



# General Assembly

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## Human Rights Council

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Agenda item 3

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

**Armenia,\* Australia, Bolivia (Plurinational State of),\* Canada,\* Chile, Denmark,  
Finland,\* Germany,\* Greece,\* Guatemala,\* Haiti,\* Iceland, Italy, Luxembourg,\*  
Mexico, New Zealand,\* Norway,\* Paraguay,\* Spain, Sweden\* and Ukraine: draft  
resolution**

### **42/... Human rights and indigenous peoples: mandate of the Special Rapporteur on the rights of indigenous peoples**

*The Human Rights Council,*

*Bearing in mind* paragraph 6 of General Assembly resolution 60/251 of 15 March 2006,

*Recalling* Human Rights Council resolutions 5/1, on institution-building of the Council, and 5/2, on the Code of Conduct for special procedure mandate holders of the Council, of 18 June 2007, and stressing that the mandate holder shall discharge his or her duties in accordance with these resolutions and the annexes thereto,

*Recalling also* 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, and Human Rights Council resolutions 6/12 of 28 September 2007, 15/14 of 30 September 2010, 24/9 of 26 September 2013 and 33/12 of 29 September 2016 on the mandate of Special Rapporteur on the rights of indigenous peoples,

1. *Decides* to renew the mandate of the Special Rapporteur on the rights of indigenous peoples for a period of three years:

(a) To examine ways and means of overcoming existing obstacles to the full and effective protection of the rights of indigenous peoples, in conformity with the mandate, and to identify, exchange and promote best practices;

(b) To gather, request, receive and exchange information and communications from all relevant sources, including Governments, indigenous peoples and their communities and organizations, on alleged violations and abuses of the rights of indigenous peoples;

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\* State not a member of the Human Rights Council.



(c) To formulate recommendations and proposals on appropriate measures and activities to prevent and remedy violations and abuses of the rights of indigenous peoples;

(d) To work in close cooperation and coordination with other special procedures and subsidiary organs of the Human Rights Council, in particular with the Expert Mechanism on the Rights of Indigenous Peoples, relevant United Nations bodies, the treaty bodies and regional human rights organizations;

(e) To enhance engagement with and to participate in the annual sessions of the Permanent Forum on Indigenous Issues and of the Expert Mechanism on the Rights of Indigenous Peoples to ensure complementarity between their work;

(f) To develop a regular cooperative dialogue with all relevant actors, including Governments, relevant United Nations bodies, specialized agencies and programmes, and with indigenous peoples, national human rights institutions, non-governmental organizations and other regional or subregional international institutions, including on possibilities for technical cooperation at the request of Governments;

(g) To promote the United Nations Declaration on the Rights of Indigenous Peoples and international instruments relevant to the advancement of the rights of indigenous peoples, where appropriate;

(h) To pay special attention to the human rights and fundamental freedoms of indigenous children and women, and to take into account a gender perspective in the performance of the mandate;

(i) To consider relevant recommendations of the world conferences, summits and other United Nations meetings, and the recommendations, observations and conclusions of the treaty bodies on matters regarding the mandate;

(j) To submit a report on the implementation of the mandate to the Human Rights Council and to the General Assembly in accordance with their annual programme of work;

2. *Requests* the Special Rapporteur to participate, upon invitation, in relevant international dialogues and policy forums on the consequences that climate change has on indigenous peoples, to undertake thematic research and to develop cooperation dialogue with States, intergovernmental organizations, civil society and other stakeholders on effective and sustainable practices;

3. *Requests* all Governments to cooperate fully with the Special Rapporteur in the performance of the tasks and duties mandated, to furnish all available information requested in his or her communications, and to react promptly to his or her urgent appeals;

4. *Encourages* the United Nations, including its specialized agencies, regional intergovernmental organizations, Governments, independent experts, interested institutions, national human rights institutions, non-governmental organizations and, in particular, indigenous peoples to cooperate to the fullest extent possible with the Special Rapporteur in the fulfilment of the mandate;

5. *Strongly encourages* all Governments to give serious consideration to responding favourably to the requests by the Special Rapporteur to visit their countries to enable him or her to fulfil the mandate effectively;

6. *Urges* all Governments to address all allegations and to condemn reprisals against United Nations mandate holders working on the rights of indigenous peoples;

7. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide all the necessary human, technical and financial assistance to the Special Rapporteur for the effective fulfilment of the mandate;

8. *Decides* to continue consideration of this question in conformity with its programme of work.