Human rights and indigenous issues

Commission on Human Rights resolution 2001/57

The Commission on Human Rights,

Bearing in mind that one of the purposes of the United Nations, as set forth in the Charter, is the achievement of international cooperation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion,

Considering that the Universal Declaration of Human Rights proclaims that all human beings are born free and equal in dignity and rights, that all are entitled to equal protection against any discrimination and that everyone is entitled to all the rights and freedoms set forth in the Declaration, without distinction of any kind, such as race, colour, sex, language, religion, national origin, birth or other status,

Mindful of the relevant recommendations adopted by the World Conference on Human Rights, in particular those contained in Part I, paragraph 20, and Part II, paragraphs 28 to 32, of the Vienna Declaration and Programme of Action,

Recalling that the objective of the International Decade of the World’s Indigenous People is the strengthening of international cooperation for the solution of the problems they face in areas such as human rights, the environment, development, education and health,

Noting with satisfaction the progress in some countries on the protection and promotion of the human rights of indigenous people,

Encouraged by the growing interest of the international community in the full and effective protection of the human rights of indigenous people,

Taking into account the mandate of the Working Group on Indigenous Populations of the Sub-Commission on the Promotion and Protection of Human Rights to review developments pertaining to the promotion and protection of their human rights and fundamental freedoms, giving special attention to the evolution of standards concerning their rights,

Noting with satisfaction the decision of the Economic and Social Council to establish a Permanent Forum on Indigenous Issues, as a subsidiary organ of the Council, with the mandate to discuss indigenous issues within the mandate of the Council relating to economic and social development, culture, the environment, education, health and human rights,
Taking into account the absence of a mechanism in the Commission on Human Rights with a specific mandate to protect and monitor the respect and enjoyment of the human rights and fundamental freedoms of indigenous people,

Taking particularly into account the recommendation of the Sub-Commission on the Promotion and Protection of Human Rights that the Commission on Human Rights appoint a special rapporteur on the human rights and fundamental freedoms of indigenous people,

Taking into account decision 2000/105, adopted without a vote by the Commission on Human Rights, to postpone the consideration of draft resolution E/CN.4/2000/L.63,


Conscious of the situation of vulnerability in which indigenous people frequently find themselves and that in various situations they are unable to enjoy their inalienable human rights and fundamental freedoms,

Reaffirming the urgent need to recognize, promote and protect more effectively the human rights and fundamental freedoms of indigenous people,

Determined to promote the enjoyment of their human rights and fundamental freedoms by indigenous people,

1. Decides to appoint, for a three-year period, a special rapporteur on the situation of human rights and fundamental freedoms of indigenous people, with the following functions:

(a) To gather, request, receive and exchange information and communications from all relevant sources, including Governments, indigenous people themselves and their communities and organizations, on violations of their human rights and fundamental freedoms;

(b) To formulate recommendations and proposals on appropriate measures and activities to prevent and remedy violations of the human rights and fundamental freedoms of indigenous people;

(c) To work in close relation with other special rapporteurs, special representatives, working groups and independent experts of the Commission on Human Rights and of the Sub-Commission on the Promotion and Protection of Human Rights, taking into account the request of the Commission contained in resolution 1993/30;

2. Invites the special rapporteur to take into account a gender perspective while in carrying out her/his mandate, paying special attention to discrimination against indigenous women;

3. Also invites the special rapporteur to pay special attention to violations of the human rights and fundamental freedoms of indigenous children;

4. Further invites the special rapporteur, in carrying out his/her task, to take into account all the recommendations of the Working Group on Indigenous Populations of the Sub-Commission on the Promotion and Protection of Human Rights and of the Permanent Forum on Indigenous Issues relevant to her/his mandate;
5. Encourages the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance to give special attention to discrimination against indigenous people and requests the special rapporteur to consider, in performing his/her work, the recommendations of the World Conference on matters concerning his/her mandate;

6. Encourages the United Nations, including its specialized agencies, other regional intergovernmental organizations, Governments, independent experts, interested institutions, non-governmental organizations and, in particular, indigenous people to cooperate to the fullest extent possible with the special rapporteur in the fulfilment of his/her mandate;

7. Requests all Governments to cooperate fully with the special rapporteur in the performance of the tasks and duties mandated, to furnish all information requested and to react promptly to his/her urgent appeals;

8. Encourages all Governments to give serious consideration to the possibility of inviting the special rapporteur to visit their countries so as to enable him/her to fulfil the mandate effectively;

9. Requests the Chairperson of the Commission, following formal consultations with the Bureau and the regional groups through the regional coordinators, to appoint as special rapporteur an individual of recognized international standing and experience;

10. Requests the special rapporteur to submit annual reports on his/her activities to the Commission, starting at its fifty-eighth session;

11. Requests the Secretary-General and the High Commissioner for Human Rights to provide all the necessary human, technical and financial assistance to the special rapporteur for the fulfilment of her/his mandate;

12. Decides to consider the follow-up to this question, as a matter of priority, at its fifty-eighth session, under item 15 of its agenda.

76th meeting
24 April 2001
[Adopted without a vote]