



General Assembly

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Human Rights Council

Fifteenth session

Agenda item 3

**Promotion and protection of all human rights, civil
political, economic, social and cultural rights,
including the right to development**

**Australia*, Austria*, Bolivia (Plurinational State of)*, Bosnia and Herzegovina*,
Canada*, Chile, Colombia*, Costa Rica*, Croatia*, Denmark*, Dominican Republic*,
Ecuador, Estonia*, Finland*, Greece*, Guatemala, Haiti*, Honduras*, Hungary,
Mexico, New Zealand*, Norway, Panama*, Paraguay*, Peru*, the former Yugoslav
Republic of Macedonia*, Venezuela (Bolivarian Republic of)*: draft resolution**

15/... Human rights and indigenous peoples

The Human Rights Council,

Bearing in mind that the General Assembly, in its resolution 59/174 of 20 December 2004, proclaimed the Second International Decade of the World's Indigenous People,

Recalling Commission on Human Rights resolutions 2001/57 of 24 April 2001, 2002/65 of 25 April 2002, 2003/56 of 24 April 2003, 2004/62 of 21 April 2004 and 2005/51 of 20 April 2005 on human rights and indigenous issues,

Recalling also Council resolutions 6/12 of 28 September 2007, 6/36 of 14 December 2007, 9/7 of 24 September 2008 and 12/13 of 1 October 2009,

Recalling further the adoption of the United Nations Declaration on the Rights of Indigenous Peoples by the General Assembly in its resolution 61/295 of 13 September 2007,

Recognizing the importance to indigenous peoples of revitalizing, using, developing and transmitting to future generations their histories, languages, oral traditions, philosophies, writing systems and literatures, and designating and retaining their own names for communities, places and persons,

1. *Welcomes* the report of the United Nations High Commissioner for Human Rights on indigenous issues,¹ and requests the High Commissioner to continue to submit to the Council an annual report on the rights of indigenous peoples containing information on

* Non-Member State of the Human Rights Council.

¹ A/HRC/15/34.

relevant developments in human rights bodies and mechanisms and activities undertaken by the Office of the High Commissioner at Headquarters and in the field that contribute to the promotion of, respect for and the full application of the provisions of the United Nations Declaration on the Rights of Indigenous Peoples, and follow-up on the effectiveness of the Declaration;

2. *Also welcomes* the work of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people and the official visits he has made during the last year, takes note with appreciation of his report,² and encourages all Governments to respond favourably to his requests for visits;

3. *Requests* the Special Rapporteur to report on the implementation of his mandate to the General Assembly at its sixty-sixth session;

4. *Welcomes* the work of the Expert Mechanism on the Rights of Indigenous Peoples, and takes note with appreciation of the report on its third session;³

5. *Also welcomes* the successful completion by the Expert Mechanism of its progress report on the study on indigenous peoples and the right to participate in decision-making,⁴ encourages it to finalize the study in accordance with Council resolution 12/13, taking into account the discussions held at its third session, and requests it to give examples of good practices at different levels of decision-making;

6. *Welcomes* the practice adopted during the third session of the Expert Mechanism to devote specific time to discussion of past mandated thematic studies of the Mechanism, and encourages States to participate in and contribute to these discussions;

7. *Decides*, bearing in mind paragraph 7 of Council resolution 12/13, to hold, on an annual basis, and without prejudice to the outcome of the Council's review of its work and functioning, an interactive dialogue with the Expert Mechanism following the presentation of its report, within existing resources;

8. *Also decides* to hold, within existing resources, at its eighteenth session, a half-day panel on the role of languages and culture in the promotion and protection of the well-being and identity of indigenous peoples;

9. *Further decides*, bearing in mind the need to ensure continuity in the functioning of the Expert Mechanism and pursuant to paragraph 8 of resolution 12/13, that, while the regular mandate of the members of the Expert Mechanism shall continue to be three years in accordance with paragraph 6 of Council resolution 6/36, two out of five members to be elected in 2011 shall serve for two years, and that the staggering of the terms of membership shall be defined by the drawing of lots by the President of the Council after the election of the five members;

10. *Welcomes* the report of the Office of the United Nations High Commissioner for Human Rights on the practical implications of a change in the mandate of the Voluntary Fund for Indigenous Populations,⁵ and recommends that the General Assembly approve the expansion of the mandate of the Voluntary Fund so that it can also be used to assist representatives of indigenous communities and indigenous organizations to attend sessions of the Council and of human rights treaty bodies, based on diverse and renewed participation and in accordance with relevant rules and regulations, including Economic and Social Council resolution 1996/31 of 25 July 1996;

² A/HRC/15/37.

³ A/HRC/15/36.

⁴ A/HRC/15/35.

⁵ A/HRC/15/38.

11. *Recognizes* the importance of the contributions of all relevant stakeholders, including the Expert Mechanism, to the process of the Council's review of its work and functioning;
 12. *Welcomes* the role of national human rights institutions established in accordance with the Paris Principles in advancing indigenous issues, and encourages national human rights institutions to develop and strengthen their capacities to fulfil that role effectively, including with the support of the Office of the High Commissioner ;
 13. *Also welcomes* the ongoing cooperation and coordination between the Special Rapporteur, the Permanent Forum on Indigenous Issues and the Expert Mechanism, and requests them to continue to carry out their tasks in a coordinated manner;
 14. *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 by States to that Declaration;
 15. *Encourages* States that have endorsed the Declaration on the Rights of Indigenous Peoples to adopt measures to pursue the objectives of the Declaration in consultation and cooperation with indigenous peoples, where appropriate;
 16. *Decides* to continue consideration of this question at a future session in conformity with its annual programme of work.
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