SUBJECT OF RESOLUTION: Human rights and indigenous peoples

SUBMITTED TO: The Human Rights Council

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations and good faith in the fulfilment of the recommendations assumed by Member States in accordance with the Charter,

Reaffirming Article Two of the Universal Declaration of Human Rights (UDHR) that states that all people are entitled to all rights and freedoms without distinction, especially in regards to race, language, religion, national origin, culture or birth status,

Guided by Article 27 of the UDHR that all people have the right to freely participate in the cultural life of their community,

Recognizing that all peoples, especially those of indigenous heritage, contribute to the diversity and richness of cultures, which forms the basis of humanity,

Recalling the Universal Declaration on the Rights of Indigenous Peoples (UNDRIP), which establishes the minimum standards for the well-being and dignity of indigenous peoples of the world and elaborates on existing human rights standards and freedoms for the application to indigenous peoples' situations, free of discrimination of any kind,

Echoing Article 2.7 of the UN Charter, which states, “nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the present Charter; but this principle shall not prejudice the application of enforcement measures under Chapter VII”,

Deeply concerned with the discrimination and disadvantages that indigenous people face daily across a range of social, economic, and cultural contexts that are directly infringing on their rights,


Affirming further that all policies and practices meant to degrade indigenous peoples are incorrect, legally invalid, unjust and should be condemned,

Seeking to create a system of education of indigenous cultures to retain and preserve the richness and diversity of indigenous peoples,

Acknowledging the existence of the Special Rapporteur on the Rights of Indigenous Peoples created with Human Rights Council (HRC) Resolution 42/20, whose mandate includes the promotion of government laws and programs and makes recommendations concerning the rights of indigenous peoples,,

1. Decides to appoint a Special Rapporteur on the Cultural Rights of Indigenous People for a period of three years:

   (a) To examine how the culture of indigenous peoples exists and manifests in Member States around the world;

   (b) To gather and request information on the status of culture from all relevant sources, including governments, special experts and indigenous peoples, by working alongside leaders of indigenous groups;

   (c) To formulate recommendations about how the culture of indigenous peoples can be promoted in order to retain their unique qualities;
(d) To work in close cooperation with the HRC, the Special Rapporteur on the Rights of Indigenous Peoples and all relevant UN bodies;

(e) To submit an annual report on the implementation of the mandate to the HRC and to the General Assembly with regards to their findings;

2. Suggests that all governments cooperate fully with the Special Rapporteur as they perform their duties to respond to requests and communications, respond promptly to urgent appeals and allow the Special Rapporteur to visit their countries to fulfill the duties of this position;

3. Ensures that the permission of both the Member States and the indigenous groups will be obtained;

4. Emphasizes the ultimate need of the Special Rapporteur to promote cultural education of the various practices and needs of indigenous populations around the world;

5. Requests the Secretary General and the United Nations High Commissioner for Human Rights provide the necessary assistance to the Special Rapporteur in order to effectively complete their mandate;

6. Decides to revisit the position of the Special Rapporteur after the period of three years expires.

Passed, Yes: 25 / No: 1 / Abstain: 2