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INDIGENOUS ISSUES

**Implementation of the programme of activities for the International
Decade of the World's Indigenous People**

Report of the High Commissioner for Human Rights

Submitted in accordance with Commission resolution 2003/58

Summary

The present report provides information relating to the International Decade of the World's Indigenous People and supplements the report of the Secretary-General to the General Assembly (A/58/289). It provides information on the Indigenous Fellowship Programme, the Working Group on a draft United Nations declaration on the rights of indigenous peoples, the work of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people, inter-agency cooperation on indigenous issues and the United Nations Voluntary Fund for the International Decade of the World's Indigenous People and the United Nations Voluntary Fund for Indigenous Populations.

Introduction

1. In its resolution 2003/58, the Commission on Human Rights requested the United Nations High Commissioner for Human Rights, as Coordinator for the International Decade of the World's Indigenous People, 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 sixtieth session under the agenda item entitled "Indigenous issues". The present report provides information made available since the submission of the report of the Secretary-General to the General Assembly (A/58/289).

I. INDIGENOUS FELLOWSHIP PROGRAMME

2. In 2003, a total of 15 young indigenous persons benefited from the training offered by the Office of the High Commissioner for Human Rights (OHCHR) under the Indigenous Fellowship Programme. The programme was carried out in English, French and Spanish and now constitutes one of the core activities of OHCHR concerning indigenous peoples.

3. The 2003 Indigenous Fellowship Programme for English-speaking participants, implemented by OHCHR, took place from 28 April to 3 October 2003. The Programme placed emphasis on the work of the treaty bodies and the fellows collaborated closely with the secretariat of the Committee on the Rights of the Child in organizing a general discussion day on indigenous children which was held on 19 September 2003. As in previous years, the Programme consisted of an intensive course on human rights, visits to non-governmental organizations (NGOs) and training modules with several United Nations agencies. This year several environmental organizations were added to the programme in the light of the recommendations from former fellows. The fellows also worked with the desk officers responsible for their countries, thereby gaining a more in-depth knowledge about the technical cooperation activities of OHCHR. As part of the practical work experience in the United Nations system, the five fellows from Burundi, Chile, India, Indonesia and the United States of America assisted the secretariat of the Working Group on Indigenous Populations of the Sub-Commission on the Promotion and Protection of Human Rights as well as the secretariat of the Working Group of the Commission on Human Rights on a United Nations draft declaration on the rights of indigenous peoples.

4. In cooperation with the University of Deusto in Bilbao, Spain, the Indigenous Fellowship Programme also provided training in Spanish for five indigenous fellows from Latin America. The five fellows from Bolivia, Colombia, Guatemala, Paraguay and Venezuela spent three months at the University of Deusto where they received human rights training followed by five weeks of practical experience at OHCHR.

5. In 2003, OHCHR also provided human rights training for five French-speaking indigenous persons from Algeria, Canada, Morocco and Niger. The training programme was undertaken in cooperation with the University of Bourgogne in Dijon, France, and lasted two months. This project was first piloted in 2002. The 2003 programme for the French-speaking indigenous fellows took place from 15 September to 7 November 2003.

6. All 15 fellows concluded their training by carrying out an evaluation of the programme to help OHCHR to further improve the Indigenous Fellowship Programme, where necessary. The Acting High Commissioner for Human Rights presented certificates to all fellows and encouraged them to further the cause of human rights in their communities.

II. WORKING GROUP ESTABLISHED IN ACCORDANCE WITH COMMISSION ON HUMAN RIGHTS RESOLUTION 1995/32

7. The ninth session of the working group of the Commission on Human Rights on a draft United Nations declaration on the rights of indigenous peoples was held in Geneva from 15 to 26 September 2003. At its ninth session, the working group considered the following clusters of articles: (a) 1, 2, 8, 15, 16, 17, 18 and 44; (b) 10, 13 and 14; (c) 4, 19, 20, 21, 23, 31, 33, 36 and the fifteenth preambular paragraph; (d) 25, 26, 27 and 28. Prior to the ninth session, and in accordance with paragraph 6 of Commission resolution 2003/57, interested States participated in an informal intersessional meeting held in Geneva from 23 to 26 June 2003 to consider the above-mentioned articles. The report of the working group is contained in documents E/CN.4/2004/81 and E/CN.4/2004/81/Add.1.

III. SPECIAL RAPPORTEUR ON THE SITUATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS OF INDIGENOUS PEOPLE

8. During the period under review, the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people, Mr. Rodolfo Stavenhagen, undertook a wide range of activities within the framework of his mandate established by the Commission on Human Rights in its resolution 2001/57. In his visit to the Nordic countries in October 2003, he met with representatives from the Danish Ministry for Foreign Affairs, Greenland Home Rule, NGOs and the academia in Copenhagen; participated in the Forum for Development and Cooperation with Indigenous Peoples at the University of Tromsø, Norway; and visited the Sami Parliament in Karasjok, Norway, where he met with representatives of various Sami communities from Norway, Finland, Sweden and the Russian Federation.

9. The Special Rapporteur also continued to receive information on allegations of human rights violations against indigenous peoples and communities and transmitted communications to the Governments concerned. Summaries of these communications, the responses received, as well as information regarding his above-mentioned visits, are all contained in document E/CN.4/2004/80/Add.1.

10. In addition, the Special Rapporteur participated actively in the International Experts Seminar on Indigenous Peoples and the Administration of Justice, jointly organized by OHCHR and the Universidad Nacional de Educación a Distancia (UNED) of Spain, in Madrid from 12 to 14 November 2003. The main purpose of the seminar was to receive and discuss inputs on the administration of justice and indigenous peoples, the theme of his main report to the Commission on Human Rights at its sixtieth session. In Madrid, the Special Rapporteur met also with representatives from the Spanish International Cooperation Agency (AECI) and academics.

11. The Special Rapporteur continued his regular consultations with other mandate holders of the Commission on Human Rights and the various treaty bodies, such as the Committee against Torture and the Committee on the Rights of the Child.

IV. INTER-AGENCY COOPERATION AND THE PERMANENT FORUM ON INDIGENOUS ISSUES

12. On 18 July 2003, the International Labour Organization (ILO) and OHCHR hosted a meeting of the Inter-agency Support Group on Indigenous Issues to provide representatives of United Nations departments, funds and specialized agencies with information on the main activities relating to indigenous peoples, including the second session of the Permanent Forum on Indigenous Issues, and a briefing on the twenty-first session of the Working Group on Indigenous Populations. The meeting was attended by the following departments and organizations of the United Nations system: ILO, OHCHR, the World Health Organization (WHO), the Department of Economic and Social Affairs (DESA), the United Nations Institute for Training and Research, the World Intellectual Property Organization (WIPO), the World Bank and UNAIDS. The Chairperson of the Permanent Forum and representatives of the Permanent Missions of Canada, Denmark, Mexico and New Zealand also attended. On 8 September, WIPO hosted a meeting of the Inter-agency Support Group to consider the recommendations of the second session of the Permanent Forum, review the format and functioning of the Inter-agency Support Group, and cooperation among the agencies and mechanisms relating to indigenous peoples. The meeting was attended by the following departments and organizations of the United Nations system: WIPO, OHCHR, DESA, United Nations Conference on Trade and Development, United Nations Development Programme, Food and Agriculture Organization of the United Nations, United Nations Children's Fund, ILO and the International Fund for Agricultural Development.

13. At the meeting of the Inter-agency Support Group in September, OHCHR suggested to the secretariat of the Permanent Forum on Indigenous Issues to implement the technical workshop as recommended by the Forum at its first session prior to its third session in 2004, in which the members of the Working Group on Indigenous Populations, the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people and the members of the Permanent Forum could further discuss and establish mechanisms for efficient collaboration between the three mechanisms.

14. The issue of the collection and disaggregation of data on indigenous issues had been identified by the Permanent Forum as a topic of primary importance during its first session, and the Inter-agency Support Group contributed a joint paper to the discussion of this topic at the Forum's second session in 2003. The Inter-agency Support Group discussed additional individual contributions of its members to this important topic at its September meeting and OHCHR will provide a substantive input to the seminar on data collection and disaggregation to be organized by the Permanent Forum in New York from 19 to 21 January 2004.

V. UNITED NATIONS VOLUNTARY FUND FOR THE INTERNATIONAL DECADE OF THE WORLD'S INDIGENOUS PEOPLE

15. The latest reports on the Voluntary Fund are contained in documents A/58/289, E/CN.4/2003/89 and E/CN.4/Sub.2/AC.4/2003/13, which contains the report of the Advisory Group on its eighth session in 2003. Information on the Voluntary Fund is also available on the OHCHR web site www.unhchr.ch/indigenous/decade.htm.

16. At its eighth session, the Advisory Group expressed the view that, in order to meet the requests for funding received in 2003, the Fund would need US\$ 350,000 before its ninth session. The requests for funding for 2004, resulting from applications submitted by 1 October 2003, deadline for the submission of applications to the Fund, amounted to approximately US\$ 4 million.

17. As at 10 November 2003, according to information available at OHCHR, new contributions which will be available for 2004 were received from Chile (US\$ 1,000 on 31 July 2003), Greece (US\$ 3,000 on 8 August 2003), and Norway (US\$ 49,168 on 2 May 2003). Pledges were also made by Algeria (US\$ 5,000, pledged in December 2002) and Japan (US\$ 11,520, pledged in October 2003). These pledges amount to US\$ 16,520.

18. Additionally, the following contributions resulting from the transfer of the remaining balance of the United Nations Voluntary Fund for the International Year of the World's Indigenous People to the United Nations Voluntary Fund for the International Decade of the World's Indigenous People will be available for allocation at the ninth session of the Advisory Group in 2004: France (US\$ 11,333 confirmed on 20 May 2003), Luxembourg (US\$ 2,454 confirmed on 20 May 2003), the Netherlands (US\$ 55,334 confirmed on 1 April 2003), New Zealand (US\$ 5,333 confirmed on 9 September 2003), Norway (US\$ 51,758 confirmed on 4 April 2003), Sweden (US\$ 18,727 confirmed on 7 April 2003), and proceeds from the United Nations Staff Gala (US\$ 8,818 confirmed on 20 May 2003). These contributions amount to US\$ 153,757.

19. The Commission in its resolution 2003/58 (para. 15), and the Sub-Commission in its resolution 2003/30 (para. 4), appealed to all Governments, organizations and individuals in a position to do so to contribute to the Fund. As recommended by the Advisory Group and the Commission on Human Rights, the High Commissioner sent, in October 2003, a letter to all Governments appealing to them to contribute to the Fund and drawing their attention to the relevant resolutions. At the invitation of the Bureau of the Commission, the Chairperson of the Advisory Group addressed the Commission at its fifty-eighth session and also appealed for new and regular contributions.

VI. UNITED NATIONS VOLUNTARY FUND FOR INDIGENOUS POPULATIONS

20. The recommendations adopted by the Board of Trustees of the Fund at its sixteenth session held in March 2003, which were approved by the High Commissioner on behalf of the Secretary-General, are contained in a note by the secretariat to the Working Group on Indigenous Populations (E/CN.4/Sub.2/AC.4/2003/12).

21. At its sixteenth session, the Board expressed the view that, in order to meet the requests for funding received in 2003 so as to allow indigenous representatives to participate in the deliberations of the Working Group on Indigenous Populations, the working group of the Commission on Human Rights on a draft United Nations declaration on the rights of indigenous peoples and the Permanent Forum on Indigenous Issues, the Fund would need US\$ 800,000 before its next session scheduled to take place in Geneva from 11 to 19 March 2004.

22. As at 31 October 2003, according to information available at OHCHR, new contributions which will be available for 2004 were received from Chile (US\$ 1,000 on 31 July 2003); Denmark (US\$ 42,121 on 22 April 2003); Greece (US\$ 6,500 on 1 August 2003); Guatemala (US\$ 10,004 on 14 July 2003); Norway (US\$ 49,168 on 2 May 2003); Mr. Y. Shiokawa (US\$ 146 on 27 March 2003); Mr. S. Hotta (US\$ 146 on 27 March 2003) and members of the Aichi International Connecting Conference for Human Rights in Japan (US\$ 128 on 27 March 2003). The following pledges are still pending: Bolivia (US\$ 1,000 on 2 November 1999); Chile (US\$ 5,000 on 7 November 2001) and Venezuela (US\$ 5,000 on 7 November 2001 and US\$ 5,000 on 5 November 2002). These pledges amount to US\$ 16,000.

23. In its resolution 57/192, the General Assembly encouraged Governments to support the International Decade by contributing to the Fund (paras. 7 (e) and 9). The Commission on Human Rights, in its resolution 2003/58 (para. 7), and the Sub-Commission on the Promotion and the Protection of Human Rights, in its resolution 2003/29, appealed to all Governments organizations and individuals in a position to do so to generously contribute to the Fund. The General Assembly, at its fifty-eighth session, had before it at the time of writing of the present document a draft resolution that would again encourage and appeal to all Governments and organizations to contribute to the Fund, if possible with a substantial increase in the level of contributions.

24. At the invitation of the Bureau of the Commission, a member of the Board of Trustees addressed the Commission on Human Rights at its fifty-eighth session and also appealed for new and regular contributions. As recommended by the Board of Trustees and the Commission, the Acting High Commissioner for Human Rights sent, in early October 2003, a letter to all Governments appealing to them to contribute to the Fund and drawing their attention to the relevant resolutions.

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