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## Human Rights Council

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**Annual report of the United Nations High Commissioner  
for Human Rights and reports of the Office of the High  
Commissioner and the Secretary-General**

**Human rights situations that require the Council's attention**

## Rights of indigenous peoples

### Report of the United Nations High Commissioner for Human Rights

#### *Summary*

The present report is submitted pursuant to Human Rights Council resolution 48/11. It contains information on relevant developments in human rights bodies and mechanisms and the activities undertaken by the Office of the United Nations High Commissioner for Human Rights at Headquarters and in the field that contribute to the promotion of, respect for and full application of the provisions of the United Nations Declaration on the Rights of Indigenous Peoples. It also contains information on the implementation of the provisions in relevant international human rights treaties. The report covers the period from 1 June 2021 to 31 May 2022.



## **I. Introduction**

1. In its resolution 48/11 concerning human rights and indigenous peoples, the Human Rights Council requested the High Commissioner for Human Rights to continue to submit to it an annual report on the rights of indigenous peoples containing information on relevant developments in human rights bodies and mechanisms and the activities undertaken by the Office of the United Nations High Commissioner for Human Rights (OHCHR) at Headquarters and in the field that contribute to the promotion of, respect for and full application of the provisions of the United Nations Declaration on the Rights of Indigenous Peoples.

2. The present report contains some examples of activities undertaken by OHCHR and initiatives taken at the country, regional and global levels that illustrate the contributions made to the realization of the rights of indigenous peoples. It also outlines recent developments in United Nations human rights bodies and mechanisms pertaining to indigenous peoples.

## **II. Activities on indigenous peoples undertaken by the Office and recent developments in human rights bodies and mechanisms, including in the context of the coronavirus disease pandemic**

3. During the period under review, indigenous peoples continued to be severely affected by government responses to the coronavirus disease (COVID-19) pandemic, many of which exacerbated pre-existing social inequalities and systemic discrimination, as documented in reports of United Nations human rights mechanisms.<sup>1</sup> In response, indigenous peoples the world over continued to play a fundamental role in the conservation and transmission of knowledge and culture, as well as of traditional indigenous practices that can contribute to increased food security, health, well-being and recovery from COVID-19, both within and outside their communities.

4. In his report to the Human Rights Council on indigenous peoples and COVID-19 recovery, the Special Rapporteur on the rights of indigenous peoples noted that several recovery laws have been primarily geared towards managing the economic crisis and have prioritized and supported the expansion of business operations at the expense of indigenous peoples, their lands and the environment.<sup>2</sup>

### **A. Indigenous peoples' economic, social and cultural rights, including the right to health**

5. In August 2021, the Human Rights Adviser to the Resident Coordinator in Argentina joined members of the United Nations country team in a mission to Salta to follow up on progress in implementing the humanitarian response plan focused on indigenous peoples. As a result, technical support was provided to ensure a human rights focus on efforts to respond to the crisis, particularly targeting indigenous children. The support involved dialogue with indigenous communities and a coordinated multi-country approach to the Gran Chaco Americano, the second-largest forest in South America, after a joint mission of the United Nations country teams of Argentina, Bolivia (Plurinational State of) and Paraguay was carried out in November 2021. The joint mission gathered further evidence in situ and proposed solutions to the gaps that were identified.

6. In Ecuador, the rate of chronic child malnutrition in the indigenous population is over 40 per cent. With the support of the Human Rights Adviser to the Resident Coordinator, OHCHR recommended that the United Nations country team action plan for indigenous peoples in the context of COVID-19 prioritize the strengthening of sustainable food systems

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<sup>1</sup> [A/HRC/48/54](#) and [A/HRC/48/74](#), para. 4.

<sup>2</sup> [A/HRC/48/54](#).

as a strategic line of work to improve local capacities and provide inputs to strengthen a public policy that supports sustainable food systems, promotes adequate nutrition and guarantees food security for the peoples of Ecuador.

7. In 2021, the OHCHR office in Guatemala issued user-friendly publications on the Constitutional Court rulings on the emblematic cases of indigenous weavers and indigenous midwives.<sup>3</sup> The aim was to raise awareness about the content of the rulings relating to the intellectual property aspects of Mayan weavings and to traditional indigenous knowledge, and to establish cooperation among the stakeholders involved.

8. In 2021, the OHCHR office in Guatemala, together with the World Intellectual Property Organization,<sup>4</sup> organized a regional webinar to learn from Ecuadorian, Panamanian and Peruvian experiences on collective intellectual property laws for the protection of indigenous peoples' traditional knowledge and cultural expressions. The webinar provided Mayan weavers with valuable guidance on how to have their textiles and designs protected by law.

9. In December 2021, the OHCHR office in Guatemala published a handbook on human rights education that highlights the rights of indigenous peoples to their own cultural identity and to education in their language. It was distributed to teachers through the website and a webinar.<sup>5</sup>

10. In August 2021, the OHCHR office in Honduras provided technical assistance to the Constitutional Chamber on international standards relating to access to economic, social and cultural rights and to the right to participation of indigenous peoples.

11. In cooperation with the Mexican Institute of Water Technology, the OHCHR office in Mexico developed and validated, with over 280 stakeholders, a set of indicators on water and sanitation for Mexico. They were adopted by the State and include disaggregation by indigenous population.

12. According to the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights, the sectoral sanctions imposed on economic assets and sectors in the Bolivarian Republic of Venezuela, coupled with the growing overcompliance by banks and third-country companies, have exacerbated the pre-existing economic and humanitarian situations. That has especially affected, among others, the country's indigenous peoples.<sup>6</sup>

13. The Expert Mechanism on the Rights of Indigenous Peoples continued during the reporting period to facilitate and support the ongoing process of repatriation of the Yaqui Maaso Kova (sacred ceremonial deer head) from the Museum of World Culture in Sweden to the Yaqui people in Mexico. The repatriation request by the Yaqui people was part of a country engagement process initiated by the Expert Mechanism in 2019. In 2021, the Museum submitted a recommendation to the Government of Sweden to agree to return all 24 objects to the Yaqui people in Mexico. In May 2022, the Museum communicated the Government's approval of the Museum's recommendation to repatriate the Maaso Kova to the Yaqui people.

14. For the second year in a row, due to COVID-19, the Expert Mechanism on the Rights of Indigenous Peoples held its fourteenth session virtually, from 12 to 16 July 2021. The Expert Mechanism submitted its study and advice on the rights of the indigenous child under the United Nations Declaration on the Rights of Indigenous Peoples<sup>7</sup> to the Human Rights Council at its forty-eighth session. During its fourteenth session, the Expert Mechanism

<sup>3</sup> See <https://issuu.com/oacnudhgt/docs/ms4-tejedoras> and <https://issuu.com/oacnudhgt/docs/ms2-comadronas> (in Spanish).

<sup>4</sup> See <https://www.wipo.int/portal/en/#>.

<sup>5</sup> See [https://issuu.com/oacnudhgt/docs/guia\\_3\\_educacio\\_n\\_y\\_derecho\\_a\\_la\\_identidad\\_publicad](https://issuu.com/oacnudhgt/docs/guia_3_educacio_n_y_derecho_a_la_identidad_publicad) (in Spanish).

<sup>6</sup> A/HRC/48/59/Add.2, para. 92.

<sup>7</sup> A/HRC/EMRIP/2021/3.

finalized and adopted its report on efforts to implement the United Nations Declaration on the Rights of Indigenous Peoples: indigenous peoples and the right to self-determination.<sup>8</sup>

15. The Committee on the Elimination of Racial Discrimination recommended that States parties preserve and protect indigenous peoples' cultural rights and that they provide them with access to health-care services.<sup>9</sup> The Committee on the Elimination of Discrimination against Women urged States parties to promote indigenous women's and girls' access to education, social benefits and health care, including sexual and reproductive health services.<sup>10</sup>

16. The Committee on Economic, Social and Cultural Rights recommended that several States expedite the training of public authorities and officials, particularly justice officials, on the economic, social and cultural rights of indigenous peoples.<sup>11</sup>

17. Among the recommendations made during the universal periodic review during the reporting period, States highlighted the importance of taking concrete steps to promote and protect the rights of indigenous peoples, including the right to an adequate standard of living, and of strengthening measures to ensure indigenous peoples' property rights and their access to land and to reduce poverty among indigenous peoples.<sup>12</sup>

## **B. Free, prior and informed consent and consultative laws, protocols and mechanisms, including in the context of business and extractive industries**

18. The OHCHR technical mission in the Plurinational State of Bolivia supported indigenous communities to ensure that activities in their territories are subject to genuine consultation processes, according to their own traditions and practices, as recognized by international standards and norms. OHCHR facilitated dialogue and monitored human rights violations.

19. The OHCHR office in Colombia supported the formulation of several indigenous autonomous protocols for free, prior and informed consent and for relations with third parties. The support was provided to the Barí people in the region of Catatumbo in the Norte de Santander Department, 15 indigenous peoples in the Putumayo Department, the authorities of the Wayuu people (*palabrer*os) and members of the Pact for the Yanama people in La Guajira Department.

20. In September 2021, with the support of the Human Rights Adviser to the Resident Coordinator in Costa Rica, OHCHR accompanied the technical unit for indigenous consultation and indigenous peoples themselves in the post-COVID-19 reactivation of the development of a public policy for indigenous peoples. The policy is expected to comprehensively address the rights and demands of indigenous peoples in areas such as autonomy, territoriality, development, institutional efficiency and social welfare.

21. On 10 June 2021, the first National Action Plan on Business and Human Rights was approved in Peru. The OHCHR presence has been supporting the Government of Peru since the visit in July 2017 of the Working Group on the issue of human rights and transnational corporations and other business enterprises. As a result of this continuous technical assistance, the National Action Plan includes strategic measures to eradicate racial discrimination, protect indigenous peoples and ensure respect for the principle of free, prior and informed consent of indigenous peoples.

22. During the reporting period, the OHCHR office in Mexico provided technical assistance to the Mexican authorities and to the victims of water pollution in the context of the emblematic agreements on community water management reached between Zapotecan indigenous communities in Oaxaca and the federal authorities. The country office played a crucial role in ensuring that relevant international law and standards were considered

<sup>8</sup> [A/HRC/EMRIP/2021/2](#).

<sup>9</sup> See for example [CERD/C/SGP/CO/1](#) and [CERD/C/THA/CO/4-8](#).

<sup>10</sup> See for example [CEDAW/C/SWE/CO/10](#) and [CEDAW/C/RUS/CO/9](#).

<sup>11</sup> See for example [E/C.12/BOL/CO/3](#).

<sup>12</sup> See [A/HRC/49/6](#) and [A/HRC/48/9](#).

throughout the process of dialogue between the parties. In November 2021, following a consultation process, the President of Mexico signed a landmark decree to protect the water basin of the Valle Centrales, allocating it exclusively for the protection of nature and human consumption.<sup>13</sup>

23. States considered under the universal periodic review were recommended to implement laws, strengthen institutional frameworks, implement existing legal provisions and adopt mechanisms to address indigenous peoples' human rights, ensuring the full and effective participation of indigenous peoples in decision-making processes at all levels of government, especially by ensuring their free, prior and informed consent.<sup>14</sup>

### C. Human rights defenders and reprisals

24. The Committee on Economic, Social and Cultural Rights and the Committee on the Elimination of Discrimination against Women recommended that States parties eliminate threats and reprisals against indigenous human rights defenders.<sup>15</sup>

25. The OHCHR office in Colombia continued to promote the activation of safe routes, which are protection measures provided by the State, in the departments of Cauca, Chocó and Putumayo, to reduce the high levels of violence against traditional authorities in those regions. The OHCHR office concluded that a rights-based approach to guaranteeing indigenous peoples' individual and collective rights had not been applied when the peoples of those regions had called for protection measures. Therefore, it advocated for the National Protection Unit to include and pay attention to cases of indigenous peoples.

26. The OHCHR office in Colombia gave technical assistance to indigenous peoples to strengthen their dialogue and advocacy processes. In Nariño, it supported the development of a proposal by the Awá indigenous community to address the risks the community is facing. In Cauca, it accompanied the Asociación de Cabildos Indígenas del Norte del Cauca (Association of indigenous community councils in the north of Cauca) and the Consejo Regional Indígena del Cauca (Cauca Regional Indigenous Council) in their presentation of a proposal on protection measures and a process of dialogue in the context of high levels of violence in the department.

27. From 17 to 19 November 2021, the OHCHR Regional Office for South-East Asia convened the first-ever Asia-Pacific Environmental Human Rights Defenders Forum, in partnership with civil society and indigenous peoples' organizations. The Forum is a significant milestone as it was the first meeting dedicated to enabling environmental human rights defenders to come together and hold discussions, learn from each other's experiences and formulate their own recommendations for positive change that included a specific focus on indigenous peoples.

28. Under its access to justice project, the OHCHR Regional Office for South-East Asia implemented two workshops on strengthening the capacity of young indigenous women human rights defenders. On 15 and 16 December 2021, in cooperation with Mighty Earth, an international environmental rights organization, it conducted a virtual workshop for indigenous youth and environmental human rights defenders from Indonesia on raising awareness and promoting engagement with United Nations mechanisms. The workshop was attended by 36 defenders and aimed at strengthening the capacity of community-based defenders on monitoring, documenting and reporting human rights issues and concerns.

29. On 20 March 2022, an incident occurred in the Bolivarian Republic of Venezuela between members of the National Bolivarian Armed Forces and Yanomami indigenous persons in the Yanomami settlement and the military base in Parima B, bordering Brazil in Amazonas State. The Armed Forces resorted to using force and four Yanomami persons died and at least two soldiers and a Yanomami child were seriously injured. Following the incident, the OHCHR presence in the Bolivarian Republic of Venezuela documented threats

<sup>13</sup> See [https://www.dof.gob.mx/nota\\_detalle.php?codigo=5636230&fecha=24/11/2021](https://www.dof.gob.mx/nota_detalle.php?codigo=5636230&fecha=24/11/2021) (in Spanish).

<sup>14</sup> See for example A/HRC/48/4 and A/HRC/48/9.

<sup>15</sup> See for example E/C.12/BOL/CO/3 and CEDAW/C/RUS/CO/9.

made by the authorities to an indigenous rights defender. The Attorney General opened an investigation into the events. The OHCHR presence called for a culturally appropriate independent, prompt and transparent investigation that guarantees the best interest of the child and victim participation.

30. The OHCHR office in Guatemala documented the killing of seven human rights defenders, of which six were indigenous persons from organizations defending their collective rights to land and a healthy environment. In addition, the country office monitored emblematic cases of criminalization of indigenous human rights defenders, such as the Maya Q'eqchi' leader Bernardo Caal Xol, who was released on parole in March 2022 after more than four years in prison, and Nanci Sinto from the indigenous Maya Kaqchikel people, who was disproportionately penalized for actions carried out as part of peaceful protests. The country office observed 138 demonstrations between May 2021 and May 2022. Indigenous peoples had a leading role in peaceful protests, demanding the enforcement of their rights to consultation, land, territories and natural resources, and the rejection of the high cost of electricity, among others.

31. In Peru, with the support of the Human Rights Adviser to the Resident Coordinator, OHCHR organized virtual meetings with indigenous local organizations and implemented a technical mission to Ucayali in November 2021 to respond to the security crisis relating to drug trafficking, other illegal activities and land-grabbing in Kakataibo and Shipibo-Konibo indigenous communities. As a result of OHCHR advocacy, the Government promoted regional strategies to strengthen ongoing work under the national prevention mechanism for human rights defenders.

32. The OHCHR office in Mexico closely followed the work of the National Protection Mechanism for Human Rights Defenders and Journalists. Two of the most important cases during the reporting period were the assassinations in July 2021 of Simón Pedro Pérez López, a Tzotzil indigenous leader,<sup>16</sup> and in March 2022 of José Trinidad Baldenegro, a Rarámuri indigenous leader in Coloradas de la Virgen.<sup>17</sup>

33. The Indigenous Peoples and Minorities Section at OHCHR carried out several activities to implement the six components of the system-wide action plan for ensuring a coherent approach to achieving the aims of the United Nations Declaration on the Rights of Indigenous Peoples. Following the adoption in November 2020 of the call to action on building an inclusive, sustainable and resilient future with indigenous peoples by the United Nations System Chief Executives Board for Coordination, OHCHR, as part of the Inter-Agency Support Group on Indigenous Peoples' Issues, helped enhance dialogue with United Nations resident coordinator offices on indigenous peoples' rights. A series of virtual round tables on protecting human rights defenders was organized in the first quarter of 2022. They promoted the participation of indigenous peoples in national development processes and the sharing of indigenous knowledge of sustainable practices. The participation of resident coordinators and country teams from Bangladesh, Colombia, Costa Rica, the Democratic Republic of the Congo, Indonesia and Uganda proved to be highly beneficial as it led to the creation of a resource portal on the Sustainable Development Goals website for United Nations country teams.<sup>18</sup>

## **D. Early warning mechanisms and monitoring of human rights violations**

34. The Committee on Economic, Social and Cultural Rights, the Committee on the Elimination of Discrimination against Women and the Committee on the Elimination of Racial Discrimination highlighted their concerns and recommended that States parties under

<sup>16</sup> See [https://hchr.org.mx/wp/wp-content/uploads/2021/07/20210707\\_ComPrensa\\_Defensor-SimonPedroPeerez.pdf](https://hchr.org.mx/wp/wp-content/uploads/2021/07/20210707_ComPrensa_Defensor-SimonPedroPeerez.pdf) (in Spanish).

<sup>17</sup> See <https://hchr.org.mx/comunicados/la-onu-dh-condena-los-asesinatos-del-defensor-de-derechos-humanos-jose-trinidad-baldenegro-y-del-periodista-armando-linares-lopez/> (in Spanish).

<sup>18</sup> See [https://unitednations.sharepoint.com/sites/DCO-WG-UNSDG\\_CF/SitePages/Indigenous-Peoples.aspx](https://unitednations.sharepoint.com/sites/DCO-WG-UNSDG_CF/SitePages/Indigenous-Peoples.aspx).



review take more effective steps to establish early warning mechanisms and investigate violations of the human rights of indigenous peoples.<sup>19</sup>

35. In September 2021, the OHCHR office in Honduras concluded a general study on the impact of the COVID-19 pandemic and Hurricanes Eta and Iota on the human rights of indigenous peoples and Hondurans of African descent. The study revealed gaps in State action to address the crisis faced by indigenous peoples and recommends guidelines to improve the human rights of indigenous peoples in the areas of health, education, housing and other economic, social, cultural and environmental rights, as well as the strengthening of mechanisms for the recognition and protection of their rights over their lands, territories and natural resources.

36. With the support of the Human Rights Adviser to the Resident Coordinator in Costa Rica, OHCHR developed an early warning response mechanism relating to economic and social rights, particularly access to land. Information-sharing between United Nations agencies, public institutions, organizations and indigenous leaders has enabled the United Nations to identify risks concerning the protection of indigenous leaders defending their lands. Four indigenous communities – Cabagra, China Kichá, Salitre and Terraba– have been prioritized as they are at high risk.

37. The OHCHR office in Guatemala continued to follow up on the situation in El Estor in the Department of Izabal.<sup>20</sup> In October 2021, the Government decreed a state of siege in that municipality, alleging that violence had occurred in the context of the peaceful demonstration by Q'eqchi' communities against mining activity in the region and their request to participate in the consultation established in accordance with judgment 697-2019 of the Constitutional Court. In this context, the OHCHR office in Guatemala conducted a monitoring mission that allowed it to document arrests and searches conducted without judicial guarantees.

## **E. Structural racial discrimination, racial justice and patterns of violence against indigenous peoples by law enforcement officials**

38. The OHCHR technical mission in the Plurinational State of Bolivia, together with the Office of the Ombudsman, is an observer member of the National Committee against Racism and All Forms of Discrimination. The OHCHR technical mission, under the leadership of the United Nations Resident Coordinator and in coordination with the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), assisted the Committee to develop its five-year plan to ensure that national financial resources are assigned to the Committee. It is also currently supporting the development of an action plan.

39. In his report to the General Assembly on the enjoyment of human rights by indigenous peoples living in urban areas, the Special Rapporteur on the rights of indigenous peoples urged States to adopt, in consultation with the indigenous peoples concerned, legislation, policies and programmes to provide collective protection mechanisms for indigenous peoples living in urban areas.<sup>21</sup>

40. Structural racial discrimination, racial justice and systematic patterns of violence against indigenous peoples were priority issues noted by the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Human Rights Committee and the Committee on the Elimination of Racial Discrimination.<sup>22</sup>

## **F. Access to justice**

41. The Committee on the Rights of Persons with Disabilities, the Committee on the Elimination of Racial Discrimination and the Committee against Torture noted with concern

<sup>19</sup> See for example [E/C.12/BOL/CO/3](#), [CEDAW/C/SWE/CO/10](#) and [CERD/C/THA/CO/4-8](#).

<sup>20</sup> See [A/HRC/49/20](#).

<sup>21</sup> [A/76/202/Rev.1](#).

<sup>22</sup> See for example [CMW/C/CHL/CO/2](#), [CCPR/C/FIN/CO/7](#) and [CERD/C/THA/CO/4-8](#).

the lack of, or limited access to, justice for indigenous peoples. They urged States parties under review to adopt and implement age-appropriate and gender-sensitive legal measures guaranteeing access to justice for indigenous communities, including by removing barriers to the physical environment for indigenous peoples with disabilities.<sup>23</sup>

42. The OHCHR technical mission in the Plurinational State of Bolivia facilitated consultations between the Special Rapporteur on the independence of judges and lawyers and indigenous authorities and experts on access to indigenous justice when he conducted an official country visit in February 2022. He highlighted the fact that recent legislation had limited the material scope of the indigenous aboriginal campesino justice system.<sup>24</sup>

43. The OHCHR office in Colombia contributed to the strengthening and recognition of the indigenous peoples' own systems of governance and justice and the way in which those systems help protect indigenous territories in the context of the social unrest and armed conflict that persists in the country. For instance, the country office supported a dialogue between the ordinary jurisdiction, the special indigenous jurisdiction and the transitional jurisdiction. It provided technical assistance to the Awá indigenous people on the Magüí and Renacer reservations in the Nariño Department, supporting their preparation and presentation of a report to the Special Jurisdiction for Peace, in cooperation with the technical teams of the Awá People's Indigenous Association and the association of Awá traditional indigenous authorities.

44. With the support of the Human Rights Adviser to the Resident Coordinator in Costa Rica, OHCHR facilitated a key alliance between the judiciary and indigenous leaders to develop a road map and methodological tools for a preliminary and participatory assessment of the level of access to justice for indigenous peoples. That was based on recommendations from the universal periodic review and the United Nations human rights mechanisms. A universal periodic review project was prepared and approved for implementation in 2022, to provide technical support to the judiciary, taking an intersectional, legal and gender-based approach.

45. During the reporting period, indigenous peoples in Guatemala continued to face barriers in accessing the ordinary justice system. In 2021, the judiciary reported that it had hired 107 indigenous languages interpreters nationwide,<sup>25</sup> the Public Prosecution Service reported 66,<sup>26</sup> and the Public Criminal Defence Institute (in charge of free legal aid services) reported 15.<sup>27</sup> Between September and November 2021, the OHCHR office in Guatemala documented cases in the departments of Huehuetenango, Izabal and Petén in which indigenous persons were forced to speak Spanish during judicial procedures, despite the presence of bilingual judicial staff.

46. In January 2022, indigenous Mayan Achi women achieved a landmark ruling in a Guatemalan transitional justice case concerning sexual violence committed during the internal armed conflict in the 1980s. The country's highest court convicted five men of the rape of 36 indigenous Maya Achi women at the height of the country's civil war. The case highlighted the use of sexual violence by the Guatemalan military as part of its strategy during the war. Despite being an emblematic achievement, the judiciary did not provide continuing interpretation services for the Mayan indigenous women who were the victims in the case, limiting the reparatory effects of the process itself. The OHCHR office in Guatemala provided technical assistance to the Attorney General's Office, including training for legal representatives of victims and civil society on international standards relating to the prosecution and judgment of sexual violence cases and victim protection.

47. The Guatemalan Constitutional Court, with the support of the OHCHR office in Guatemala, published a thematic compilation of its judgments on indigenous peoples' rights, with the aim of facilitating their dissemination and implementation.<sup>28</sup> In coordination with

<sup>23</sup> See for example [CRPD/C/MEX/CO/2-3](#), [CERD/C/THA/CO/4-8](#) and [CAT/C/BOL/CO/3](#).

<sup>24</sup> [A/HRC/50/36/Add.1](#), p. 1.

<sup>25</sup> Information provided by the judiciary on 26 August 2021.

<sup>26</sup> See <https://www.mp.gob.gt/documentos> (tercer informe anual, in Spanish, p. 253).

<sup>27</sup> Information provided by the Public Criminal Defence Institute on 28 October 2021.

<sup>28</sup> See [https://issuu.com/oacnudhgt/docs/compilaci\\_n\\_tem\\_tica\\_con\\_isbn](https://issuu.com/oacnudhgt/docs/compilaci_n_tem_tica_con_isbn) (in Spanish).



the University of San Carlos de Guatemala, based in Izabal and Quezaltenango, the country office led two technical training programmes on strategic litigation with a focus on rights, gender and interculturality, enhancing indigenous peoples' knowledge of their right to access to justice.

48. As part of a comprehensive strategy to strengthen access to justice for indigenous peoples, the OHCHR office in Honduras monitored emblematic cases and continued to provide technical support to the private prosecution, the family members and the Civic Council of Popular and Indigenous Organizations of Honduras concerning the judicial case of David Castillo, the former manager of the Desarrollos Energéticos company and the person in charge of the Agua Zarca hydroelectric project. On 5 July 2021, the first chamber of the sentencing court with national territorial jurisdiction in criminal matters found Mr. Castillo guilty of participating as co-author in the murder in 2016 of Lenca environmental defender Berta Cáceres.

49. In 2021, the OHCHR office in Honduras also provided technical assistance to the Lenca indigenous community of Tierras del Padre in legal actions that resulted in suspensions of forced evictions. As a result, the Ministry of Human Rights made a commitment to set up a working group to address the issue of evictions, including of indigenous peoples, from a human rights perspective.

50. The OHCHR office in Mexico provided the Supreme Court of Justice with expert guidance and advice on indigenous peoples' land rights, including in relation to the pollution of the Maya people's water basins (*cenotes*) in Homún in June 2021, and to a mining concession in the territories of the Nahuatl community of Tecoltemi in February 2022. During the reporting period, the OHCHR office in Mexico also monitored judicial cases on the land rights of indigenous peoples, including the Wirikuta case concerning a mining concession in the sacred territory of the Wixárika people and a solar farm in the Mayan community of San José Tipceh, which was suspended by the company.

51. OHCHR continued to support the integration of the rights of indigenous peoples into legislation and policies through technical advice to State authorities and parliamentarians. It joined other United Nations entities of the Inter-Agency Support Group on Indigenous Peoples' Issues to support the Government of Uganda to develop an affirmative action plan on indigenous peoples jointly with the Department of Economic and Social Affairs of the United Nations, the United Nations Development Programme (UNDP) and UN-Women. It also supported the adoption in June 2021 of a specific law on the rights of indigenous peoples in the Democratic Republic of the Congo.

## G. Land rights

52. Indigenous peoples' land rights, forced evictions and limited access to their lands and territories were given special attention by nearly all United Nations human rights treaty bodies, including the Human Rights Committee, the Committee on the Elimination of Racial Discrimination, the Committee on the Elimination of Discrimination against Women and the Committee on Economic, Social and Cultural Rights.<sup>29</sup>

53. In April 2022, the OHCHR Regional Office for South America, at the request of the Human Rights and Minorities Commission of the Chamber of Deputies of Brazil, developed a technical analysis of bill 191/2020, which deals with mining exploration and other activities on indigenous lands, from an international human rights standards perspective. Seven United Nations special procedure mandate holders also sent a letter to the Government concerning the bill.<sup>30</sup>

54. The OHCHR office in Colombia assisted four indigenous communities (Barí, Hitnu, Jiw and Nukak) that were at risk of physical and cultural extermination to take action with State institutions to guarantee protection measures for their territorial rights.

<sup>29</sup> See for example [E/C.12/COD/CO/6](#) and [E/C.12/BOL/CO/3](#).

<sup>30</sup> See:

<https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=27186>.

55. From August to October 2021, the OHCHR office in Guatemala conducted for the second time the high-level diploma on international standards on human rights relating to access to land, a healthy environment and indigenous peoples. Staff members from 17 State entities participated in the training.

56. To support implementation of the Constitutional Court judgment concerning collective ownership of land, territories and natural resources of the Maya Q'eqchi' communities of Sierra Santa Cruz (Izabal),<sup>31</sup> the OHCHR office in Guatemala provided technical assistance on international human rights standards to the Registry of Cadastral Information.

57. The Committee on the Elimination of Discrimination against Women recommended that several States parties under review provide individual and collective rights to land ownership for indigenous women and stop threatening their territorial integrity and limiting their access to indigenous lands.<sup>32</sup>

58. During the reporting period, States that were considered under the universal periodic review were urged to create formal platforms to guarantee and protect the rights of indigenous peoples.<sup>33</sup>

## H. Indigenous women and girls

59. The rights of indigenous women and girls were highlighted by most United Nations human rights treaty bodies, such as the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Committee on the Elimination of Discrimination against Women, the Committee on the Rights of Persons with Disabilities and the Human Rights Committee.<sup>34</sup>

60. The treaty bodies also recommended that States parties address their concerns about ongoing maternal mortality, gender-based violence, lack of access to land, harmful customary practices and other gender-related issues threatening the human rights of indigenous women and girls.<sup>35</sup>

61. In the recommendations made during the universal periodic review, emphasis was placed on addressing gender-based violence and strengthening indigenous women's access to justice.<sup>36</sup>

62. In Ecuador, barriers persist to the physical, economic and sociopolitical empowerment of women in the Amazon region, including high rates of violence and low participation in the labour market. With the support of the Human Rights Adviser to the Resident Coordinator in Ecuador, OHCHR recommended a United Nations country team action plan for indigenous peoples in the context of COVID-19 to prioritize the empowerment of Amazonian indigenous women. The plan is expected to highlight the demands and needs of those women and to help articulate their advocacy proposals for the present and future work for indigenous women belonging to 11 Amazonian nationalities.

63. To give voice and visibility to indigenous women in Costa Rica, with the support of the Human Rights Adviser to the Resident Coordinator and the Senior Indigenous Fellow, OHCHR held a human rights and music camp in November 2021 on the theme of breaking the barriers of inequality – promoting the voice of indigenous women through music, with the participation of 14 indigenous women from different territories and cultures.<sup>37</sup> They participated in the camp for five days in the Térraba indigenous territory, where they formed

<sup>31</sup> Constitutional Court, record no. 5955-2013, judgment of 25 November 2015. See [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2fCERD%2fADR%2fGTM%2f29800&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2fCERD%2fADR%2fGTM%2f29800&Lang=en) (Spanish only).

<sup>32</sup> See for example [CEDAW/C/ECU/CO/10](#) and [CEDAW/C/SWE/CO/10](#).

<sup>33</sup> See for example [A/HRC/49/6](#) and [A/HRC/48/9](#).

<sup>34</sup> See for example [CMW/C/CHL/CO/2](#), [CEDAW/C/PER/CO/9](#), [CRPD/C/MEX/CO/2-3](#) and [CCPR/C/KEN/CO/4](#).

<sup>35</sup> See for example [CEDAW/C/IDN/CO/8](#), [E/C.12/BOL/CO/3](#) and [CRPD/C/MEX/CO/2-3](#).

<sup>36</sup> See for example [A/HRC/49/17](#).

<sup>37</sup> <https://www.ohchr.org/en/get-involved/stories/promoting-voice-indigenous-women-through-music>.

the Icuru Tsö (“seed that exists”) collective and where they wrote a song entitled “Tayëla”, which in the Bribri language means “pay attention”. The song is about the strength of indigenous women in their role as defenders of their culture and their rights.

64. In March 2022, the OHCHR office in Guatemala launched an online event, organized in the context of International Women’s Day (8 March) and the International Day for the Elimination of Racial Discrimination (21 March), to reflect on women’s rights. The event involved the participation of prominent Maya women and addressed the human rights of indigenous women in Guatemala.

65. The OHCHR office in Mexico is monitoring the case of the femicide of L.C.G., an indigenous Wixárika young woman in the northern State of Jalisco. The office provided technical support to the prosecution, the Executive Commission for Victim Support, the Jalisco State Secretariat for Substantive Equality between Women and Men and others involved in the case on the use of international human rights standards on violence against indigenous women. In addition, OHCHR supported the victims in submitting their case to United Nations human rights mechanisms and during the judicial process.

66. On 20 December 2021, the OHCHR Regional Office for South-East Asia, in close cooperation with the Association of Indigenous Women of the Archipelago of Indonesia (PEREMPUAN AMAN) organized a round-table discussion with 15 indigenous women human rights defenders from the Papua province, including religious leaders, on key challenges and concerns affecting the protection of women human rights defenders.

67. OHCHR promoted the direct participation of women indigenous leaders in, and co-hosted with the Regional Office for South America, an event organized in Santiago in April 2022 in the context of the first meeting of the Conference of the Parties to the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean, on emerging practices for the effective implementation of the Agreement.

68. During its seventy-ninth session, held remotely in June 2021, the Committee on the Elimination of Discrimination against Women held a day of general discussion on the rights of indigenous women and girls. The result of the discussion contributed towards preparations for a general recommendation on the rights of indigenous women and girls, in which the Committee aims to provide guidance to States parties to the Convention on the measures they should adopt to ensure full compliance with their obligations under the Convention to respect and protect the rights of indigenous women and girls.

## **I. Indigenous peoples and the 2030 Agenda for Sustainable Development**

69. The 2030 Agenda for Sustainable Development, with its commitment to leaving no one behind, offers opportunities for strengthening the global efforts to tackle the socioeconomic vulnerabilities of indigenous peoples.

70. In August 2021, owing to cooperation between State institutions and the OHCHR office in Honduras, indigenous peoples were able to participate in the consultations on the reconstruction efforts. They managed to ensure that their priorities and concerns were included in the design and implementation of the Sustainable Development Plan to aid recovery from the pandemic and from Hurricanes Eta and Iota.

71. In March 2022, the OHCHR Regional Office for South-East Asia engaged with the ninth session of the Asia-Pacific Forum on Sustainable Development, an annual intergovernmental forum that supports countries in the implementation of the 2030 Agenda for Sustainable Development and serves as a regional preparatory meeting for the high-level political forum. It also organized, in conjunction with the Food and Agriculture Organization of the United Nations and Asia Indigenous Peoples Pact, a side event on indigenous peoples, gender and natural resources rights in the context of COVID-19: trends and experiences from the ground for building back better.

## **J. Promotion of indigenous languages, including in the context of education, political participation, justice, health and other rights**

72. In 2021 and 2022, the OHCHR Regional Office for South America, in conjunction with UNDP, initiated steps to integrate international human rights standards relating to indigenous peoples in the constituent process in order to strengthen their participation. This includes an online platform that facilitates access to information and involves the participation of indigenous peoples. It also includes technical and financial support for indigenous representatives to ensure that they can properly play their roles during the constituent process.

73. On 6 October 2021, the Inter-American Court of Human Rights issued a judgment on the violation by Guatemala of the rights to freedom of expression, to equality before the law and to participate in cultural life of the Maya Kaqchikel of Sumpango, the Maya Achí of San Miguel Chicaj, the Mam of Cajolá and the Mam of Todos Santos Cuchumatán, indigenous operators of community radio stations.<sup>38</sup> The judgment underscores the importance of community radio stations as a tool for the exercise of indigenous peoples' freedom of expression and as a guarantee of the plurality and diversity of the media. The Court ordered various reparation measures, such as reserving part of the radio spectrum for indigenous community radio stations and immediately refraining from prosecuting the individuals who operate them.<sup>39</sup> The OHCHR office in Guatemala provided technical assistance to the Cultural Survival association in the implementation of the judgment.

74. In July 2021, for the first time, the Special Rapporteur on the rights of indigenous peoples addressed a session of the World Heritage Committee of the United Nations Educational, Scientific and Cultural Organization (UNESCO) during its consideration of nominated heritage sites and, in November 2021, participated in the launch of the UNESCO World Atlas of Languages.

75. The Committee on the Rights of Persons with Disabilities, the Human Rights Committee and the Committee on Economic, Social and Cultural Rights have drawn several States' attention to the right of indigenous people to access quality education and health care and the need to protect indigenous languages and to ensure the meaningful participation of indigenous people in decision-making processes.<sup>40</sup>

## **K. Participation of indigenous peoples in United Nations processes**

76. Given the disproportionate impact that COVID-19 has had on indigenous peoples, their participation in United Nations forums, particularly on issues that affect them, has been more critical than ever.<sup>41</sup>

77. After a freeze of its operations due to the COVID-19 pandemic, the United Nations Voluntary Fund for Indigenous Peoples resumed its activities during 2022 by supporting the participation of 20 indigenous representatives (12 women and 8 men) from the seven indigenous sociocultural regions in the twenty-first session of the Permanent Forum on Indigenous Issues, held in New York from 25 April to 6 May 2022. Prior to the Forum, they participated in a three-day preparatory training course, Project Access, the global capacity-building workshop for indigenous peoples, which is jointly organized by Tribal Link Foundation, UNDP and OHCHR, the secretariat of the Fund.

78. From 1 to 16 June 2022, the Fund also provided support for eight indigenous representatives (four men and four women) from eight countries (Argentina, Australia, Barbados, Belize, Ecuador, Indonesia, Malaysia, Nepal and the Russian Federation) to participate in the 7th meeting of the Local Communities and Indigenous Peoples Platform

<sup>38</sup> Inter-American Court of Human Rights, *Case of the Maya Kaqchikel indigenous peoples of Sumpango et al. v. Guatemala*, Judgment of 6 October 2021, para. 156.

<sup>39</sup> Ibid., paras. 196 and 202.

<sup>40</sup> See for example [CRPD/C/MEX/CO/2-3](#), [CCPR/C/BWA/CO/2](#) and [E/C.12/BOL/CO/3](#).

<sup>41</sup> See <https://www.ohchr.org/en/press-releases/2021/09/indigenous-peoples-have-been-disproportionately-affected-covid-19-senior>.

Facilitative Working Group and the fifty-sixth session of the Subsidiary Body for Scientific and Technological Advice. Since the expansion in 2019 of the Fund's mandate to include the relevant sessions of the United Nations Framework Convention on Climate Change among its supported meetings, that was the first time it had provided support to indigenous representatives to participate in the United Nations climate change process.

79. In addition to providing grants to enable the participation of indigenous peoples in United Nations meetings, the Fund allocates resources to build the capacity of indigenous peoples to make them truly effective participants in United Nations meetings. For example, in partnership with indigenous organizations and members of the indigenous-specific United Nations human rights mechanisms, the Fund regularly organizes human rights training sessions in Geneva and New York, and more recently also online, to increase the capacity of indigenous peoples' representatives to effectively participate in United Nations human rights mechanisms.

80. In particular, the Fund, in collaboration with the OHCHR Indigenous Fellowship Programme and the Pedro Arrupe Human Rights Institute at Deusto University, carried out four training webinars in English, French, Russian and Spanish for indigenous and non-indigenous representatives to help them prepare for their participation in the fourteenth session of the Expert Mechanism on the Rights of Indigenous Peoples, held in July 2021, with approximately 400 participants in total. In addition, the Fund also organized three side events during that session.

81. The Fund also celebrated the 2021 International Day of Indigenous Peoples on 9 August 2021, in collaboration with the French-speaking OHCHR Senior Minority and Indigenous Fellows in Africa. In cooperation with partner indigenous organizations, the Fund also provided support to the Project Access global capacity-building training workshops for indigenous peoples in 2020 and 2021, which were held under the auspices of the Tribal Link Foundation.

82. In 2020, OHCHR redesigned its Indigenous Fellowship Programme to address the exigencies of the COVID-19 pandemic, which restricted travel and physical meetings, moving the programme, *inter alia*, to on-the-job training at the country and regional levels. During the reporting period, based on the success of the first cycle of the redesigned programme, in 2021 OHCHR selected 26 former Indigenous Fellows (18 women and 8 men) from 20 countries: Bolivia (Plurinational State of), Brazil, Cambodia, Cameroon, Chad, Chile, Colombia, Costa Rica, Democratic Republic of the Congo, Ecuador, Guatemala, Indonesia, Kenya, Malaysia, Mali, Mexico, New Zealand, Panama, Paraguay and Tunisia. The Senior Indigenous Fellows were posted in six OHCHR regional offices, six OHCHR country offices, five United Nations country teams and one United Nations peacekeeping mission for a minimum of six months and up to two years. In addition, one Senior Indigenous Fellow provided support to the mandate of the Special Rapporteur on the rights of indigenous peoples. The training and participation of Senior Indigenous Fellows in OHCHR and other United Nations field presences had a significant impact. Moreover, it greatly strengthened the ability of OHCHR and the United Nations to promote and protect indigenous peoples' rights.

83. On 16 July 2021, the Human Rights Council held an intersessional round table on ways to enhance the participation of indigenous peoples' representatives and institutions in Council meetings on issues affecting them, with the participation of representatives from Africa, Asia, Central and South America and the Caribbean, the Arctic, Central and Eastern Europe, Central Asia and Transcaucasia, North America and the Pacific, and from the Russian Federation.<sup>42</sup> Subsequently, at its forty-eighth session, the Council requested OHCHR to convene a four-day expert workshop in 2022, open to the participation of States and of indigenous peoples from the seven indigenous sociocultural regions, on possible ways to enhance the participation of indigenous peoples in the work of the Council.<sup>43</sup>

84. On 28 September 2021, under its access to justice project, the OHCHR Regional Office for South-East Asia facilitated a virtual dialogue between the National Commission on Human Rights and the Special Rapporteur on violence against women, its causes and

<sup>42</sup> See <https://media.un.org/en/asset/k13/k137i4yvfy>.

<sup>43</sup> Human Rights Council resolution 48/11.

consequences. Discussions focused on the existing shortcomings in law and in practice in Indonesia in terms of addressing gender-based violence against women, including indigenous women. Participants proposed amendments to the Penal Code, which reinforces discriminatory provisions in existing by-laws and regulations while imposing new discriminatory provisions.

85. From June to August 2021, with the support of the United Nations Human Rights Adviser to the Resident Coordinator, OHCHR implemented a series of virtual dialogues with indigenous leaders in Ecuador, in partnership with the National Coordinating Body of Peasant, Indigenous and Montubio Peoples, the Coordenação das Organizações Indígenas da Amazônia Brasileira, an umbrella association of indigenous organizations from the Amazon region of Brazil, and the Amazon Cooperation Network, resulting in a written contribution for the discussion of the general recommendation on the rights of indigenous women and girls of the Committee on the Elimination of Discrimination against Women.

### **III. Conclusions and recommendations**

86. As highlighted by United Nations human rights mechanisms and OHCHR offices in various regions of the world, indigenous peoples have been and continue to be severely affected by the COVID-19 pandemic. As the impact and consequences of the pandemic have evolved, OHCHR has conducted a wide range of country, regional and international activities in an effort to ensure equitable recovery and to protect and promote the rights of indigenous peoples worldwide, advocating for their effective and meaningful participation and leadership in COVID-19 response and mitigation strategies.

87. OHCHR, with the involvement of the Senior Indigenous Fellows, has supported assessments of the impact of COVID-19 on the rights of indigenous peoples, making recommendations for action and facilitating spaces for dialogue, including at the inter-agency level, to address the crisis, identify the lessons emerging from the pandemic and support States to be better prepared for similar crises in the future.

88. Concerns persist about the differentiated impact of COVID-19 on indigenous peoples, including with regard to their exclusion from State responses, their lack of access to quality health care, water and sanitation systems and to education, and the restrictions on movement that have greatly affected their livelihoods, food security and well-being and exacerbated their previous needs. In light of the evidence of the disproportionate impact COVID-19 has had on indigenous peoples, Member States should continue their efforts to mitigate the negative impact on indigenous peoples' rights in order to ensure that no one is left behind. Based on the lessons learned during the pandemic, States should evaluate their existing policies, laws and practices in order to guarantee indigenous peoples' enjoyment of human rights at all times.

89. OHCHR has continued to support States and indigenous peoples in strengthening their capacity to safely claim and exercise their right to land, territories and natural resources at the national, regional and international levels and to ensure that their free, prior and informed consent is obtained on all matters that could potentially affect them. Technical assistance has been provided to State institutions to strengthen indigenous land titling and to protect the rights of those seeking communal land titles. OHCHR has supported efforts to promote the recognition of the rights of indigenous peoples over land, territory and natural resources, including their participation in the management and conservation of resources, and of their autonomy.

90. Drawing from the lessons learned during the reporting period, States must redouble their efforts to ensure the legal recognition of indigenous peoples' collective ownership of land, territories and natural resources, including by strengthening their relevant legal and institutional frameworks, particularly cadastral services, and by increasing their knowledge and understanding of the rights of indigenous peoples.

91. To ensure the effective respect and protection of indigenous peoples' right to land and to consultation, Member States should implement the recommendations included



in the 2021 report on efforts to implement the United Nations Declaration on the Rights of Indigenous Peoples: indigenous peoples and the right to self-determination of the Expert Mechanism on the Rights of Indigenous Peoples, especially the collective dimensions of that right.<sup>44</sup>

92. Noting positive recent developments and the adoption of laws and policies on the rights of indigenous peoples by several countries in the African region,<sup>45</sup> States are called upon to ensure the legal recognition of indigenous peoples living on their lands and territories, guaranteeing them the full enjoyment of their human rights, in application of the United Nations Declaration on the Rights of Indigenous Peoples.

93. Indigenous human rights defenders, particularly those whose efforts involve protecting lands and territories, continue to face high risks when conducting their work. In many cases, the risks have been amplified by pandemic-related measures. OHCHR has supported States, indigenous human rights defenders and their communities, national human rights institutions and civil society to enhance the protection of defenders, to prevent violations of their rights and to monitor and follow-up cases where they are at risk. OHCHR has also followed and provided visibility for cases of racial discrimination against indigenous peoples, calling on States to take effective action to address persistent intersectional discrimination. Member States are urged to systematically prevent and prosecute all cases of harassment, reprisals and the various forms of violence against indigenous human rights defenders perpetrated by different actors, including law enforcement officers, the private sector and armed groups.

94. In many countries, indigenous peoples continue to face barriers to being recognized, to accessing State legal systems, to maintaining and strengthening their indigenous legal institutions, to applying their own customs and laws and to having access to justice through mechanisms that do not violate or threaten their rights. In order to advance indigenous peoples' access to justice, OHCHR has supported efforts to strengthen strategic litigation and the capacity of national institutions to include international human rights law and standards pertaining to the rights of indigenous peoples in their work. It has also supported the strengthening of indigenous peoples' own justice systems, which are key to ensuring their right to maintain their autonomy, culture and traditions.

95. Indigenous women and girls play crucial roles in their communities as leaders, human rights defenders, knowledge keepers, breadwinners and caretakers. They continue to face a disproportionately high risk of violations of their human rights, including as victims of intersectional discrimination, and multiple forms of violence and sexual assault. OHCHR has continued to monitor such human rights violations and supported efforts to promote and protect indigenous women's and girls' political, economic and cultural rights. The ongoing focus of the Committee on the Elimination of Discrimination against Women, including in its periodic review of State parties' progress in implementing their obligations and in preparing a general recommendation on the rights of indigenous women and girls, highlights the treaty obligations of State parties in this regard. The forthcoming general recommendation will provide guidance to States on preventing violations of the human rights of indigenous women and girls. In addition, Member States are encouraged to implement the recommendations included in the 2022 report of the Special Rapporteur on violence against women, its causes and consequences, on violence against indigenous women and girls.<sup>46</sup>

96. OHCHR has strengthened the capacities of indigenous leaders to engage with international human rights mechanisms and facilitated their participation in United Nations meetings and forums so that they can directly express their priorities through meaningful and effective consultation. Member States are called upon to identify

<sup>44</sup> [A/HRC/48/75](#).

<sup>45</sup> A law on indigenous peoples' rights was adopted by the National Assembly of the Democratic Republic of the Congo in April 2021 and by the Senate in June 2022. The Congo adopted its law on the promotion and protection of the rights of its indigenous populations in 2011, and its implementing decrees in July 2019.

<sup>46</sup> [A/HRC/50/26](#).

concrete options in consultation with indigenous representatives to significantly enhance their participation in United Nations work, meetings and events, including through the process leading and follow-up to the four-day expert workshop on the matter to be organized by OHCHR at the end of 2022.<sup>47</sup>

97. As the present report demonstrates, sustained efforts are needed by all stakeholders to address long-standing structural inequalities and to effectively ensure the full and equal enjoyment of rights for all indigenous peoples through legislation, policies and strategies, in line with the United Nations Declaration on the Rights of Indigenous Peoples, relevant human rights obligations and the outcome document of the World Conference on Indigenous Peoples.

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<sup>47</sup> Human Rights Council resolution 48/11.