



General Assembly

Sixty-eighth session

Official Records

Distr.: General
18 November 2013

Original: English

Third Committee

Summary record of the 19th meeting

Held at Headquarters, New York, on Monday, 21 October 2013, at 10 a.m.

Chair: Mr. Tafrov (Bulgaria)
later: Ms. Dagher (Vice-Chair) (Lebanon)

Contents

Agenda item 66: Rights of indigenous peoples

- (a) Rights of indigenous peoples
- (b) Second International Decade of the World's Indigenous People

This record is subject to correction. Corrections should be sent as soon as possible, under the signature of a member of the delegation concerned, to the Chief of the Documents Control Unit (srcorrections@un.org), and incorporated in a copy of the record.

Corrected records will be reissued electronically on the Official Document System of the United Nations (<http://documents.un.org/>).

13-52385 (E)



Please recycle A small recycling symbol consisting of three chasing arrows forming a triangle.



The meeting was called to order at 10.05 a.m.

Agenda item 66: Rights of indigenous peoples
(A/67/994 and A/68/317)

(a) Rights of indigenous peoples

(b) Second International Decade of the World's Indigenous People

1. **Mr. Anaya** (Special Rapporteur on the rights of indigenous peoples), presenting his report on the rights of indigenous peoples (A/68/317), said that his activities fell within the four related areas of promotion of good practices, reporting on country situations, examination of cases of alleged human rights violations and thematic studies. Responsiveness to violations of the human rights of indigenous peoples had increased, but the future work of the Special Rapporteur should focus more on assisting indigenous peoples and States with the development of proposals and programmes of action for advancing their rights. In recent years, he had concentrated on the negative consequences of extractive industries operating within or near indigenous territories and he called on States and industries to show greater sensitivity to indigenous peoples' rights. In his final report on extractive industries to the Human Rights Council (A/HRC/24/41), he had identified the minimum conditions for ensuring that extractive activities were sustainable and beneficial to indigenous peoples.

2. Although some progress had been made since the adoption of the United Nations Declaration on the Rights of Indigenous Peoples, a great deal remained to be done to ensure that its objectives became an everyday reality for indigenous peoples. The commitment of many States and other actors to the Declaration was being weakened by ambiguities about its status and content, including erroneous assertions that it was non-binding or privileged indigenous peoples over others. Some States took the position that the right to self-determination affirmed in the Declaration differed from self-determination under international law. Such flawed assertions undermined the consensus on the Declaration and its role as an instrument of human rights and restorative justice. Governments, the international community and the general public must be made aware of the human rights values and concerns represented by the Declaration and the standards articulated in it. States should recall that the Declaration existed to improve the human rights

conditions of the world's indigenous peoples and renew their commitment to it.

3. Despite positive developments in many places, he remained concerned about the reality of ongoing struggles and violations of indigenous peoples' rights worldwide. In the remaining months of his mandate, he would continue to contribute to practical solutions to those pressing problems, sharing in the optimism that had motivated indigenous peoples to strive for the recognition of their rights both internationally and nationally.

4. **Ms. Diaz Gras** (Mexico) thanked the Special Rapporteur for his cooperation with her Government, which had resulted in a special protocol for use by courts in cases involving indigenous people. Efforts to ensure the implementation of the Declaration on the Rights of Indigenous Peoples must be maintained, for instance in the context of preparations for the World Conference on Indigenous Peoples and the drafting of its final document. States and organizations should continue to exchange good practices and ensure that national legislation on the rights of indigenous people complied with international standards.

5. **Ms. Taracena Secaira** (Guatemala) said that the Special Rapporteur's studies on the issue of extractive industries and indigenous peoples should make it easier to reach an agreement among her Government, extractive industries and concerned indigenous communities that would contribute to the well-being of those communities. She requested the Special Rapporteur's views on the proposal to rename the United Nations Permanent Forum on Indigenous Issues.

6. **Ms. Tschampa** (Observer for the European Union) asked the Special Rapporteur what gaps he had identified during his mandate in the implementation of the Millennium Development Goals and how they should be addressed in the post-2015 development agenda. She would like to hear his views on how best to prepare for the World Conference on Indigenous Peoples and how to take into account the Outcome Document of the Global Indigenous Preparatory Conference held in Alta, Norway. What further measures did he think should be taken to ensure the participation of indigenous peoples' representatives in the work of the United Nations system?

7. **Ms. Phipps** (United States of America) said that she agreed with the Special Rapporteur that the

Declaration on the Rights of Indigenous Peoples was the key United Nations instrument for protecting the rights of indigenous peoples, but not with all his legal arguments in that regard, in particular concerning the right of self-determination. It was nevertheless true that much remained to be done to make the rights set forth in the Declaration a reality. Agreeing that duplication of work must be avoided, she asked how coordination among the United Nations bodies dealing with indigenous issues might be improved.

8. **Mr. Anaya** (Special Rapporteur on the rights of indigenous peoples), replying to the representative of Guatemala, said that the future name of the Permanent Forum on Indigenous Issues was a matter for that body to decide, but strengthening its mandate was more important. Replying to the observer for the European Union, he said that indigenous development was the area most in need of attention. Indigenous peoples must be consulted about potential development projects, which must not be based solely on economic considerations. With regard to preparations for the World Conference, he emphasized that while it was obviously relevant to the Conference, the Alta Outcome Document was an important reference text in its own right. The participation of indigenous peoples in the work of the United Nations was complicated by the distinct status of indigenous peoples and he would welcome new rules that provided for their participation on the basis of that status, building on relevant precedents.

9. **Ms. Bas** (Director, Division for Social Policy and Development, Department of Economic and Social Affairs) said that her Division hoped to make a positive contribution to preparations for the World Conference. Speaking on behalf of the Under-Secretary-General for Economic and Social Affairs and Coordinator of the Second International Decade of the World's Indigenous People, she said that the activities of the Trust Fund for the Second International Decade were vital for implementing the mandate of the Permanent Forum on Indigenous Issues. According to a recent independent evaluation, the impact of the Fund's Small Grants Programme, which supported indigenous initiatives, had been greatest at the local level. That impact had been substantial, despite the limited funds available and the short implementation period for each project. Above all, the Programme had increased awareness of indigenous peoples' rights and strengthened indigenous peoples' organizations.

10. The Permanent Forum's Expert Group Meeting, held in January 2013, had focused on indigenous youth, of whom there were approximately 67 million worldwide. Indigenous young people faced disadvantages in education, health care, employment and income, but were excluded from decision-making at the community, national and international levels. At the High-level meeting of the General Assembly on disability and development, held in September 2013, indigenous persons with disabilities had voiced concerns about the twofold discrimination they faced, based on their disability and their identity. Since its first session, the Permanent Forum had paid special attention to indigenous women, who often faced threefold discrimination, based on their identity, gender and economic status, both within indigenous communities and in society at large. Women were a powerful voice in the indigenous rights movement, promoting conditions of equality while maintaining and transmitting indigenous cultures and values. One major success at the fifty-sixth session of the Commission on the Status of Women had been the adoption of resolution [56/4](#) recognizing the contribution of indigenous women and their traditional knowledge to development and poverty eradication.

11. On 9 August 2013, an interactive dialogue had been held at United Nations Headquarters to mark the International Day of the World's Indigenous Peoples, at which the importance of building alliances based on mutual understanding, respect and cooperation had been highlighted. It was vital that Member States address the challenges facing indigenous peoples in terms of honouring treaties, agreements and constructive arrangements as key elements to advance sustainable peace, security and dignity.

12. The first World Conference on Indigenous Peoples, to be held on 22 and 23 September 2014, would be an opportunity to strengthen the principles of the Declaration on the Rights of Indigenous Peoples. Indigenous peoples across the world had already begun to mobilize with a series of preparatory meetings, such as the Global Indigenous Preparatory Conference, held in Alta, Norway, in June 2013, the Outcome Document of which had been submitted to the Secretary-General as an input to the World Conference. The World Conference coincided with the ongoing process to define a post-2015 development agenda. At the Permanent Forum's twelfth session in May 2013 and during consultations on the post-2015 process,

indigenous peoples had pointed out that they had a long way to go towards realizing their rights.

13. The report of the Secretary-General (A/67/273) assessed the progress made during the Second International Decade of the World's Indigenous People and mentioned the intention to contribute to ongoing efforts to define a post-2015 development agenda, taking indigenous peoples into account. Despite their increased political influence, many indigenous peoples were unable to participate equally in development processes or share fully in the benefits of development. Indigenous peoples were seldom adequately represented in national social, economic and political processes that affected them directly. The international community had a responsibility to create an environment where indigenous peoples could establish their own priorities for development with culture and identity. States and the United Nations system must engage in a genuine partnership with indigenous peoples. The World Conference would define the future global policy agenda on indigenous peoples, for which the Declaration provided the normative framework.

14. **Mr. Zheglov** (Russian Federation) said that, thanks to the Special Rapporteur's constructive approach and open dialogue with all stakeholders, real progress had been made in improving the living conditions of indigenous peoples worldwide. However, the Special Rapporteur's assessment of the situation in the Russian Federation following his official visit in 2009 did not reflect the reality on the ground. Indigenous peoples were not treated in the same way in his country as in States with a colonial past. Positive relationships had been established in the Russian Federation between the business sector and indigenous peoples, based on direct consultations and with Government support. The Special Rapporteur should pay attention to the issue of corporate social responsibility. Besides, the United Nations Declaration was not a binding instrument under international law. His delegation welcomed the successful coordination among the three United Nations mechanisms for the promotion and protection of the rights of indigenous peoples. Given the importance of the World Conference, care must be taken in preparing for the Conference and drafting its final document in order to ensure its success.

15. **Mr. Retamal Rubio** (Chile) thanked the Special Rapporteur for his useful recommendations on the consultation on indigenous institutions launched by his

Government in 2011. Chile had begun preparing for the World Conference, at which participation by representatives of indigenous peoples, including indigenous persons with disabilities, would be crucial. In keeping with the Declaration on the Rights of Indigenous People, his Government had been helping members of Chile's indigenous communities to learn or improve their knowledge of indigenous languages, with positive results.

16. **Ms. Phipps** (United States of America) asked the Director of the Division for Social Policy and Development for her views on ways of improving coordination among the United Nations bodies dealing with indigenous issues and the proposal to rename the Permanent Forum on Indigenous Issues. Her Government looked forward to a successful World Conference, with appropriate participation by indigenous peoples' representatives.

17. **Ms. Bas** (Director, Division for Social Policy and Development, Department of Economic and Social Affairs), replying to the United States representative, said that the Inter-Agency Support Group on Indigenous Peoples would be meeting in New York on 22 and 23 October 2013 and would produce a background report for consideration at the World Conference. She could not comment on the proposed renaming of the Permanent Forum, but assured the United States representative that the Division would analyse the implications of a name change if asked to do so.

18. **Mr. Anaya** (Special Rapporteur on the rights of indigenous peoples), replying to the representative of the Russian Federation, said that although indigenous peoples in the Russian Federation had not experienced the same history of colonization as elsewhere, they were nonetheless marginalized and faced problems arising from their minority status. The international standards relating to indigenous peoples applied equally to the Russian Federation. While, strictly speaking, the United Nations Declaration was not legally binding, some States were weakening it by describing it as "merely aspirational". In fact, it reflected principles found in universally recognized instruments such as the Universal Declaration of Human Rights and legally binding instruments such as the International Covenant on Civil and Political Rights. The Declaration had its own validity and if it was "aspirational", States should aspire to implement it. He looked forward to the outcome of the

consultation process under way in Chile, which had international as well as national implications.

19. **Ms. Young** (Belize), speaking on behalf of the Caribbean Community (CARICOM), thanked the Special Rapporteur for his tireless work to promote the Declaration on the Rights of Indigenous Peoples and his commitment to advancing the rights of indigenous peoples worldwide. The Permanent Forum on Indigenous Issues ensured that indigenous issues were highlighted on the world stage and permitted ongoing interaction between indigenous peoples and the international community. The CARICOM countries looked forward to the outcome of the Forum's review process and the evaluation of its working methods. United Nations agencies should continue to coordinate across the relevant bodies to identify cross-cutting issues, reduce duplication and streamline recommendations. That would go a long way towards mainstreaming indigenous perspectives more effectively.

20. In working to implement the Declaration, CARICOM member States had developed national and regional laws and policies on the protection and promulgation of the rights of indigenous peoples. They recognized, however, that political will was needed to turn the objectives of the Declaration into everyday reality.

21. Indigenous populations accounted for a third of the world's poorest and most marginalized people; the situation of indigenous women and girls was even more acute. In assessing shortfalls in the achievement of the Millennium Development Goals and defining the post-2015 development agenda, the historical and systemic divide experienced by indigenous populations and the issues affecting them would have to be addressed. The CARICOM countries were committed to guaranteeing the fundamental rights and freedoms of indigenous people in accordance with their respective Constitutions. They looked forward to the World Conference on Indigenous Peoples, which provided an opportunity for States to work with the world's indigenous peoples to ensure their ongoing, direct involvement in United Nations processes, while incorporating their rights at the national and local levels.

22. The CARICOM countries called for additional funding and voluntary contributions to be provided to the United Nations Voluntary Fund for Indigenous

Populations in order to give indigenous people the opportunity to participate in sessions of the Permanent Forum on Indigenous Issues, the Expert Mechanism on the Rights of Indigenous Peoples and the Human Rights Council. Contributions should also be made to the Trust Fund for the Second International Decade of the World's Indigenous People, in order to promote, support and implement its objectives. Although the Fund had provided grants for over 125 projects, most of the proposals submitted to it for funding had had to be turned down because of its limited resources.

23. **Mr. Vrailas** (Observer for the European Union), speaking also on behalf of the candidate countries Montenegro, Serbia and the former Yugoslav Republic of Macedonia; the stabilization and association process countries Albania and Bosnia and Herzegovina; and, in addition, Armenia, Georgia and the Republic of Moldova, said that indigenous issues were among the priorities of the European Union's Strategic Framework and Action Plan on Human Rights and Democracy. The European Union had recently called for proposals on combating discrimination against indigenous peoples through the European Instrument for Democracy and Human Rights. He encouraged all States to do more to implement the Declaration on the Rights of Indigenous Peoples, thereby strengthening the international consensus on that instrument. Indigenous peoples' rights continued to be mainstreamed in European Union development cooperation, under which civil society organizations working on indigenous issues received direct support and indigenous peoples' delegates to United Nations and ILO meetings received financial support. The European Union had undertaken to review and develop its policy on the Declaration, with a view to the World Conference on Indigenous Peoples.

24. The European Union supported the three United Nations mechanisms for indigenous issues. He thanked the Special Rapporteur for his final report to the General Assembly, his constant commitment to improving the situation of indigenous peoples, his efforts to ensure coordination within the United Nations system and his work to raise awareness of the Declaration and strengthen its implementation.

25. The European Union was engaged in preparations for the World Conference and reaffirmed its call for the full and effective participation of indigenous peoples and civil society. It welcomed indigenous peoples' preparatory processes for the Conference, including the

Global Indigenous Preparatory Conference. It took note of the recommendation of the Human Rights Council, in its resolution [24/10](#) on human rights and indigenous peoples, that the four themes identified in the Alta Outcome Document should be taken into account when considering the specific themes for the round tables and interactive panel for the World Conference. The Conference would have to adopt a concise, action-oriented outcome document to provide the context for future work within the United Nations system and translate the international commitment to protecting the rights of indigenous peoples into changes on the ground.

26. The European Union noted the importance of indigenous issues and of involving indigenous peoples in the drafting of the post-2015 development agenda. Although significant progress had been made during the Second International Decade of the World's Indigenous People, a wide gap remained between the Declaration and its application on the ground. The Department of Economic and Social Affairs should use the existing mechanisms to ensure that objectives not achieved in the Second Decade were met within a reasonable time.

27. **Ms. Mørch Smith** (Norway), speaking on behalf of the Nordic countries, said that support for the rights of indigenous peoples was an integral part of efforts to promote free, democratic societies based on the rule of law and equality. The Nordic countries welcomed the work of the three United Nations mechanisms for the protection and promotion of those rights, but urged them to create synergies and avoid duplication of work. She thanked the Special Rapporteur for his personal commitment and valuable contributions to the issue, in particular his focus on promoting and sharing good practices and his support for national legislative efforts. His latest report ([A/68/317](#)) contained an impressive list of the thematic and country-specific reports and the communications presented during his mandate. Over the years, all three mechanisms had produced a large number of important studies and reports and their recommendations to States and other stakeholders should be applied for the benefit of all. The Nordic countries had followed with great interest the Special Rapporteur's annual reports on extractive industries and indigenous peoples and noted his important recommendations in that regard.

28. The Nordic countries welcomed the preparatory process for the World Conference on Indigenous

Peoples, in particular the contribution being made by indigenous peoples themselves. The Conference afforded an opportunity to bring indigenous peoples' rights to the attention of the international community and generate the necessary political will and the Nordic countries hoped that it would result in an ambitious outcome document that translated international commitment into substantive action. The first phase of the preparatory process had benefited from the competence and experience of an indigenous representative, Mr. Henriksen from the Norwegian Saami Parliament, and a government representative, Ambassador de Alba of Mexico. That innovative approach had been valuable and should be continued. The success of the World Conference depended on the full and effective participation of indigenous peoples at every stage, including in the development of the outcome document. The Nordic countries therefore welcomed indigenous peoples' active contribution to the preparatory process and proposed that the Alta Outcome Document should be given formal United Nations status.

29. States and indigenous peoples should engage with the sustainable development and post-2015 development agenda processes in order to improve the situation of indigenous peoples globally. The Nordic countries were committed to improving the lives and enhancing the rights of indigenous peoples by promoting the implementation of the Declaration and supporting the United Nations mandates and mechanisms for promoting and protecting those rights.

30. Appropriate permanent measures should be adopted to enable indigenous peoples' representatives to take part in United Nations meetings. The Nordic countries appreciated the references to that issue in the Secretary-General's report ([A/67/273](#)) and were committed to meeting the General Assembly's goals in that regard. They noted the recommendation made by indigenous peoples in the Alta Outcome Document, which referred to the issue of observer status. The Nordic countries were among the most active donors to the United Nations funds and partnerships for indigenous peoples and encouraged other Member States to increase their financial support for initiatives to improve the situation of indigenous peoples worldwide and enable indigenous peoples' representatives to participate in United Nations processes that affected them, including the World Conference and its preparatory process.

31. **Mr. Cabactulan** (Philippines) said that his Government attached paramount importance to the protection and promotion of the rights of indigenous peoples, including indigenous women, children, older persons and persons with disabilities. The Philippine Constitution contained specific provisions relating to indigenous peoples and, in 1997, the Government had enacted the Indigenous Peoples Rights Act, which recognized the rights of indigenous peoples to self-determination and their ancestral domains and the applicability of customary laws governing property rights and development. Indigenous peoples' free, prior and informed consent must be obtained for any development that had an impact on them. The Government's National Commission on Indigenous Peoples formulated and implemented policies, plans and programmes and had recently promulgated new guidelines on the exercise of free, prior and informed consent. It was State policy that no undertaking affecting ancestral domains could be granted or renewed without the consent of indigenous cultural communities.

32. His Government actively supported all international initiatives for the promotion and protection of indigenous peoples' rights and was one of the few Governments to have contributed to the United Nations Voluntary Fund for Indigenous Populations. Its Permanent Representative to the United Nations had been the facilitator of the Declaration on the Rights of Indigenous Peoples. His delegation hoped that the final document adopted at the World Conference would be concise and complement existing normative frameworks on the protection of the rights of indigenous peoples. It welcomed the preparations for the World Conference, including the Global Indigenous Preparatory Conference held at Alta, Norway, the Outcome Document of which painted a broad picture of pressing concerns within the historical and current context of the world's indigenous peoples.

33. **Ms. Phipps** (United States of America) said that her Government was committed to supporting the Declaration on the Rights of Indigenous Peoples through the individual Government agencies that worked with Native American tribal leaders. It had taken legal and political measures to strengthen its relationship with tribal governments and ensure sustainable economic development, health care, public safety, education, protection of Native American lands, environmental protection and respect for indigenous

cultures. The Tribal Nations Conference to be held on 13 November 2013 was an opportunity for continued partnership between the federal Government and tribal governments to improve the situation of indigenous peoples. The newly established White House Council on Native American Affairs would provide more opportunities for consultation. It would meet three times a year and focus on tribal economies, health and nutrition, education, promoting safety in tribal communities, and natural resource protection and the environment, including climate change.

34. The World Conference on Indigenous Peoples should permit as effective and meaningful an interaction with indigenous representatives within the United Nations as had been established in the United States. Her delegation would work to reach agreement on appropriate mechanisms for allowing representatives of recognized tribal governments to participate in the World Conference. The official relationship between indigenous peoples and the federal Governments of Canada and the United States was possibly unique. The terms "non-governmental organization" and "civil society organization" did not accurately describe the recognized representatives of indigenous peoples in the United States. Her Government looked forward to refining the language used for the World Conference in order to permit the participation of elected and traditional representatives from North America.

35. **Ms. Sumi** (Japan) said that her Government was continuing its efforts to uphold the rights of the indigenous Ainu people of Hokkaido and northern Japan through the Council for Ainu Policy Promotion, set up in 2009. In July 2012, it had approved the master plan for the Symbolic Space for Ethnic Harmony, due for completion in 2020, which would be a national centre for promoting respect for the Ainu and transmitting their culture to the next generation. Research had also been carried out on Ainu living outside Hokkaido, revealing income and education gaps between them and other Japanese citizens. Her Government had begun taking measures to address the problem, including the revision of school textbooks, an awareness-raising campaign and an initiative to revive the Ainu language, which was on the verge of extinction. It would continue to work closely with the Ainu people to achieve a society that respected diversity. It was also committed to tackling the issues

facing indigenous peoples worldwide, in conjunction with the international community.

36. **Mr. Back** (Australia) said that indigenous Australians deserved a better future in terms of education, employment, individual and community empowerment and living standards. The Australian Prime Minister had made those issues a priority, taking responsibility for indigenous policies and programmes and appointing a Minister for Indigenous Affairs in order to place indigenous issues at the heart of decision-making. The Government intended to increase the involvement of Aboriginal and Torres Strait Islander peoples in decisions affecting them and to ensure that indigenous policies and programmes produced better outcomes. To inform policy implementation, the Prime Minister was setting up an Indigenous Advisory Council composed of indigenous and non-indigenous Australians with experience in the public and business sectors and a strong understanding of indigenous culture.

37. Within the next year, the Government hoped to draft a constitutional amendment recognizing the contribution made by Aboriginal and Torres Strait Islander peoples and their status as the first Australians, which would then be put to a referendum. It recognized that it still had a long way to go to address the disadvantages faced by Aboriginal and Torres Strait Islander peoples, but it was committed to engaging with Australia's indigenous peoples to achieve real, positive changes in their lives. It welcomed international progress in advancing the rights of indigenous peoples and supported the World Conference.

38. **Ms. Calcinari Van der Velde** (Bolivarian Republic of Venezuela) said that indigenous peoples were suffering the consequences of historic injustice. Although they accounted for some 5 per cent of the global population, persistent discrimination and exclusion meant that they accounted for 15 per cent of the world's poor. Her Government had enacted groundbreaking legislation on indigenous rights and freedoms and the Venezuelan Constitution laid the legal and doctrinal foundations of a democratic, multi-ethnic and multicultural society. The rights of indigenous communities included the right to use their language for official purposes, the right to be consulted on the exploitation of natural resources on their lands and the rights to ethnic identity, education, health, intellectual property and political representation.

Indigenous communities had a duty to safeguard national integrity, but could apply their own systems of justice as long as they were in keeping with the Constitution and the law. A number of specialized policymaking bodies, including the Ministry of Popular Power for Indigenous Peoples, had been established, along with a series of social plans and programmes designed to improve the situation of indigenous peoples.

39. On 12 October 2013, Venezuela had hosted indigenous representatives from 12 Mercosur member and associate countries at an event to launch *Mercosur Indígena*, whose aims were to protect the diversity of indigenous lands, promote indigenous participation and guarantee the social, environmental, cultural, economic, productive and institutional rights of indigenous peoples. The post-2015 development agenda must be based on zero discrimination and take into account the priorities and views of indigenous peoples and the cultural diversity of indigenous nations, regions and communities. International cooperation on the development of indigenous peoples, promotion of their participation and integration in every aspect of society and respect for their traditional scientific knowledge, lands, natural resources and environment would be fundamental steps towards settling States' historical, environmental, moral and social debts to the world's indigenous peoples.

40. **Mr. Liang Heng** (China) said that for historical and objective reasons, many indigenous peoples remained marginalized and their legitimate rights were not fully respected. The international community had a duty to ensure that they shared the fruits of socioeconomic development, to protect their basic rights and to preserve the natural environment and traditional cultures essential for their survival. The World Conference on Indigenous Peoples would provide an opportunity to build political will and advance the cause of indigenous peoples. Organizations representing indigenous peoples should be able to participate in the Conference, in accordance with the relevant resolutions and rules of procedure of the General Assembly.

41. The international community should seize the opportunity afforded by the starting point of the post-2015 development agenda to facilitate the full implementation of the Declaration on the Rights of Indigenous Peoples. The rights, perspectives and needs of indigenous peoples should be taken fully into

account in drafting that agenda. Particular attention should be paid to the development of indigenous women, children, older persons and persons with disabilities, who suffered even greater discrimination, with a focus on poverty reduction, economic empowerment and measures to end their social marginalization. While there were no indigenous peoples in China, his Government supported the protection and promotion of the rights and freedoms of indigenous peoples around the world.

42. **Ms. Almeida Watanabe Patriota** (Brazil) thanked the Special Rapporteur for his work and, in particular, his visit to Brazil in 2012. His dedication and commitment had strengthened her Government's resolve to co-sponsor the resolution extending the Special Rapporteur's mandate for a further three years.

43. Indigenous peoples had been represented at the United Nations Conference on Sustainable Development (Rio+20) because of their contribution to increased coherence among the objectives of economic growth, social justice, environmental protection and sustainable use of natural resources. Their participation at an important United Nations meeting had given indigenous peoples a say in global, regional and national sustainable development strategies.

44. In 2012, her Government had enacted a national policy on the territorial and environmental management of indigenous lands, aimed at the rehabilitation, conservation and sustainable use of indigenous land and natural resources. It had consulted consistently with indigenous populations on projects that might affect their territory, way of life or resources and had made the legal consolidation of consultation mechanisms a priority. It had intensified work on legislation on the right to prior consultation, in accordance with the recommendations of International Labour Organization (ILO) Convention No. 169, and was determined to increase the representation of indigenous peoples in national, regional and multilateral policymaking.

45. The report of the Secretary-General (A/67/273) and the draft text to be prepared by the President of the General Assembly should guide preparations for the World Conference on Indigenous Peoples. Her Government fully supported the inclusive participation of indigenous peoples in the preparatory process. In accordance with General Assembly resolution 66/296, the views and concerns of the world's indigenous

peoples should be taken into account while fully respecting Member States' sovereignty.

46. **Mr. McLay** (New Zealand) said that the Declaration on the Rights of Indigenous Peoples underpinned the ongoing dialogue between the indigenous people and the Government of New Zealand. The Government remained committed to partnership with the Maori in line with the 1840 Treaty of Waitangi and was working to resolve indigenous people's grievances, which existed despite the Treaty; the momentum in the settlement of Treaty claims was strong. A nationwide review of constitutional issues, including the future role of the Treaty, was under way. Noting that the national school curriculum existed in two distinct versions, one for each language, he said that the Government wanted all New Zealanders to have access to high-quality Maori language education. It was addressing the fact that a disproportionate number of Maori were among the most vulnerable New Zealanders and was committed to upholding the rights of indigenous peoples around the world.

47. He thanked the Special Rapporteur for his continued efforts to promote the Declaration, but expressed concern that some Member States had not been cooperating with the Special Rapporteur. The World Conference on Indigenous Peoples would be an opportunity to share perspectives and best practices on the realization of the rights of indigenous people. His Government had striven to ensure the participation of indigenous peoples at all stages of the process and called on the Secretary-General to circulate the Alta Outcome Document as an official United Nations document.

48. **Ms. Morgan** (Mexico) said that despite States' commitment to the Declaration on the Rights of Indigenous Peoples, millions of indigenous people lacked the basic necessities and continued to be marginalized in their own countries. Her Government was determined to eliminate the structural barriers that led to exclusion. To improve indigenous access to justice, a special protocol had been introduced for use by the courts in handling cases involving indigenous people, a special programme had been established for the release of indigenous prisoners and cultural and linguistic aspects were taken into account in trials. Because indigenous women continued to be marginalized, her Government had given priority to ensuring their access to justice, sexual and reproductive health and bicultural education and to

eradicating domestic violence. It had set up a series of homes run by indigenous women to prevent and eradicate violence.

49. Together with the delegations of Bolivia, Ecuador and El Salvador, her delegation had tabled the draft resolution on indigenous women as key actors in poverty and hunger eradication (E/CN.6/2012/L.6) adopted by the Commission on the Status of Women at its fifty-sixth session. The resolution was an example of good practice, as indigenous women in the different delegations had negotiated the final text.

50. The World Conference on Indigenous Peoples afforded an opportunity fully to uphold the rights of indigenous peoples and implement the Declaration on the Rights of Indigenous Peoples. The objectives of the Declaration must be enshrined in the post-2015 development agenda. In preparation for the World Conference, a meeting was to be held in Mexico City in April 2014 for Governments and indigenous representatives to identify the elements to be included in the Conference's final document. Indigenous peoples had put forward their recommendations for the World Conference at the Global Indigenous Preparatory Conference and it was for Member States, in consultation with indigenous representatives, to follow suit.

51. *Ms. Dagher (Lebanon), Vice-Chair, took the Chair.*

52. **Mr. Retamal Rubio** (Chile) said that his Government had developed an indigenous rights policy that focused on culture, education, development with identity, consultation and participation. The issue of indigenous peoples' consultation and participation in national life and the adoption of measures in that regard was a Government priority. Implementation of the ILO Indigenous and Tribal Peoples Convention (No. 169) had demonstrated the need for the State to ensure that all policies, measures and instruments were effective and consistent with the needs of indigenous peoples. After three years of intense work and with input from indigenous leaders and organizations, an instrument for indigenous consultation had been developed. In future, all such consultation processes would have six stages and longer deadlines, allowing indigenous peoples more time to analyse the measures at issue. Agreement had yet to be reached on all aspects, but his Government would continue its efforts to overcome differences. The main achievement of the negotiations on the consultation instrument had been

the establishment of a permanent dialogue, which should help to restore trust among indigenous peoples, the State and the rest of society.

53. Without urgent State measures, Chile's indigenous languages had been in danger of disappearing. In keeping with the Declaration on the Rights of Indigenous Peoples, a schools programme had been launched in 2010 to ensure that indigenous peoples could develop in a way that respected their rights, traditions, culture and identity. Under the programme, all schools with 20 per cent or more indigenous students must offer a special curriculum in the indigenous language, taught by a member of the indigenous community concerned. As part of a national system, three new university residences for Aymara, Quechua and Atacameño students had been set up in the north of Chile. Other measures had been taken to safeguard ancestral music, sports, games and medicine.

54. His Government had created transparent mechanisms for handing over land to indigenous peoples. Land had been purchased and a list of indigenous communities had been drawn up on the basis of objective criteria, such as how long they had been claiming land. Since 2010, more than 40,000 hectares had been handed over to different communities. Care had been taken to avoid uprooting or separating communities and the waiting time for land had been reduced from 20 years to five.

55. **Mr. Lasso Mendoza** (Ecuador) said that the worldview and rights of Ecuador's indigenous peoples were enshrined in the Constitution and that the National Plan for Good Living recognized indigenous peoples' collective rights. His Government was working to strengthen a national identity based on diversity and multiculturalism. It had promoted intercultural education and the recovery and strengthening of cultural assets. With a view to achieving the Millennium Development Goals, it had implemented a programme of cultural development and diversity for poverty reduction and social inclusion and a national plan against racism and social exclusion, paying particular attention to the causes of discrimination and why it affected indigenous women and girls more than others.

56. Social and economic indicators reflected historical gaps between indigenous peoples and the rest of Ecuador's population. In 2006, only 30 per cent of indigenous women had received professional childbirth

care, compared with a national average of 74 per cent. The Government was striving to change the health-management model and adapt it to the reality of a plurinational, multicultural State, for instance by providing culturally appropriate birthing rooms in provinces with large numbers of indigenous people and people of African descent.

57. The first indigenous woman had been appointed to the Permanent Mission of Ecuador to the United Nations and in the past two years over 50 indigenous men and women and men and women of African descent had been selected for the diplomatic corps. More work was needed to correct the inequalities between indigenous people and the rest of the population, however.

58. It was with the support of the Permanent Forum on Indigenous Issues and the International Indigenous Women's Forum that the delegations of Bolivia, Ecuador, El Salvador and Mexico had tabled the resolution on indigenous women as key actors in poverty and hunger eradication ([E/CN.6/2012/L.6](#)) adopted at the fifty-sixth session of the Commission on the Status of Women. At the Permanent Forum's May 2013 session, her delegation had contributed to the debate on health, education and culture. With the support of the Australian delegation and the Continental Network of Indigenous Women of the Americas, it had organized a discussion on youth from an intercultural and intergenerational perspective. The World Conference on Indigenous Peoples would be an opportunity for States to promote the implementation of the Declaration on the Rights of Indigenous Peoples in their national legislation. His Government was already doing so, in accordance with the Constitution, but a great deal remained to be done. The process that it was implementing with and for Ecuador's ancestral nationalities and peoples was an irreversible and essential part of its reform of the State.

The meeting rose at 12.25 p.m.