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Sub-Commission on the Promotion
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Fifty-fourth session
Agenda item 5 (b)

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

**Mr. Alfonso Martínez, Mr. Guissé, Ms. Hampson, Ms. Motoc and Mr. Yokota:
draft resolution**

2002/... 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,

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/56/206),

Recalling its resolution 2001/12 of 15 August 2001,

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 twentieth session (E/CN.4/Sub.2/2002/24),

1. *Welcomes* the observance of the International Day of the World's Indigenous People on 26 July 2002;
2. *Recommends* that the celebration of the International Day of the World's Indigenous People be held on the fourth day of the twenty-first 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 appeal to Governments and other donors to contribute generously to the Voluntary Fund for the International Decade of the World's Indigenous People, in particular so that activities can be undertaken prior to the end of the Decade;

5. *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";

6. *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 peoples 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 intersessional 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;

7. *Welcomes* the establishment of the Permanent Forum on Indigenous Issues;

8. *Notes* the view expressed by the indigenous caucus and indigenous and non-indigenous observers during the twentieth session of the Working Group on Indigenous Populations that the establishment of the Permanent Forum should not 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;

9. *Welcomes with appreciation* the reports of the Workshop on indigenous peoples, private sector natural resource, energy and mining companies and human rights (E/CN.4/Sub.2/AC.4/2002/3) held in Geneva from 5 to 7 December 2001, the third Workshop on multiculturalism in Africa: peaceful and constructive group accommodation in situations involving minorities and indigenous peoples (E/CN.4/Sub.2/AC.4/2002/4) held in Gaborone from 18 to 22 February 2002, and the indigenous media dialogue held in Durban during the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance (E/CN.4/Sub.2/AC.4/2002/5) organized by the Office of the United Nations High Commissioner for Human Rights in the framework of the International Decade;

10. *Recommends* that the High Commissioner for Human Rights, 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;

11. *Also recommends* that the High Commissioner organize a seminar on treaties, agreements and other constructive arrangements between States and indigenous peoples to discuss possible follow-up to the study on the matter completed by the Special Rapporteur, Mr. Miguel Alfonso Martínez (E/CN.4/Sub.2/1999/20), and to explore ways and means of implementing the recommendations included therein;

12. *Invites* Mr. Alfonso Martínez to prepare a short working paper identifying the themes and possible outputs of the seminar on treaties for possible consideration by the Commission on Human Rights at its fifty-ninth session;

13. *Recommends* that the High Commissioner organize, in collaboration with the United Nations Conference on Trade and Development and the International Labour Organization and other relevant organizations, a follow-up 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 of the Sub-Commission;

14. *Invites* the High Commissioner to explore the possibility of convening a world conference on indigenous peoples in 2004 to review the achievements of the Decade and recommend future action in relation to indigenous peoples;

15. *Congratulates* the Advisory Group for the Voluntary Fund for the Decade for the work it has accomplished;

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

“The Commission on Human Rights, taking note of resolution 2002/... of ... August 2002 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, a seminar on treaties, agreements and other constructive arrangements between States and indigenous peoples to explore possible ways and means to follow up on the recommendations included in the final report of the Special Rapporteur, Mr. Miguel Alfonso Martínez (E/CN.4/Sub.2/1999/20).”
