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Sixty-eighth session  
Agenda item 66

## **Rights of indigenous peoples**

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

*Rapporteur:* Ms. Adriana **Murillo Ruin** (Costa Rica)

#### **I. Introduction**

1. At its 2nd plenary meeting, on 20 September 2013, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its sixty-eighth 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 21 October 2013, and considered proposals and took action on the item at its 47th and 51st meetings, on 19 and 26 November. An account of the Committee’s discussion is contained in the relevant summary records ([A/C.3/68/SR.19](#), 20, 47 and 51).

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/68/317](#));

(b) Letter dated 10 September 2013 from the representatives of Bolivia (Plurinational State of), Denmark, Finland, Guatemala, Mexico, New Zealand, Nicaragua, Norway and Peru to the Secretary-General ([A/67/994](#)).

4. At its 19th meeting, on 21 October, the Committee heard a statement by the Director of the Division for Social Policy and Development of the Department of Economic and Social Affairs, who also responded to a statement made by the representative of the United States of America (see [A/C.3/68/SR.19](#)).



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 Mexico, Guatemala, the European Union, the United States of America, the Russian Federation and Chile (see [A/C.3/68/SR.19](#)).

## II. Consideration of draft resolutions [A/C.3/68/L.30](#) and Rev.1

6. At the 47th meeting, on 19 November, the representative of Bolivia (Plurinational State of), on behalf of Argentina, Armenia, Bolivia (Plurinational State of), Brazil, the Congo, Costa Rica, Cuba, El Salvador, Guatemala, Guyana, Honduras, New Zealand, Nicaragua, Norway, Paraguay, Peru and Venezuela (Bolivarian Republic of), introduced a draft resolution entitled “Rights of indigenous peoples” ([A/C.3/68/L.30](#)), 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 and [67/153](#) of 20 December 2012, 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 peoples 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,

*“Recognizing* the achievements made during the Second International Decade of the World’s Indigenous People, as well as the remaining challenges in finding solutions to the problems faced by indigenous peoples in such areas as culture, education, health, human rights, the environment and social and economic development,

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

*“Recalling also* 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 further* 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 24/9 of 26 September 2013, by which the Council decided to extend the mandate of the Special Rapporteur on the rights of indigenous peoples, and resolution 24/10 of 26 September 2013 on human rights and indigenous peoples,

*“Recalling also* 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’,

*“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,

*“Recalling* the Montevideo Consensus on Population and Development, adopted at the first session of the regional conference on population and development in Latin America and the Caribbean, held in Montevideo from 12 to 15 August 2013, including the commitments on indigenous peoples, interculturalism and rights contained therein,

*“Welcoming* the global launch of the International Year of Quinoa, 2013 and the high-level panel discussion on food security and nutrition, held on 20 February 2013, during the sixty-seventh session of the General Assembly, which constituted the first step in an ongoing process to focus the world’s attention on the important role of quinoa, to promote the traditional knowledge of Andean indigenous peoples, thereby 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 for the Year, as indicated in the master plan of activities for the Year, entitled ‘A future sown thousands of years ago’, in support of the achievement of the internationally agreed development goals, including the Millennium Development Goals,

*“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 social organization of indigenous peoples and their holistic traditional scientific knowledge of their lands, natural resources and environment,

*“Recognizing also* that indigenous peoples attach importance to traditional sustainable agricultural practices, including traditional seed supply systems, and to credit and other financial services, markets, secure land tenure, health care, social services, education, training, knowledge and appropriate

and affordable technologies, including for efficient irrigation, reuse of treated wastewater and water harvesting and storage,

*“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, taken in its resolution [66/296](#), to expand the mandate of the Fund 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, and encourages all Governments to respond favourably to his requests for visits;

“2. *Takes note with appreciation* of the outcome document of the Global Indigenous Preparatory Conference for the World Conference on Indigenous Peoples, held in Alta, Norway, from 10 to 12 June 2013;

“3. *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;

“4. *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;

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

“6. *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;

“7. *Requests* that the United Nations entities enhance their coordination and intensify efforts towards a more coherent, comprehensive and integrated

approach to indigenous peoples through, inter alia, the Inter-Agency Support Group on Indigenous Issues, calls upon the United Nations entities and relevant partners to develop additional measures to support national, regional and international efforts in addressing challenges to advance indigenous peoples' rights, and in this regard encourages close collaboration with Member States, organizations and institutions of indigenous peoples, entities of the United Nations system, the private sector, non-governmental organizations and others;

“8. *Decides* to change the title of the United Nations Voluntary Fund for Indigenous Populations to the United Nations Voluntary Fund for Indigenous Peoples;

“9. *Also decides* to continue consideration of the question at its sixty-ninth session under the item entitled ‘Rights of indigenous peoples’.”

7. At its 51st meeting, on 26 November, the Committee had before it a revised draft resolution ([A/C.3/68/L.30/Rev.1](#)), submitted by the sponsors of draft resolution [A/C.3/68/L.30](#) and Australia, Belize, Chile, Denmark, Ecuador, Estonia, Finland, Italy, Lithuania, Mexico, Spain, the United States of America and Uruguay. Subsequently, Austria, the Dominican Republic, Germany, Greece, Hungary, Iceland, Italy, Montenegro, Poland and Slovenia joined in sponsoring the draft resolution.

8. At the same meeting, the representative of the Plurinational State of Bolivia orally revised the draft resolution as follows:

(a) The words “and that the Alta outcome document, as well as other proposals made by indigenous peoples, be taken into account when preparing the outcome document of the World Conference” were added at the end of operative paragraph 2;

(b) The words “and notes the opportunity to further discuss this matter within the framework of the high-level plenary meeting of the General Assembly to be known as the World Conference of Indigenous Peoples” were deleted at the end of operative paragraph 8.

9. Also at the 51st meeting, the Committee adopted draft resolution [A/C.3/68/L.30/Rev.1](#), as orally revised (see para. 11).

10. After the adoption of the draft resolution, statements were made by the representatives of France, the United States of America, Canada and the United Kingdom of Great Britain and Northern Ireland (see [A/C.3/68/SR.51](#)).

### III. Recommendation 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, [66/142](#) of 19 December 2011 and [67/153](#) of 20 December 2012,

*Reaffirming also* 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 with appreciation its inclusive preparatory process, as well as the participation of representatives of indigenous peoples in the Conference,

*Recalling* the United Nations Declaration on the Rights of Indigenous Peoples,<sup>1</sup> which addresses their individual and collective rights,

*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 peoples<sup>2</sup> at these events,

*Welcoming* the engagement of indigenous peoples in the preparations for the World Conference, including at the regional and global levels, and encouraging their continued and active engagement,

*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,

*Welcoming* the achievements made during the Second International Decade of the World's Indigenous People, and recognizing that challenges remain in finding the solutions to the problems faced by indigenous peoples in such areas as traditional knowledge, 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 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

<sup>1</sup> Resolution 61/295, annex.

<sup>2</sup> Permanent Forum on Indigenous Issues, Expert Mechanism on the Rights of Indigenous Peoples and Special Rapporteur of the Human Rights Council on the rights of indigenous peoples.

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> and the outcome document of the high-level plenary meeting of the General Assembly on the Millennium Development Goals,<sup>5</sup>

*Recalling also* 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>

*Recalling further* Human Rights Council resolutions 24/9 of 26 September 2013, entitled “Human rights and indigenous peoples: mandate of the Special Rapporteur on the rights of indigenous peoples”, by which the Council decided to extend the mandate of the Special Rapporteur on the rights of indigenous peoples, and 24/10 of 26 September 2013, entitled “Human rights and indigenous peoples”,

*Recalling* 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”,<sup>7</sup> and 56/4 of 9 March 2012, entitled “Indigenous women: key actors in poverty and hunger eradication”,<sup>8</sup>

*Recalling also* 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,<sup>9</sup>

*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,

*Welcoming* the global launch of the International Year of Quinoa, 2013, and the high-level panel discussion on food security and nutrition, held on 20 February 2013, which constituted one of the first steps in an ongoing process, focusing the world’s attention on the important role of quinoa, promoting the traditional knowledge of 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 inviting Member States to share good practices on the implementation of activities in support of the achievement of the internationally agreed development goals, including the Millennium Development Goals,

*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,

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

<sup>9</sup> See A/64/777, annexes I and II.



*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,

*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,

*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 Fund 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, 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 his report,<sup>10</sup> and encourages all Governments to respond favourably to his requests for visits;

2. *Takes note* of the outcome document of the Global Indigenous Preparatory Conference for the World Conference on Indigenous Peoples,<sup>11</sup> held in Alta, Norway, in June 2013, and other proposals made by indigenous peoples, and recommends that the four themes identified in the outcome document be taken into account when considering the specific themes for the round-table and interactive panel discussions for the World Conference, and that the Alta outcome document, as well as other proposals made by indigenous peoples, be taken into account when preparing the outcome document of the World Conference;

3. *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;

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<sup>10</sup> A/68/317.

<sup>11</sup> See A/67/994, annex.



4. *Encourages* those States that have not yet ratified or acceded to the International Labour Organization Indigenous and Tribal Peoples Convention, 1989 (No. 169)<sup>12</sup> to consider doing so and to consider supporting the United Nations Declaration on the Rights of Indigenous Peoples,<sup>1</sup> and welcomes the increased support by States for the Declaration;

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

6. *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;

7. *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;

8. *Decides* to continue, at its sixty-ninth session, its consideration of ways and means of promoting the participation of representatives of indigenous peoples at meetings of relevant United Nations bodies and other relevant United Nations meetings and processes on issues affecting indigenous peoples, on the basis of the rules of procedure of such bodies and existing procedural rules and regulations of the United Nations, taking into account the report of the Secretary-General,<sup>13</sup> 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;

9. *Requests* that United Nations entities further enhance their coordination and intensify their efforts towards a more coherent, comprehensive and integrated approach to the rights of indigenous peoples through, inter alia, the Inter-Agency Support Group on Indigenous Issues and the United Nations Indigenous Peoples' Partnership, and calls upon the United Nations entities, in close collaboration with Member States, organizations, institutions and representatives of indigenous peoples, non-governmental organizations, the private sector and relevant partners, to develop additional measures to continue to support national, regional and international efforts to advance the rights of indigenous peoples;

10. *Decides* to change the title of the United Nations Voluntary Fund for Indigenous Populations to the United Nations Voluntary Fund for Indigenous Peoples;

11. *Also decides* to continue consideration of the question at its sixty-ninth session under the item entitled "Rights of indigenous peoples".

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<sup>12</sup> United Nations, *Treaty Series*, vol. 1650, No. 28383.

<sup>13</sup> A/HRC/21/24.