's 56 ethnic groups had been living there for generations and there were no indigenous peoples in China.

175. Dolkun Isa, the representative of the World Uyghur Congress mentioned by the representative of the United States, had been listed as a terrorist by the Chinese Government and a Red Notice concerning him had been issued by Interpol. He had entered the United States on many occasions to engage in anti-Chinese separatist activities.

176. The allegations by the United States were entirely unsubstantiated. The anti-terrorist measures taken in Xinjiang were designed to prevent extremism and

terrorism and were in line with Chinese law and international practice. They were also widely supported by 25 million members of different ethnic groups in Xinjiang and had made a positive contribution to international counter-terrorism.

177. Fifty-four permanent representatives had recently sent a letter to the President of the Human Rights Council and the High Commissioner for Human Rights, in which they fully recognized the achievements of China in combating terrorism and radicalization. China had also invited many foreign officials, experts and religious leaders to visit Xinjiang. They had all confirmed that what they had witnessed bore no relationship to the propaganda-based allegations, and they had commended the measures taken by the Chinese Government.

178. The United States, on the other hand, had disregarded the facts and disseminated fake news with a view to interfering in Chinese internal affairs. It habitually spread rumours concerning the human rights situation in other States, especially developing countries, in order to sully their reputation. Yet it turned a blind eye to its own serious human rights violations and heinous crimes such as the historic massacres of native Americans, who had been forced to migrate and to abandon their cultural traditions and indigenous languages. The Permanent Forum on Indigenous Issues had been provided with a harrowing account of such crimes.

179. The allegations against China were a typical example of double standards, politicization and hypocrisy. China encouraged the United States to reflect upon and remedy its own human rights problems.

The meeting rose at 6.05 p.m.