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COMMISSION ON HUMAN RIGHTS
Sub-Commission on the Promotion
and Protection of Human Rights
Fifty-third session
Agenda item 5 (b)

**PREVENTION OF DISCRIMINATION: PREVENTION OF DISCRIMINATION
AND PROTECTION OF INDIGENOUS PEOPLES**

Ms. Daes, Mr. Guissé, Ms. Motoc, Mr. Yokota: draft resolution

2001/... International Decade of the World's Indigenous People

The Sub-Commission on the Promotion and Protection of Human Rights,

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, as well as with regard to their lands and their resources,

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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,

Bearing in mind the most recent report of the Secretary-General on the programme of activities of the International Decade (A/55/268),

Recalling its resolution 2000/15 of 17 August 2000,

Noting with particular concern the delay in the work on the elaboration of the draft United Nations declaration on the rights of indigenous people, one of the main objectives of the Decade,

Having considered the report of the Working Group on Indigenous Populations on its nineteenth session (E/CN.4/Sub.2/2001/17),

1. *Welcomes* the observance of the International Day of the World's Indigenous People on 26 July 2001;
2. *Recommends* that the celebration of the International Day of the World's Indigenous People be held on the fourth day of the twentieth session of the Working Group on Indigenous Populations in order to ensure as large a participation of indigenous peoples 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 hold, preferably before the end of 2001, a special fund-raising meeting with the permanent missions in Geneva of interested States and the members of the Advisory Group for the Voluntary Fund for the Decade 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, from within the regular budget of the United Nations, to assist with the work of the Office of the High Commissioner for Human Rights relating to the indigenous programme, and submit to the Sub-Commission at its fifty-fourth session and its Working Group on Indigenous Populations at its twentieth session a report on the results of initiatives taken to those effects;

5. *Urges* Governments and intergovernmental and non-governmental organizations and individuals to contribute to the Voluntary Fund for the Decade established by the Secretary-General and invites indigenous organizations to do likewise;

6. *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 in order to implement fully the Decade's theme, "Indigenous people: partnership in action";

7. *Strongly recommends* that, in accordance with General Assembly resolution 50/157 of 21 December 1995, the draft United Nations declaration on the rights of indigenous people be adopted as early as possible and not later than the end of the International Decade in 2003 and, to this end, appeals to all participants in the inter-sessional working group of the Commission on Human Rights and to all others concerned to put into practice new, more dynamic ways and means of consultation and consensus-building, in order to accelerate the preparation of the draft declaration;

8. *Welcomes* Commission on Human Rights resolution 2000/87 of 27 April 2000 and Economic and Social Council resolution 2000/22 of 28 July 2000, in which the Commission and the Council respectively decided to establish the Permanent Forum on Indigenous Issues;

9. *Notes* the view expressed by many indigenous participants during its fifty-third session and during the twentieth session of the Working Group on Indigenous Populations that the establishment of the Permanent Forum should not necessarily be construed as grounds for the abolition of the Working Group, which should continue to carry out the ample, flexible mandate conferred upon it by the Economic and Social Council in resolution 1982/34 of 7 May 1982;

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

11. *Recommends* that the High Commissioner, in consultation with interested Governments, organize meetings and other activities in all regions of the world within the framework of the International Decade in order, *inter alia*, to raise public awareness about indigenous issues;

12. *Recommends* that the High Commissioner for Human Rights organize a seminar on treaties, agreements and other constructive arrangements between States and indigenous peoples, to discuss possible follow-up to the study completed by the Special Rapporteur, Mr. Miguel Alfonso Martinez, and to explore ways and means of implementing the recommendations included in his final report (E/CN.4/Sub.2/1999/20);

13. *Also recommends* that the High Commissioner organize, not later than the end of 2002, in collaboration with the United Nations Conference on Trade and Development, the International Labour Organization, the World Trade Organization and other relevant organizations, a workshop on indigenous peoples, private sector natural resource, energy and mining companies and human rights in order to contribute to the ongoing work of the sessional working group on the working methods and activities of transnational corporations;

14. *Further recommends* that the High Commissioner take the necessary action in order to promote the establishment, within the Office of Legal Affairs of the Secretariat, of a database on national legislation on matters of relevance to indigenous peoples, as well as a compilation of treaties and agreements between States and indigenous peoples, and to establish, in coordination with the Department of Public Information, a global public awareness programme with respect to indigenous issues;

15. *Invites* the High Commissioner to authorize the convening of a conference on indigenous peoples issues with the theme "Rio+10";

16. *Invites* the Commission on Human Rights to recommend that the Economic and Social Council authorize the convening of an international conference on indigenous issues during the last year of the International Decade of the World's Indigenous People (2003) with a view to evaluating the Decade and considering future national and international policies and programmes which may contribute to effective action by States in order to promote better relations between the indigenous and non-indigenous segments of their population;

17. *Recommends* the following draft decision of the Commission on Human Rights for adoption:

“The Commission on Human Rights, taking note of resolution 2001/... of ... August 2001 of the Sub-Commission on the Promotion and Protection of Human Rights, decides to recommend to the Economic and Social Council that it request the United Nations High Commissioner for Human Rights to organize, before the end of the International Decade of the World’s Indigenous People in 2003, a seminar on treaties, agreements and other constructive arrangements between States and indigenous peoples to explore possible ways and means of implementing the recommendations included in the final report of the Special Rapporteur, Mr. Miguel Alfonso Martinez (E/CN.4/Sub.2/1999/20).”
