



**Economic and Social  
Council**

Distr.  
LIMITED

E/CN.4/2002/L.79  
17 April 2002

Original: ENGLISH

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COMMISSION ON HUMAN RIGHTS  
Fifty-eighth session  
Agenda item 15

**INDIGENOUS ISSUES**

**Argentina, Australia\*, Brazil, Canada, Chile, Cyprus\*, Denmark\*, Ecuador, Estonia\*, Finland\*, France, Greece\*, Guatemala, Iceland\*, Ireland\*, Mexico, New Zealand\*, Norway\*, Peru, Spain, Sweden, Switzerland\*, United Kingdom of Great Britain and Northern Ireland: draft resolution**

**2002/...Working group on indigenous populations of the Sub-Commission on the Promotion and Protection of Human Rights and the International Decade of the World's Indigenous People**

*The Commission on Human Rights,*

*Recalling* its previous resolutions on the Working Group on Indigenous Populations of the Sub-Commission on the Promotion and Protection of Human Rights and the International Decade of the World's Indigenous People, in particular resolution 1997/32 of 11 April 1997,

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

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\* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

indigenous populations with the mandate to review developments pertaining to the promotion and protection of the human rights and fundamental freedoms of indigenous people, giving special attention to the evolution of standards concerning the rights of indigenous people,

*Affirming* its recognition of the value and diversity of the cultures and forms of social organization of indigenous people and that the development of indigenous people within their countries will contribute to the socio-economic, cultural and environmental advancement of all the countries of the world,

*Recalling* that the goal of the International Decade of the World's Indigenous People is to strengthen international cooperation for the solution of problems faced by indigenous people in such areas as human rights, the environment, development, education and health, and that the theme of the Decade is "Indigenous people: partnership in action",

*Recognizing* the importance of consultation and cooperation with indigenous people in planning and implementing the programme of activities for the Decade, the need for adequate financial support from the international community, including support from within the United Nations and the specialized agencies, and the need for adequate coordination and communication channels,

*Mindful* of the decision by the General Assembly in its resolution 49/214 of 23 December 1994 to observe the International Day of the World's Indigenous People on 9 August every year,

## **I. REPORT OF THE WORKING GROUP ON INDIGENOUS POPULATIONS OF THE SUB-COMMISSION ON THE PROMOTION AND PROTECTION OF HUMAN RIGHTS**

1. *Takes note* of the report of the Sub-Commission on the Promotion and Protection of Human Rights (E/CN.4/2002/2-E/CN.4/Sub.2/2001/40) and of the report of the Working Group on its nineteenth session (E/CN.4/Sub.2/2001/17);

2. *Urges* the Working Group to continue its comprehensive review of developments and of the diverse situations and aspirations of the world's indigenous people, welcomes its proposal to highlight specific themes of the International Decade of the World's Indigenous People at its future sessions, noting that at its twentieth session the Working Group will continue to focus on the theme of "Indigenous peoples and their right to development, including their

right to participate in development affecting them” and invites Governments, intergovernmental organizations and indigenous and non-governmental organizations to provide information and data on this theme to the Working Group at its twentieth session;

3. *Again invites* the Working Group to take into account in its deliberations on developments pertaining to the promotion and protection of the human rights of indigenous people the work, within the framework of their respective mandates, of all thematic special rapporteurs, special representatives, independent experts, working groups and expert seminars as it pertains to the situation of indigenous people;

4. *Recommends* that the Economic and Social Council authorize the Working Group to meet for five working days prior to the fifty-fourth session of the Sub-Commission;

5. *Invites* the Working Group to continue its consideration of ways in which the expertise of indigenous people can contribute to the work of the Working Group, and encourages initiatives by Governments, organizations of indigenous people and non-governmental organizations to ensure the full participation of indigenous people in the activities related to the tasks of the Working Group;

6. *Requests* the Secretary-General:

(a) To provide adequate resources and assistance to the Working Group in the discharge of its tasks, including adequate dissemination of information about the activities of the Working Group to Governments, specialized agencies, non-governmental organizations and organizations of indigenous people, in order to encourage the widest possible participation in its work;

(b) To transmit the reports of the Working Group to Governments, organizations of indigenous people and intergovernmental and non-governmental organizations, as soon as possible, for specific comments and suggestions;

7. *Notes* General Assembly resolution 56/140 of 19 December 2001 which expanded the mandate of the United Nations Voluntary Fund for Indigenous Populations to assist representatives of indigenous communities and organizations in attending the sessions of the Permanent Forum on Indigenous Issues and appeals to all Governments, organizations and individuals in a position to do so to consider contributing to the Fund, if possible with a substantial increase in the level of contributions;

## **II. INTERNATIONAL DECADE OF THE WORLD'S INDIGENOUS PEOPLE**

8. *Takes note* of the report of the United Nations High Commissioner for Human Rights on the implementation of the programme of activities for the International Decade of the World's Indigenous People (E/CN.4/2002/96);

9. *Invites* the Working Group on Indigenous Populations to continue its review of activities undertaken during the Decade and encourages Governments and intergovernmental and non-governmental organizations to provide information on the implementation of the goals of the Decade, in accordance with paragraph 16 of the annex to General Assembly resolution 50/157 of 21 December 1995;

10. *Welcomes* the affirmation by the General Assembly that a major objective of the Decade is the adoption of a declaration on the rights of indigenous people;

11. *Welcomes* the convening of the first annual session of the Permanent Forum on Indigenous Issues at United Nations Headquarters from 13 to 24 May 2002 and encourages all parties concerned, including all mechanisms, procedures and programmes of the United Nations concerned with indigenous issues, to secure, from within existing resources, an adequately funded and well-functioning Forum that reflects its broad mandate, including through the provision of adequate secretariat support;

12. *Requests* the High Commissioner, in her capacity as Coordinator of the Decade, to submit an updated annual report reviewing activities within the United Nations system under the programme of activities for the Decade to the Commission on Human Rights at its fifty-ninth session under the agenda item entitled "Indigenous issues", in accordance with the request by the General Assembly to the Secretary-General;

13. *Notes* that, in her report, the High Commissioner, in her capacity as Coordinator of the Decade, reviews the implementation of the programme of activities of the Decade, takes note of the information contained therein about the activities of the United Nations system, including the specialized agencies, and other intergovernmental activities relating to indigenous people and urges all parties concerned to intensify their efforts to achieve the goals of the Decade;

14. *Emphasizes* the important role of international cooperation in promoting the goals and activities of the Decade and the rights, well-being and sustainable development of indigenous people;

15. *Appeals* to all Governments, organizations and individuals in a position to do so to support the Decade by contributing to the Voluntary Fund for the International Decade of the World's Indigenous People;

16. *Encourages* Governments, as appropriate, recognizing the importance of action at the national level for the implementation of the goals and activities of the Decade, to support the Decade, in consultation with indigenous people, by:

(a) Preparing relevant programmes, plans and reports in relation to the Decade and establishing national committees or other mechanisms involving indigenous people to ensure that the objectives and activities of the Decade are planned and implemented on the basis of full partnership with indigenous people;

(b) Seeking means of giving indigenous people greater responsibility for their own affairs and an effective voice in decisions on matters which affect them;

(c) Identifying resources for activities designed to implement the goals of the Decade;

17. *Appeals* to intergovernmental and non-governmental organizations to support the Decade by identifying resources for activities designed to implement the goals of the Decade, in cooperation with indigenous people;

18. *Encourages* Governments to consider contributing, as appropriate, in support of the achievement of the goals of the Decade, to the Fund for the Development of Indigenous Peoples of Latin America and the Caribbean;

19. *Requests* the High Commissioner to ensure that the indigenous people's unit in the Office of the United Nations High Commissioner for Human Rights is adequately staffed and resourced to enable the activities of the Decade to be effectively implemented;

20. *Recommends* that the High Commissioner, when developing programmes within the framework of the International Decade of the World's Indigenous People and the United Nations Decade for Human Rights Education, give due regard to the development of human rights training for indigenous people;

21. *Encourages* the High Commissioner to cooperate with the Department of Public Information in preparing and disseminating information on the International Decade of the World's Indigenous People, taking due care to portray accurately the information regarding indigenous people;

22. *Takes note* of the report of the Special Rapporteur of the Working Group on Indigenous Populations entitled “Study on treaties, agreements and other constructive arrangements between States and indigenous populations” (E/CN.4/Sub.2/1999/20) and requests the High Commissioner to seek information from Governments, non-governmental organizations and indigenous people’s organizations on the report and the broader issues it raises, and to submit a report to the Commission at its fifty-ninth session on the views expressed as a basis for a decision by the Commission on a possible seminar;

23. *Invites* the United Nations financial and development institutions, operational programmes and specialized agencies, in accordance with the existing procedure of their governing bodies:

(a) To give increased priority and resources to improving the conditions of indigenous people, with particular emphasis on the needs of these people in developing countries, including through the preparation of specific programmes of action for the implementation of the goals of the Decade, within their areas of competence;

(b) To launch special projects, through appropriate channels and in collaboration with indigenous people, for strengthening their community-level initiatives, and to facilitate the exchange of information and expertise among indigenous people and other relevant experts;

(c) To designate focal points or other mechanisms for coordination with the High Commissioner of activities relating to the Decade and commends those organizations that have already done so;

24. *Recommends* that the situation of indigenous people be taken into account in forthcoming United Nations conferences of relevance, including the special session of the General Assembly on Children and the World Summit on Sustainable Development;

25. *Recalls* the recommendation of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance that the Secretary-General conduct an evaluation of the results of the International Decade of the World’s Indigenous People and make recommendations concerning how to mark the end of this Decade, including an appropriate follow-up, and requests the Secretary-General to begin the implementation of this evaluation;

26. *Takes note* of Economic and Social Council decision 2001/316 of 26 July 2001 requesting the Secretary-General to seek information from Governments, non-governmental organizations, indigenous people’s organizations, the Permanent Forum and all existing

mechanisms, procedures and programmes within the United Nations concerned with indigenous issues, including the Working Group on Indigenous Populations, as a basis for holding the review mandated in paragraph 8 of Council resolution 2000/22 as soon as possible and not later than the substantive session of 2003 of the Council;

27. *Decides* to consider the International Decade of the World's Indigenous People at its fifty-ninth session under the agenda item entitled "Indigenous issues".

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