



# General Assembly

Distr.: General  
4 December 2014

Original: English

**Sixty-ninth session**  
Agenda item 65

## **Rights of indigenous peoples**

### **Report of the Third Committee**

*Rapporteur:* Mr. Ervin **Nina** (Albania)

#### **I. Introduction**

1. At its 2nd plenary meeting, on 19 September 2014, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its sixty-ninth 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 held a general discussion on the item at its 19th and 20th meetings, on 20 October 2014, and considered proposals and took action on the item at its 46th, 53rd and 55th meetings, on 18, 25 and 26 November. An account of the Committee’s discussion is contained in the relevant summary records ([A/C.3/69/SR.19](#), 20, 46, 53 and 55).

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

(a) Note by the Secretary-General transmitting the report of the Special Rapporteur on the rights of indigenous peoples ([A/69/267](#));

(b) Note by the Secretary-General transmitting the report of the United Nations High Commissioner for Human Rights on the status of the United Nations Voluntary Fund for Indigenous Peoples ([A/69/278](#)).

4. At its 19th meeting, on 20 October, the Committee heard statements by the Assistant Secretary-General for Policy Coordination and Inter-Agency Affairs, Department of Economic and Social Affairs, and the Deputy to the Head of the New



York Office of the United Nations High Commissioner for Human Rights (see [A/C.3/69/SR.19](#)).

5. At the same meeting, the representative of Brazil made a statement (see [A/C.3/69/SR.19](#)).

## II. Consideration of draft resolution [A/C.3/69/L.27](#)

6. At the 46th meeting, on 18 November, the representative of the Plurinational State of Bolivia, on behalf of Argentina, Armenia, Belize, Bolivia (Plurinational State of), Cuba, Ecuador, Finland, Guatemala, Guyana, Honduras, New Zealand, Nicaragua, Paraguay, Peru, Spain and Venezuela (Bolivarian Republic of), introduced a draft resolution entitled “Rights of indigenous peoples” ([A/C.3/69/L.27](#)). Subsequently, Costa Rica, the Dominican Republic, Greece, Lithuania, Palau, Panama, Ukraine and Uruguay joined in sponsoring the draft resolution, 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, 66/142 of 19 December 2011, 67/153 of 20 December 2012 and 68/149 of 18 December 2013,

*“Welcoming* the outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples, held in New York on 22 and 23 September 2014, in which Heads of State and Government, ministers and representatives of Member States reiterated the important and continuing role of the United Nations in promoting and protecting the rights of indigenous peoples and welcomed the inclusive preparatory process for the high-level plenary meeting, including the comprehensive engagement of the representatives of indigenous peoples,

*“Reaffirming* the United Nations Declaration on the Rights of Indigenous Peoples, which addresses their individual and collective rights,

*“Welcoming* the achievements made during the Second International Decade of the World’s Indigenous People, and recognizing that challenges remain in finding solutions to the problems faced by indigenous peoples in such areas as traditional knowledge, science, culture, education, health, human rights, the environment and social and economic development,

*“Stressing* the importance of promoting and pursuing the objectives of the United Nations Declaration on the Rights of Indigenous Peoples 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,

*“Recalling the United Nations Millennium Declaration, the 2005 World Summit Outcome, the outcome document of the high-level plenary meeting of the General Assembly on the Millennium Development Goals and 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 also Human Rights Council resolution 27/13 of 25 September 2014, entitled ‘Human rights and indigenous peoples’,*

*“Taking note of the regional review conferences on population and development, including the Regional Conference on Population and Development in Latin America and the Caribbean, held in Montevideo from 12 to 15 August 2013, which included ‘Indigenous peoples: interculturalism and rights’ as part of the Montevideo Consensus on Population and Development adopted at the Conference,*

*“Recognizing the twenty-fifth anniversary of the adoption of the Indigenous and Tribal Peoples Convention, 1989 (No. 169) of the International Labour Organization and its contribution to the promotion and protection of the rights of indigenous peoples,*

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

*“Recognizing further the importance of traditional sustainable agricultural practices, including traditional seed supply systems, as well as access to credit and other financial services, markets, secure land tenure, health care, social services, education, training, knowledge and appropriate and affordable technologies, including efficient irrigation, the reuse of treated wastewater and water harvesting and storage for indigenous peoples and others living in rural areas,*

*“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,*

*“Stressing the need to pay particular attention to the rights and special needs of indigenous women, children, youth and persons with disabilities, as set out in the United Nations Declaration on the Rights of Indigenous Peoples, including in the process of protecting and promoting access to justice by indigenous peoples, indigenous women, children, youth and persons with disabilities,*

*“Recognizing the forthcoming thirtieth anniversary of the United Nations Voluntary Fund for Indigenous Peoples, in 2015,*

*“1. Welcomes the outcome document of the high-level plenary meeting of the General Assembly, known as the World Conference on Indigenous Peoples, urges governments, at all levels, to implement concrete policies, plans, programmes, projects or other measures to realize the commitments made in the outcome document, and invites indigenous peoples, the United Nations system, international and regional organizations within their respective mandates, national human rights institutions where they exist, civil*

society, including non-governmental organizations, and other relevant actors to contribute to those efforts;

“2. *Takes note with appreciation* of the final report of the Secretary-General on the achievement of the goal and objectives of the Second International Decade of the World’s Indigenous People, one of the major highlights of which was the adoption, in 2007, of the United Nations Declaration on the Rights of Indigenous Peoples, but regrets that a substantial gap remains between the formal recognition of indigenous peoples and the implementation of policies on the ground;

“3. *Proclaims* the Third International Decade of the World’s Indigenous Peoples, commencing on 1 January 2015, and decides that the goal of the Third Decade shall be international cooperation for the full and effective implementation of the United Nations Declaration on the Rights of Indigenous Peoples;

“4. *Requests* the Secretary-General to appoint the Under-Secretary-General for Economic and Social Affairs as the Coordinator for the Third Decade, submit to it at its seventieth session a report on a comprehensive programme of action for the Third Decade on the basis of the achievements of the first two Decades and give all the assistance necessary to ensure the success of the Third Decade;

“5. *Urges* Governments and intergovernmental and non-governmental organizations to continue to contribute to the United Nations Voluntary Fund for Indigenous Peoples and the Trust Fund on Indigenous Issues, and invites indigenous organizations and private institutions and individuals to do likewise;

“6. *Encourages* States to consider including in their reports related to indigenous peoples or women, information on the progress made and challenges in the implementation of Commission on the Status of Women resolutions 49/7 of 11 March 2005, entitled ‘Indigenous women: beyond the ten-year review of the Beijing Declaration and Platform for Action’, and 56/4 of 9 March 2012, entitled ‘Indigenous women: key actors in poverty and hunger eradication’;

“7. *Also encourages* States, in consultation and cooperation with indigenous peoples, to take the appropriate measures, including legislative, policy and administrative measures, to achieve the ends of the United Nations Declaration on the Rights of Indigenous Peoples, and to promote awareness of it among all sectors of society, including members of legislative, judicial and civil service bodies;

“8. *Stresses* the need to strengthen the commitment of States and the entities of the United Nations system to mainstream the promotion and protection of the rights of indigenous peoples into the development agenda at the national, regional and international levels, and encourages giving due consideration to the rights of indigenous peoples in the elaboration of the post-2015 development agenda;

“9. *Encourages* States and the United Nations system to strengthen international cooperation for the solution of problems faced by indigenous

peoples in such areas as lands, territories, resources, education, culture, health, housing, water and sanitation, including the environment, and social and economic development, and to increase technical cooperation and financial assistance in that regard;

“10. *Reaffirms* its decision in the outcome document of the high-level plenary meeting of the General Assembly, known as the World Conference on Indigenous Peoples, to continue at its seventieth session its consideration of specific proposals made by the Secretary-General to enable the participation of indigenous peoples, representatives and organizations in meetings of relevant United Nations bodies;

“11. *Requests* the Secretary-General to submit to it at its seventy-first session a report on the implementation of the present resolution;

“12. *Decides* to include in the provisional agenda of its seventieth session, under the item entitled ‘Rights of indigenous peoples’, a sub-item entitled ‘Follow-up to the outcome document of the high-level plenary meeting of the General Assembly, known as the World Conference on Indigenous Peoples’.”

7. At the 53rd meeting, on 25 November, the representative of the Plurinational State of Bolivia, on behalf also of Ecuador, read out numerous revisions to the draft resolution (see [A/C.3/69/SR.53](#)), and announced that Australia, Brazil, Chile, Denmark, El Salvador, Estonia, Germany, Hungary, Mexico, Norway, Poland, Slovenia, Sweden and the United States of America had joined in sponsoring the draft resolution.

8. At the 55th meeting, on 26 November, the Secretary of the Committee read out a statement of programme budget implications of draft resolution [A/C.3/69/L.27](#), as orally revised.

9. At the same meeting, the representative of the Plurinational State of Bolivia further orally revised the draft resolution (see [A/C.3/69/SR.55](#)). Subsequently, Austria, Cyprus, Iceland, Italy and Montenegro joined in sponsoring the draft resolution, as orally revised.

10. At the same meeting, the Committee adopted draft resolution [A/C.3/69/L.27](#), as orally revised (see para. 12).

11. Before the adoption of the draft resolution, a statement was made by the representative of Canada; after the adoption of the draft resolution, statements were made by the representatives of Djibouti (on behalf of the members of the Group of African States), France, the United Kingdom of Great Britain and Northern Ireland, Kuwait (on behalf of the States members of the Gulf Cooperation Council), Yemen and Nigeria, as well as by the representative of the Plurinational State of Bolivia (see [A/C.3/69/SR.55](#)).

### III. Recommendation of the Third Committee

12. 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, 66/142 of 19 December 2011, 67/153 of 20 December 2012, 68/149 of 18 December 2013 and 69/2 of 22 September 2014, and also recalling Human Rights Council resolution 27/13 of 25 September 2014,

*Welcoming* the outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples,<sup>1</sup> held in New York on 22 and 23 September 2014, in which Heads of State and Government, ministers and representatives of Member States reiterated the important and continuing role of the United Nations in promoting and protecting the rights of indigenous peoples and welcomed the inclusive preparatory process for the high-level plenary meeting, including the comprehensive engagement of the representatives of indigenous peoples,

*Reaffirming* the United Nations Declaration on the Rights of Indigenous Peoples,<sup>2</sup> which addresses their individual and collective rights,

*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,

*Recalling* the United Nations Millennium Declaration,<sup>3</sup> the 2005 World Summit Outcome,<sup>4</sup> the outcome document of the high-level plenary meeting of the General Assembly on the Millennium Development Goals<sup>5</sup> and 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,<sup>6</sup>

*Recognizing* the twenty-fifth anniversary of the adoption of the Indigenous and Tribal Peoples Convention, 1989 (No. 169) of the International Labour Organization,<sup>7</sup>

<sup>1</sup> Resolution 69/2.

<sup>2</sup> Resolution 61/295, annex.

<sup>3</sup> Resolution 55/2.

<sup>4</sup> Resolution 60/1.

<sup>5</sup> Resolution 65/1.

<sup>6</sup> Resolution 66/288, annex.

<sup>7</sup> United Nations, *Treaty Series*, vol. 1650, No. 28383.

*Taking note* of the outcome documents of the recent regional review conferences on population and development, including the Regional Conference on Population and Development in Latin America and the Caribbean, which included “Indigenous peoples: interculturalism and rights”,

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

*Recognizing also* the importance of traditional sustainable agricultural practices, including traditional seed supply systems, as well as access to credit and other financial services, markets, secure land tenure, health care, social services, education, training, knowledge and appropriate and affordable technologies, including efficient irrigation, the reuse of treated wastewater and water harvesting and storage for indigenous peoples and others living in rural areas,

*Welcoming* the achievements made during the Second International Decade of the World’s Indigenous People, and recognizing that challenges remain in finding solutions to the problems faced by indigenous peoples in such areas as traditional knowledge, science, culture, education, health, human rights, the environment and social and economic development,

*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,

*Stressing* the need to pay particular attention to the rights and special needs of indigenous women, children, youth, older persons and persons with disabilities, as set out in the United Nations Declaration on the Rights of Indigenous Peoples, including in the process of protecting and promoting their access to justice,

*Recognizing* the forthcoming thirtieth anniversary of the United Nations Voluntary Fund for Indigenous Peoples, in 2015,

1. *Takes note* of the work of the Expert Mechanism on the Rights of Indigenous Peoples, of the Permanent Forum on Indigenous Issues and of the Special Rapporteur of the Human Rights Council on the rights of indigenous peoples, takes note of her report,<sup>8</sup> and encourages all Governments to respond favourably to her requests for visits;

2. *Welcomes* the outcome document of the high-level plenary meeting of the General Assembly, known as the World Conference on Indigenous Peoples,<sup>1</sup> and urges Governments and the United Nations system, in consultation and cooperation with indigenous peoples through their representatives and institutions, to implement, when necessary, appropriate measures, concrete policies, plans, programmes, projects and other measures to realize the commitments made in the outcome document, and invites international and regional organizations, within their respective mandates, national human rights institutions, where they exist, civil society, including non-governmental organizations, and other relevant actors to contribute to those efforts;

3. *Reiterates* the commitment of Member States to cooperate with indigenous peoples, through their own representative institutions, to develop and

<sup>8</sup> See [A/69/267](#).

implement national action plans, strategies or other measures, where relevant, to achieve the ends of the United Nations Declaration on the Rights of Indigenous Peoples;

4. *Takes note with appreciation* of the final report of the Secretary-General on the achievement of the goal and objectives of the Second International Decade of the World's Indigenous People,<sup>9</sup> one of the major highlights of which was the adoption, in 2007, of the United Nations Declaration on the Rights of Indigenous Peoples,<sup>2</sup> but regrets that gaps remain between the formal recognition of indigenous peoples' rights and the implementation of policies on the ground;

5. *Decides* to convene a high-level event to mark the tenth anniversary of the adoption of the United Nations Declaration on the Rights of Indigenous Peoples, to be held during the seventy-first session of the General Assembly, in 2017, and that the event will take stock of the achievements of the preceding ten years and assess the remaining challenges for the rights of indigenous peoples, and also consider the further follow-up to the United Nations Declaration on the Rights of Indigenous Peoples, including the consideration of a third International Decade;

6. *Welcomes* the designation by the Secretary-General of the Under-Secretary-General for Economic and Social Affairs as the senior official of the United Nations system responsible for coordinating follow-up action to the World Conference on Indigenous Peoples, in order, in consultation and cooperation with indigenous peoples, the Inter-Agency Support Group on Indigenous Peoples' Issues and Member States, to begin development, within existing resources, of a system-wide action plan to ensure a coherent approach to achieving the ends of the Declaration, raising awareness of the rights of indigenous peoples and increasing the coherence of the activities of the system in this regard;

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

8. *Urges* Governments and intergovernmental and non-governmental organizations to continue to contribute to the United Nations Voluntary Fund for Indigenous Peoples, the Trust Fund on Indigenous Issues and the United Nations Indigenous Peoples' Partnership and invites indigenous organizations and private institutions and individuals to do likewise;

9. *Decides* to continue observing in New York, Geneva and other United Nations offices every year on 9 August the International Day of Indigenous Peoples, to request the Secretary-General to support the observance of the day from within existing resources, and to encourage Governments to observe the day at the national level;

10. *Encourages* States to consider including in their reports related to indigenous peoples and women information on the progress made and challenges in the implementation of Commission on the Status of Women resolutions 49/7 of 11 March 2005, entitled "Indigenous women: beyond the ten-year review of the

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<sup>9</sup> A/69/271.



Beijing Declaration and Platform for Action”,<sup>10</sup> and 56/4 of 9 March 2012, entitled “Indigenous women: key actors in poverty and hunger eradication”;<sup>11</sup>

11. *Also encourages* States, in consultation and cooperation with indigenous peoples, to take the appropriate measures at the national level, including legislative, policy and administrative measures, to achieve the ends of the United Nations Declaration on the Rights of Indigenous Peoples, and to promote awareness of it among all sectors of society, including members of legislative, judicial and civil service bodies;

12. *Underlines* the need to intensify efforts, in cooperation with indigenous peoples, to prevent and eliminate all forms of violence and discrimination against indigenous women, children, youth, older persons and persons with disabilities and to support measures that will ensure their empowerment and full and effective participation in decision-making processes at all levels and in all areas and eliminate barriers to their full, equal and effective participation in political, economic, social and cultural life;

13. *Stresses* the need to strengthen the commitment of States and the entities of the United Nations system to mainstream the promotion and protection of the rights of indigenous peoples into development agenda at the national, regional and international levels, and encourages giving due consideration to the rights of indigenous peoples in the ongoing discussion of the post-2015 development agenda;

14. *Encourages* States and entities of the United Nations system to strengthen international cooperation including to address the disadvantages faced by indigenous peoples, and to increase technical cooperation and financial assistance in this regard;

15. *Reaffirms* its decision in the outcome document of the high-level plenary meeting of the General Assembly, known as the World Conference on Indigenous Peoples, to continue at its seventieth session the consideration of ways to enable the participation of indigenous peoples’ representatives and organizations in meetings of relevant United Nations bodies on issues affecting them, including any specific proposals made by the Secretary-General in this regard;

16. *Welcomes* the report of the United Nations High Commissioner for Human Rights on the status of the United Nations Voluntary Fund for Indigenous Peoples<sup>12</sup> and requests the High Commissioner to submit a report to the General Assembly at its seventy-first session;

17. *Decides* to include in the provisional agenda of its seventieth session, under the item entitled “Rights of indigenous peoples”, a sub-item entitled “Follow-up to the outcome document of the high-level plenary meeting of the General Assembly, known as the World Conference on Indigenous Peoples”.

<sup>10</sup> See *Official Records of the Economic and Social Council, 2005, Supplement No. 7* and corrigendum (E/2005/27 and Corr.1), chap. I, sect. D.

<sup>11</sup> Ibid., 2012, *Supplement No. 7* and corrigendum (E/2012/27 and Corr.1), chap. I, sect. D.

<sup>12</sup> See A/69/278.