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## Third Committee

### Summary record of the 19th meeting

Held at Headquarters, New York, on Monday, 22 October 2012, at 3 p.m.

*Chair:* Ms. Alfeine . . . . . (Comoros)

## Contents

Agenda item 66: Rights of indigenous people (*continued*)

- (a) Rights of indigenous peoples (*continued*)
- (b) Second International Decade of the World's Indigenous People (*continued*)

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*In the absence of Mr. Mac-Donald, Chair, Ms. Alfeine, Vice-Chair, took the chair.*

*The meeting was called to order at 3.05 p.m.*

**Agenda item 66: Rights of indigenous people**  
(continued)

**(a) Rights of indigenous peoples (continued)**  
(A/67/273, A/67/221 and A/67/301)

**(b) Second International Decade of the World's Indigenous People (continued)**

1. **Mr. Kimpolo** (Congo) welcomed the Secretary-General's progress report on the achievement of the goal and objectives of the Second International Decade of the World's Indigenous People (A/67/273) and the progress made on the five interlinked objectives of the Programme of Action. The objectives could only be achieved if Member States were firmly committed to recognizing the rights of indigenous peoples through constitutional and legislative reforms and, above all, through their implementation at the national and international level. The Congo commended efforts to promote the rights of indigenous peoples through the United Nations Declaration on the Rights of Indigenous Peoples, and had offered to host the 2013 pre-session working group for the World Conference on Indigenous Peoples to be held in 2014.

2. The Congo was party to a number of international instruments that protected the rights of indigenous peoples, including the African Charter on Human and People's Rights, and had twice hosted the Forum for indigenous people of Central Africa. In 2011 it had promulgated a law on the promotion and protection of the rights of indigenous peoples and a workshop on capacity-building had been held in conjunction with United Nations partners in 2012 with a view to its implementation. Other activities undertaken included the observance of the International Day of the World's Indigenous Peoples, a workshop on decentralisation with a view to improving the quality of life of indigenous groups, training of indigenous leaders and service providers in management, follow-up and evaluation, and training and support for social workers.

3. Its ultimate goal was to build a State under the rule of law free from discrimination based on ethnic origin, way of life or culture.

4. **Mr. Emvula** (Namibia) said that the nomadic traditions of the earliest inhabitants of Namibia had

been disrupted by colonial settlers who had stolen their land, destabilized their way of life and forced them to live in less hospitable terrain. At independence in 1990, the Government had inherited numerous challenges associated with equality gaps between communities and the negative psychological effect of the legacy of colonialism and social marginalization. In response, it had set up development programmes in order to integrate the San and other marginalized peoples into the mainstream of the economy. Communities that had been successfully resettled on Government farms and communal lands were provided with continuous post-settlement support, while mobile schools and school feeding programmes had been established in order to support the schooling of children in communities that wished to retain their nomadic way of life. The key to improving the lives of the indigenous population was through education and through conserving land as the basis for their livelihood.

5. In order to sensitize public opinion and hence close the gap between policy formulation and implementation, the Government had set up a National Marginalized Communities Information Day. Namibia acknowledged its primary responsibility for the welfare of its people; it was nevertheless concerned that the country's classification as an upper-middle income country and the consequent reduction in international assistance could reverse the progress it had made. Namibia looked forward to participating in the World Conference on Indigenous Peoples in 2014.

6. **Mr. Ruiz** (Colombia) said that Colombia accorded the highest priority to the protection and promotion of the rights of indigenous peoples. The ethnic and cultural diversity of the nation and the right to full participation by all citizens was proclaimed in the Constitution: all citizens could run for election to Congress and indigenous jurisdiction was respected. The Constitution recognized all cultures within the country on an equal basis, the official use of indigenous languages in their respective territories and the right to an education and health services in accordance with cultural practices and traditions.

7. Approximately 3.4 per cent of the population of Colombia was composed of 82 indigenous groups making up communities inhabiting some 30 per cent of national territory.

8. Colombia had built a legal and institutional framework based on respect for democracy and the rule

of law that was inclusive of minorities. It had incorporated international human rights instruments into national laws and had developed a programme for strategy formulation and action for the development of indigenous peoples. The Government had also set up regional consultation bodies to address displacement and violations of human rights experienced by indigenous peoples. A protection programme had been established in order to safeguard the lives of journalists, indigenous leaders and other human rights defenders.

9. Prior consultation on all projects affecting indigenous areas had been introduced and agreements reached were formally recorded. A law concerning victims and land restitution had been passed in 2011, which provided for reparations and the restitution of territorial rights to indigenous communities and individuals. Protection of indigenous peoples in the context of armed conflict was guaranteed by the country's armed forces. Colombia was to host a National Human Rights Conference in December 2012, which would be attended by representatives of civil society, the international community and 32 indigenous bodies.

10. **Mr. Gurung** (Nepal) said that indigenous peoples around the world had retained unique social and cultural characteristics but they continued to face discrimination in every sphere. Therefore, ensuring their human rights was a major challenge for Member States. The Constitution of Nepal recognized that all languages spoken as mother tongues were national languages; of the more than 100 ethnic groups speaking 92 different languages in the country, 59 had been recognized as indigenous nationalities. Since 2002, the National Foundation for Indigenous Nationalities had formulated social, economic and cultural programmes that improved the lives of indigenous peoples. The Government adopted a participatory and inclusive approach to planning to ensure that indigenous peoples and minorities were placed at the centre of development. Having ratified the International Labour Organization (ILO) Convention No. 169 on indigenous and tribal peoples, the Government had undertaken structural reforms to enhance its implementation.

11. Nepal was committed to preserving the traditional knowledge, skills and technologies of indigenous groups, including practices of sustainable development. Indigenous communities played an important

management role in the country's community forestry programme and their wisdom and creative potential would continue to be used in nation-building initiatives. Nepal looked to the international community for support in its endeavours to protect the rights of indigenous groups.

12. **Mr. de las Olvalles de Colmenares** (Bolivarian Republic of Venezuela) said that as a result of the European invasion of South and Central America, indigenous populations had been decimated, subjected to slavery and dispossessed of their lands. During 1,000 years of colonial rule, some 80 million indigenous people had been exterminated.

13. Indigenous populations continued to suffer exclusion and discrimination in a world where the dominant development model of overexploitation as well as production and consumption beyond environmentally sustainable limits had led to poverty, inequality and the violation of human rights. Venezuela had adopted a socialist model of development based on principles of solidarity, which gave priority to the rights of indigenous peoples and to the protection of their culture and identity. The Constitution of Venezuela included a chapter on the rights of indigenous peoples, which recognized their social, political and economic organization, customs, traditional medicine, languages, religions and rights to their ancestral lands. The education system in Venezuela was multicultural and multilingual and an indigenous university had been established. The advent of satellite communications had enabled telemedicine centres to be set up in remote areas.

14. The Government was implementing a national health and social development policy in consultation with indigenous peoples that included the training of doctors and other health personnel from indigenous communities. It had also completed an extensive housing programme and had transferred approximately one million hectares of land for use by indigenous populations. The Parliament had approved an organic law on discrimination and the Constitution guaranteed the participation and representation of indigenous people. Their social, political and land rights had been further strengthened through a presidential commission.

15. Venezuela looked forward to the World Conference on Indigenous Peoples in 2014; it would

provide an opportunity for dialogue on the specific needs and collective rights of indigenous peoples.

16. **Mr. Augusto** (Angola) commended the progress made by the Special Rapporteur on the rights of indigenous peoples, the Permanent Forum on Indigenous Issues and the Expert Mechanism on the Rights of Indigenous Peoples and encouraged them to continue their cooperation and coordination. He called on all Member States to respect the rights of indigenous peoples and to engage in constructive dialogue with them to find practical solutions to their concerns. Angola shared the opinion that the Guiding Principles on Business and Human Rights (A/HRC/17/31) should be applied to advance the specific rights of indigenous peoples.

17. United Nations agencies and institutions had an important role to play in implementing the standards enshrined in the United Nations Declaration on the Rights of Indigenous Peoples and in mainstreaming indigenous rights throughout the United Nations system. Angola thus welcomed the work of the Expert Mechanism and encouraged Member States to continue to participate in discussions with their national specialized bodies and institutions and to strengthen legislative and policy measures that promoted and protected the rights of indigenous peoples.

18. Angola commended the decision to hold the World Conference on Indigenous Peoples in 2014 and hoped that Member States would provide financial and technical assistance to support the participation of indigenous peoples during the preparatory process.

19. His Government looked forward to the study on access to justice in the promotion and protection of the rights of indigenous peoples by the Expert Mechanism requested by the Human Rights Council and welcomed the decision of the Council to hold a panel discussion on the World Conference on Indigenous Peoples at its twenty-fourth session.

20. **Mr. Cassidy** (International Labour Organization (ILO)) said that the ILO Convention No. 169 on indigenous and tribal peoples was in force in 22 countries to date. He had been heartened by the wide support for the Convention expressed in the Committee and encouraged all Member States to ratify it in order to close the rights gaps faced by indigenous peoples. The Convention was grounded in the principles of respect for distinctive cultures, livelihoods and ways of life and the right of indigenous peoples to participate in

decisions that affected them. It had become a reference point for Governments, workers, employers and indigenous peoples around the world and it was referred to in peace accords, regional and domestic court decisions, development policies and environmental agreements.

21. The United Nations Declaration on the Rights of Indigenous Peoples had highlighted the importance of the Convention and the decades of work of ILO on indigenous peoples' issues; both instruments were mutually reinforcing and sustaining. It had also guided domestic legislative processes in numerous countries. Together, they made one set of international legal instruments for the protection of indigenous peoples' rights at the country level.

*The meeting rose at 3.50 p.m.*