



General Assembly

Distr.: General
3 December 2012

Original: English

Sixty-seventh session

Agenda item 66

Rights of indigenous peoples

Report of the Third Committee

Rapporteur: Mr. Suljuk Mustansar **Tarar** (Pakistan)

I. Introduction

1. At its 2nd plenary meeting, on 21 September 2012, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its sixty-seventh session the item entitled:

“Rights of indigenous peoples:

“(a) Rights of indigenous peoples

“(b) Second International Decade of the World’s Indigenous People”

and to allocate it to the Third Committee.

2. The Third Committee considered the item at its 18th, 35th and 43rd meetings, on 22 October and 8 and 26 November 2012. An account of the Committee’s discussion is contained in the relevant summary records (A/C.3/67/SR.18, 35 and 43).

3. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Secretary-General on the evaluation of the progress made in the achievement of the goal and objectives of the Second International Decade of the World’s Indigenous People (A/67/273);

(b) Report of the United Nations High Commissioner for Human Rights on the status of the United Nations Voluntary Fund for Indigenous Populations (A/67/221);

(c) Note by the Secretary-General transmitting the report of the Special Rapporteur on the rights of indigenous peoples (A/67/301).



4. At its 18th meeting, on 22 October, the Committee heard a statement by the Assistant Secretary-General for Economic Development, Department of Economic and Social Affairs (see A/C.3/67/SR.18).

5. At the same meeting, the Special Rapporteur on the rights of indigenous peoples made an introductory statement and engaged in an interactive dialogue with the representatives of Peru, the European Union, El Salvador, the United States of America, Costa Rica and Chile (see A/C.3/67/SR.18).

II. Consideration of proposals

A. Draft resolutions A/C.3/67/L.24 and Rev.1

6. At the 35th meeting, on 8 November, the representative of Bolivia (Plurinational State of), also on behalf of Denmark, Ecuador, Guatemala, Mexico, New Zealand, Norway, Peru and Venezuela (Bolivarian Republic of), introduced a draft resolution entitled “Rights of indigenous peoples” (A/C.3/67/L.24), which read:

“The General Assembly,

“Recalling all relevant resolutions of the General Assembly, the Human Rights Council and the Economic and Social Council relating to the rights of indigenous peoples,

“Reaffirming its resolutions 65/198 of 21 December 2010 and 66/142 of 19 December 2011, as well as its resolution 66/296 of 17 September 2012 on the organization of the high-level plenary meeting of the General Assembly, to be known as the World Conference on Indigenous Peoples, to be held on 22 and 23 September 2014, and noting its inclusive preparatory process, as well as the participation of indigenous peoples in the Conference,

“Recalling its resolution 59/174 of 20 December 2004 on the Second International Decade of the World’s Indigenous People (2005-2014),

“Recalling also the 2007 United Nations Declaration on the Rights of Indigenous Peoples, which addresses their individual and collective rights,

“Recalling further the United Nations Millennium Declaration, the 2005 World Summit Outcome and the outcome document of the high-level plenary meeting of the General Assembly on the Millennium Development Goals,

“Recalling the outcome document entitled ‘The future we want’ of the United Nations Conference on Sustainable Development, held in Rio de Janeiro, Brazil, from 20 to 22 June 2012,

“Recalling Human Rights Council resolution 21/24 of 28 September 2012 on human rights and indigenous peoples,

“Recalling also Commission on the Status of Women resolutions 49/7, entitled ‘Indigenous women: beyond the ten-year review of the Beijing Declaration and Programme of Action’, and 56/4, entitled ‘Indigenous women: key actors in poverty and hunger eradication’,

“Recalling further the first Peoples’ World Conference on Climate Change and the Rights of Mother Earth, hosted by the Plurinational State of Bolivia in Cochabamba from 20 to 22 April 2010,

“Stressing the importance of promoting and pursuing the objectives of the United Nations Declaration on the Rights of Indigenous Peoples also through international cooperation to support national and regional efforts to achieve the ends of the Declaration, including the right to maintain and strengthen the distinct political, legal, economic, social and cultural institutions of indigenous peoples and the right to participate fully, if they so choose, in the political, economic, social and cultural life of the State,

“Recognizing the value and the diversity of the cultures and the form of the social organization of indigenous peoples and their holistic traditional scientific knowledge of their lands, natural resources and environment,

“Concerned about the extreme disadvantages that indigenous peoples have typically faced across a range of social and economic indicators and about the impediments to their full enjoyment of their rights,

“Recalling its resolution 65/198, by which it decided to expand the mandate of the United Nations Voluntary Fund for Indigenous Populations so that it could assist representatives of indigenous peoples’ organizations and communities to participate in sessions of the Human Rights Council and of human rights treaty bodies, on the basis of diverse and renewed participation and in accordance with relevant rules and regulations, including Economic and Social Council resolution 1996/31 of 25 July 1996, and urged States to contribute to the Fund,

“Recalling also its decision in its resolution 66/296 to expand the mandate of the United Nations Voluntary Fund for Indigenous Populations so that it can assist, in an equitable manner, representatives of indigenous peoples, organizations, institutions and communities to participate in the World Conference, including in the preparatory process, in accordance with relevant rules and regulations,

“1. Welcomes the work of the Expert Mechanism on the Rights of Indigenous Peoples and of the Special Rapporteur on the rights of indigenous peoples, takes note with appreciation of his report on the rights of indigenous peoples, and encourages all Governments to respond favourably to his requests for visits;

“2. Takes note with appreciation of the report of the Secretary-General on the evaluation of the progress made in the achievement of the goals and objectives of the Second International Decade of the World’s Indigenous People;

“3. Also takes note with appreciation of the report of the Secretary-General on the ways and means of promoting participation at the United Nations of indigenous peoples’ representatives on issues affecting them;

“4. Welcomes the report of the United Nations High Commissioner for Human Rights on the status of the United Nations Voluntary Fund for Indigenous Populations;

“5. *Urges* Governments and intergovernmental and non-governmental organizations to continue to contribute to the United Nations Voluntary Fund for Indigenous Populations and the Trust Fund for the Second International Decade of the World’s Indigenous People, and invites indigenous organizations and private institutions and individuals to do likewise;

“6. *Encourages* those States that have not yet ratified or acceded to the International Labour Organization Indigenous and Tribal Peoples Convention, 1989 (No. 169) to consider doing so and to consider supporting the United Nations Declaration on the Rights of Indigenous Peoples, and welcomes the increased support by States for the Declaration;

“7. *Encourages* States, in consultation and cooperation with indigenous peoples, to take the appropriate measures, including legislative measures, to achieve the ends of the Declaration;

“8. *Encourages* all interested parties, in particular indigenous peoples, to disseminate and consider good practices at different levels as a practical guide on how to attain the goals of the Declaration;

“9. *Welcomes* the celebration of the high-level event, to commemorate the fifth anniversary of the United Nations Declaration on the Rights of Indigenous Peoples, held on 17 May 2012 during the eleventh session of the United Nations Permanent Forum on Indigenous Issues with the participation of Member States and representatives of indigenous peoples’ organizations, as part of the preparations for the high-level plenary meeting of the General Assembly, known as the World Conference on Indigenous Peoples, to be held in 2014;

“10. *Also welcomes* the proclamation by the General Assembly of the year 2013 as the International Year of Quinoa and the global launch of the Year on 29 October 2012, and encourages all Member States, the organizations of the United Nations and all other relevant stakeholders to take advantage of the International Year of Quinoa as a way of promoting the Andean indigenous peoples’ traditional knowledge, contributing to the achievement of food security, nutrition and poverty eradication and raising awareness of their contribution to social, economic and environmental development, and to share good practices on the implementation of activities during the Year;

“11. *Requests* the Human Rights Council to establish, as a matter of priority and within the existing resources, an appropriate way forward for considering the ways and means of promoting participation at the United Nations of representatives of indigenous peoples on issues affecting them, taking into account the report of the Secretary-General, established practice for accreditation of representatives of indigenous peoples at the United Nations, existing United Nations procedural rules regulating such participation and the objectives of the United Nations Declaration on the Rights of Indigenous Peoples (2005-2014), and to submit its conclusions and recommendations to the General Assembly, well in advance of the high-level plenary meeting of the General Assembly, to be known as the World Conference on Indigenous Peoples, in September 2014;

“12. *Requests* the Secretary-General, in collaboration with Member States, the Office of the United Nations High Commissioner for Human

Rights, the Special Rapporteur on the rights of indigenous peoples, relevant United Nations treaty bodies, the International Labour Organization, the United Nations Development Programme, the United Nations Entity for Gender Equality and the Empowerment of Women and other relevant funds, programmes and specialized agencies of the United Nations system, to prepare a comprehensive final report on the achievement of the goals and objectives of the Second International Decade of the World's Indigenous People, and its impact on the Millennium Development Goals and the United Nations development agenda beyond 2015, to be submitted no later than May 2014, which shall serve as an input to the preparatory process for the World Conference on Indigenous Peoples and the United Nations development agenda beyond 2015;

“13. *Decides* to continue consideration of the question at its sixty-eighth session, under the item entitled ‘Rights of indigenous peoples’.”

7. At its 43rd meeting, on 26 November, the Committee had before it a revised draft resolution entitled “Rights of indigenous peoples” (A/C.3/67/L.24/Rev.1), submitted by Argentina, Australia, Bolivia (Plurinational State of), Chile, Costa Rica, Denmark, the Dominican Republic, Ecuador, Estonia, Finland, Germany, Guatemala, Honduras, Hungary, Iceland, Italy, Lithuania, Luxembourg, Mexico, New Zealand, Nicaragua, Norway, Peru, Poland, Spain, Uruguay and Venezuela (Bolivarian Republic of), joined by Austria, Belarus, Benin, Brazil, the Congo, Côte d’Ivoire, Cuba, Greece, Guyana, Haiti, Papua New Guinea, Paraguay and Slovenia.

8. At the same meeting, statements were made by the representatives of Canada, the United States of America and the United Kingdom of Great Britain and Northern Ireland (see A/C.3/67/SR.43).

9. Also at the 43rd meeting, the Committee adopted draft resolution A/C.3/67/L.24/Rev.1 (see para. 11).

B. Draft decision proposed by the Chair

10. At its 43rd meeting, on 26 November, on the proposal of the Chair, the Committee decided to recommend to the General Assembly that it take note of document A/67/301 (see para. 12).

III. Recommendations of the Third Committee

11. The Third Committee recommends to the General Assembly the adoption of the following draft resolution:

Rights of indigenous peoples

The General Assembly,

Recalling all relevant resolutions of the General Assembly, the Human Rights Council and the Economic and Social Council relating to the rights of indigenous peoples,

Reaffirming its resolutions 65/198 of 21 December 2010 and 66/142 of 19 December 2011, as well as its resolution 66/296 of 17 September 2012 on the organization of the high-level plenary meeting of the General Assembly, to be known as the World Conference on Indigenous Peoples, to be held on 22 and 23 September 2014, and noting its inclusive preparatory process, as well as the participation of indigenous peoples in the Conference,

Inviting Governments and indigenous peoples to organize international or regional conferences and other thematic events to contribute to the preparations for the Conference, and encouraging the participation of the three United Nations mechanisms on indigenous peoples¹ at these events,

Recalling its resolution 59/174 of 20 December 2004 on the Second International Decade of the World's Indigenous People (2005-2014) and its resolution 60/142 of 16 December 2005 on the Programme of Action for the Second International Decade of the World's Indigenous People, in which it adopted "Partnership for action and dignity" as the theme for the Second Decade,

Recalling also the United Nations Declaration on the Rights of Indigenous Peoples,² which addresses their individual and collective rights,

Recalling further the United Nations Millennium Declaration,³ the 2005 World Summit Outcome⁴ and the outcome document of the high-level plenary meeting of the General Assembly on the Millennium Development Goals,⁵

Recalling the outcome document entitled "The future we want" of the United Nations Conference on Sustainable Development,⁶ held in Rio de Janeiro, Brazil, from 20 to 22 June 2012,

Recalling also Human Rights Council resolution 21/24 of 28 September 2012 on human rights and indigenous peoples,

Recalling further Commission on the Status of Women resolutions 49/7 of 11 March 2005, entitled "Indigenous women: beyond the ten-year review of the

¹ Permanent Forum on Indigenous Issues, Expert Mechanism on the Rights of Indigenous Peoples and Special Rapporteur on the rights of indigenous peoples.

² Resolution 61/295, annex.

³ Resolution 55/2.

⁴ Resolution 60/1.

⁵ Resolution 65/1.

⁶ Resolution 66/288, annex.

Beijing Declaration and Programme of Action”,⁷ and 56/4 of 9 March 2012, entitled “Indigenous women: key actors in poverty and hunger eradication”,⁸

Recalling the first Peoples’ World Conference on Climate Change and the Rights of Mother Earth,⁹ hosted by the Plurinational State of Bolivia in Cochabamba from 20 to 22 April 2010,

Stressing the importance of promoting and pursuing the objectives of the United Nations Declaration on the Rights of Indigenous Peoples also through international cooperation to support national and regional efforts to achieve the ends of the Declaration, including the right to maintain and strengthen the distinct political, legal, economic, social and cultural institutions of indigenous peoples and the right to participate fully, if they so choose, in the political, economic, social and cultural life of the State,

Recognizing the value and the diversity of the cultures and the form of the social organization of indigenous peoples and their holistic traditional scientific knowledge of their lands, natural resources and environment,

Concerned about the extreme disadvantages that indigenous peoples have typically faced across a range of social and economic indicators and about the impediments to their full enjoyment of their rights,

Recalling its resolution 65/198, by which it decided to expand the mandate of the United Nations Voluntary Fund for Indigenous Populations so that it could assist representatives of indigenous peoples’ organizations and communities to participate in sessions of the Human Rights Council and of human rights treaty bodies, on the basis of diverse and renewed participation and in accordance with relevant rules and regulations, including Economic and Social Council resolution 1996/31 of 25 July 1996, and urged States to contribute to the Fund,

Recalling also its decision in its resolution 66/296 to expand the mandate of the United Nations Voluntary Fund for Indigenous Populations so that it can assist, in an equitable manner, representatives of indigenous peoples, organizations, institutions and communities to participate in the World Conference on Indigenous Peoples, including in the preparatory process, in accordance with relevant rules and regulations,

1. *Welcomes* the work of the Expert Mechanism on the Rights of Indigenous Peoples and of the Special Rapporteur on the rights of indigenous peoples, takes note with appreciation of his report on the rights of indigenous peoples,¹⁰ and encourages all Governments to respond favourably to his requests for visits;

2. *Takes note with appreciation* of the report of the Secretary-General on the evaluation of the progress made in the achievement of the goal and objectives of the Second International Decade of the World’s Indigenous People;¹¹

⁷ *Official Records of the Economic and Social Council, 2005, Supplement No. 7 and corrigendum (E/2005/27 and Corr.1), chap. I.D.*

⁸ *Ibid.*, 2012, *Supplement No. 7 and corrigendum (E/2012/27 and Corr.1), chap. I.D.*

⁹ See A/64/777, annexes I and II.

¹⁰ See A/66/288.

¹¹ A/67/273.

3. *Also takes note with appreciation* of the report of the Secretary-General on the ways and means of promoting participation at the United Nations of indigenous peoples' representatives on issues affecting them;¹²

4. *Further takes note with appreciation* of the report of the United Nations High Commissioner for Human Rights on the status of the United Nations Voluntary Fund for Indigenous Populations;¹³

5. *Urges* Governments and intergovernmental and non-governmental organizations to continue to contribute to the United Nations Voluntary Fund for Indigenous Populations and the Trust Fund for the Second International Decade of the World's Indigenous People, and invites indigenous organizations and private institutions and individuals to do likewise;

6. *Encourages* those States that have not yet ratified or acceded to the International Labour Organization Indigenous and Tribal Peoples Convention, 1989 (No. 169)¹⁴ to consider doing so and to consider supporting the United Nations Declaration on the Rights of Indigenous Peoples, and welcomes the increased support by States for the Declaration;

7. *Encourages* States, in consultation and cooperation with indigenous peoples, to take the appropriate measures, including legislative measures, to achieve the ends of the Declaration;

8. *Encourages* all interested parties, in particular indigenous peoples, to disseminate and consider good practices at different levels as a practical guide on how to attain the goals of the Declaration;

9. *Welcomes* the celebration of the high-level event to commemorate the fifth anniversary of the United Nations Declaration on the Rights of Indigenous Peoples, held on 17 May 2012 during the eleventh session of the United Nations Permanent Forum on Indigenous Issues with the participation of Member States and representatives of indigenous peoples' organizations, as part of the preparations for the high-level plenary meeting of the General Assembly, known as the World Conference on Indigenous Peoples, to be held in 2014;

10. *Also welcomes* the proclamation by the General Assembly of the year 2013 as the International Year of Quinoa¹⁵ and the global launch of the Year to be held on 31 January 2013, and encourages all Member States, the organizations of the United Nations and all other relevant stakeholders to take advantage of the International Year of Quinoa as a way of promoting the traditional knowledge of the Andean indigenous peoples, contributing to the achievement of food security, nutrition and poverty eradication and raising awareness of their contribution to social, economic and environmental development, and to share good practices on the implementation of activities during the Year;¹⁶

11. *Decides* to continue, at its sixty-ninth session, its consideration of the ways and means of promoting the participation of representatives of indigenous peoples at meetings of relevant United Nations bodies and other relevant United

¹² A/HRC/21/24.

¹³ A/67/221.

¹⁴ United Nations, *Treaty Series*, vol. 1650, No. 28383.

¹⁵ Resolution 66/221.

¹⁶ See A/67/553, appendix.

Nations meetings and processes on issues affecting indigenous peoples, on the basis of the rules of procedure of such bodies and existing United Nations procedural rules and regulations, taking into account the report of the Secretary-General,¹² existing practices for the accreditation of representatives of indigenous peoples at the United Nations and the objectives of the United Nations Declaration on the Rights of Indigenous Peoples;

12. *Encourages* Member States to respond fully and promptly to the questionnaire on the implementation of the Programme of Action for the Second International Decade of the World's Indigenous People;

13. *Requests* the Secretary-General, in collaboration with Member States, the Office of the United Nations High Commissioner for Human Rights, the Special Rapporteur on the rights of indigenous peoples, the International Labour Organization, the United Nations Development Programme, the United Nations Entity for Gender Equality and the Empowerment of Women and other relevant funds, programmes and specialized agencies of the United Nations system, to prepare a comprehensive last report on the achievement of the goal and objectives of the Second International Decade of the World's Indigenous Peoples, and its impact on the Millennium Development Goals, to be submitted no later than May 2014, which shall serve as an input to the preparatory process for the World Conference on Indigenous Peoples and to the discussion on the United Nations development agenda beyond 2015;

14. *Decides* to continue consideration of the question at its sixty-eighth session, under the item entitled "Rights of indigenous peoples".

12. The Third Committee also recommends to the General Assembly the adoption of the following draft decision:

Document considered by the General Assembly in connection with the question of the rights of indigenous peoples

The General Assembly takes note of the report of the Special Rapporteur on the rights of indigenous peoples.¹

¹ A/67/301.