

### **36/-- Human rights and indigenous peoples**

The Human Rights Council,

Recalling all relevant General Assembly, Commission on Human Rights and Human Rights Council resolutions on human rights and indigenous peoples,

Reaffirming its support for the United Nations Declaration on the Rights of Indigenous Peoples, adopted by the General Assembly in its resolution 61/295 of 13 September 2007,

**Stressing that the United Nations Declaration on the Rights of Indigenous Peoples has, for the last 10 years, influenced the drafting of constitutions and statutes at the national and local levels and contributed to the progressive development of international and domestic laws and policies as it applies to indigenous peoples,**

Recognizing current efforts towards the promotion, protection and fulfilment of the rights of indigenous peoples, including the **commitment made by the General Assembly to consider ways to enhance the participation of indigenous peoples' representatives and institutions in meetings of relevant United Nations bodies on issues affecting them,** [to be up dated]

Recalling the adoption of the outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples,

Welcoming the study by the Expert Mechanism on the Rights of Indigenous Peoples on the theme, **Good Practices and challenges, including discrimination, in business and in access to financial services by indigenous peoples, in particular indigenous women and indigenous persons with disabilities**", submitted to the Human Rights Council at its thirty **sixth** session, and encouraging all parties to consider the examples of good practices and recommendations included in the study as practical advice on how to attain the end goals of the United Nations Declaration on the Rights of Indigenous Peoples,

Stressing the need to pay particular attention to the rights and special needs of indigenous women, children, youth, elders and persons with disabilities, and to intensify efforts to prevent and eliminate violence and **multiple and intersecting forms of discrimination in this regard,** as set out in the United Nations Declaration on the Rights of Indigenous Peoples and the outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples,

Recalling also the adoption of the Indigenous and Tribal Peoples Convention, 1989 (No.169) by the International Labour Organization, and its important contribution to the promotion and protection of the rights of indigenous peoples,

1. Welcomes the report of the United Nations High Commissioner for Human Rights on the rights of indigenous peoples, and requests the High Commissioner to continue to submit to the Human Rights Council an annual report on the rights of indigenous peoples containing information on relevant developments in human rights bodies and mechanisms and the

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 rights of indigenous peoples, including the official visits made and her reports, and encourages all Governments to respond favourably to her requests for visits;

3. Further welcomes the work of the Expert Mechanism on the Rights of Indigenous Peoples, takes note with appreciation of the report on its **tenth** session, and encourages States to continue to participate in and contribute to its discussions, including by their national specialized bodies and institutions;

**4.-Takes note that the next study of the Expert Mechanism, to be finalized by its eleventh session, will focus on free, prior and informed consent as established in the United Nations Declaration on the Rights of Indigenous Peoples;**

5. Decides to hold, at its thirty **ninth** session, its half-day panel discussion on **adequate inclusion of indigenous peoples in the development of strategies and projects on the implementation of the Sustainable Development Agenda**, and requests the Office of the High Commissioner to make the discussions fully accessible to persons with disabilities and to prepare a summary report on the discussion and to submit it to the Human Rights Council prior to its **forty-first** session;

**6.-Encourages States to give due consideration to all the rights of indigenous peoples in fulfilling the commitments undertaken in the 2030 Agenda for Sustainable Development and in the elaboration of relevant national programmes, strategies and plans;**

7. **Encourages** the Special Rapporteur, the Permanent Forum on Indigenous Issues and the Expert Mechanism to **strengthen the ongoing cooperation and coordination** and their ongoing efforts to promote the rights of indigenous peoples, the United Nations Declaration on the Rights of Indigenous Peoples, including the follow-up to the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples, and invites them to continue to work in close cooperation with all Human Rights Council mechanisms within their respective mandates;

8. Reaffirms that the United Nations treaty bodies are important mechanisms for the promotion and protection of human rights, and encourages States to give serious consideration to their recommendations regarding indigenous peoples;

9. Welcomes the contribution of the universal periodic review to the realization of the rights of indigenous peoples, encourages effective follow-up to accepted review recommendations concerning indigenous peoples, and invites States to include, as appropriate, information on the situation of the rights of indigenous peoples, including measures taken to pursue the

objectives of the United Nations Declaration on the Rights of Indigenous Peoples during the review;

10. Encourages States that have endorsed the United Nations Declaration on the Rights of Indigenous Peoples to adopt measures to pursue its objectives in consultations and cooperation with indigenous peoples;

11. Calls upon 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;

12. Welcomes the role of national human rights institutions established in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) in advancing indigenous issues, and recognizes the importance for such institutions of developing and strengthening their capacities, as appropriate, to fulfil that role effectively;

**13. Encourage States to collect and disseminate disaggregated data not only by ethnicity but also by income, gender, age, race, migratory status, disability, geographic location and other characteristics relevant in national contexts, in order to monitor and improve the impact of development policies and programmes for their well-being and to combat and eliminate violence and multiple and intersecting forms of discrimination against indigenous peoples; (based on SDG 17, Target 17.18 and 56 CSW, Resolution 56/4 “Indigenous women: key actors in poverty and hunger eradication”)**

14. Takes note of the activity of the United Nations Indigenous Peoples Partnership and the system-wide action plan for ensuring a coherent approach to achieving the ends of the United Nations Declaration on the Rights of Indigenous Peoples, and invites States and other potential donors to support it;

15. Urges States and invites other public and/or private actors or institutions to contribute to the United Nations Voluntary Fund for Indigenous Peoples as an important means of promoting the rights of indigenous peoples worldwide and within the United Nations system;

16. Decides to continue its consideration of this question at a future session in conformity with its annual programme of work.