



COMMISSION ON HUMAN RIGHTS

Sub-Commission on Prevention of
Discrimination and Protection of
Minorities

Working Group on Indigenous Populations
Fifth session
Geneva
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Items 4 and 5 of the provisional agenda

WGIP 87 UN/WPI/5

REVIEW OF DEVELOPMENTS PERTAINING TO THE PROMOTION AND
PROTECTION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS OF
INDIGENOUS POPULATIONS

STANDARD-SETTING ACTIVITIES:

EVOLUTION OF STANDARDS CONCERNING THE RIGHTS OF INDIGENOUS
POPULATIONS

Material received from other intergovernmental
organizations and their subsidiary bodies

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Introduction

1. In resolution 1982/34 of 7 May 1982, the Economic and Social Council authorized the Sub-Commission to establish annually a working group on indigenous populations to review developments pertaining to the promotion and protection of the human rights and fundamental freedoms of indigenous populations, including information requested by the Secretary-General annually, and to give special attention to the evolution of standards concerning the rights of indigenous populations.
2. In resolution 1985/22 of 29 August 1985, the Sub-Commission requested the Secretary-General to circulate the Working Group's report and its annexes (E/CN.4/Sub.2/1985/22 and Add.1) to Governments, specialized agencies and United Nations bodies concerned, organizations of indigenous peoples and other interested non-governmental organizations for comments and suggestions, in anticipation of the fifth session of the Working Group.
3. In accordance with this resolution, appropriate communications requesting information, comments and suggestions were addressed by the Secretary-General to Governments and the organizations referred to.
4. By the same resolution, the Secretary-General was also requested to prepare an analytical compilation of the comments and suggestions received, and to make it available to members of the Working Group, Governments, organizations of indigenous peoples and other non-governmental organizations well in advance of the Working Group's fifth session. In this regard, the Secretary-General would like to point out that the very few substantive comments made did not afford the basis to prepare an analytical compilation thereof. The Secretary-General considered it appropriate, therefore, to compile the information received rather than to analyse it.
5. The present document contains replies received from other intergovernmental organizations up to 20 April 1987. Additional replies, if any, will be included in addenda to this document.

ORGANIZATION OF AMERICAN STATES

[Original: English]

[25 September 1986]

The General Secretariat of the Organization of American States wishes to inform that the "Analytical compilation of existing legal instruments and proposed draft standards relating to indigenous rights" has been transmitted to the Director of the Inter-American Indian Institute, a specialized organization of the Organization of American States, for information and pertinent purposes.

INTER-AMERICAN COMMISSION ON HUMAN RIGHTS

[Original: English]

[16 May 1986]

For a number of years, the Inter-American Commission on Human Rights has been concerned with the promotion and protection of the human rights of indigenous populations in the Americas. As far back as 1971, the Commission found that indigenous populations were entitled, under Article II of the American Declaration of the Rights and Duties of Man, to special legal protections because they suffered severe discrimination. The Commission has also called upon Member States of the OAS to "implement the recommendations made by Inter-American conferences and Indian conferences, especially the provisions of Article 39 of the Inter-American Charter of Social Guarantees which deals with the protection of indigenous populations." And, in 1972, the Commission adopted a resolution which, in part, states that "special protection for indigenous populations constitutes a sacred commitment of the states," and exhorted national governments to encourage their officials "to act with the greatest zeal in defense of the human rights of indigenous persons, who should not be the object of discrimination of any kind."

For this reason, we have followed with great interest the work that has been pursued by the United Nations Working Group on Indigenous Populations since its establishment in 1982. We are particularly pleased that so many Member States of the United Nations with indigenous populations within their border are taking such an active role in the proceedings of the

Working Group. We are also pleased that the Working Group has the support of organizations of indigenous peoples, who have attended all of its sessions and taken such an active part in expressing their views about the current human rights situations of their peoples.

To further the work for the coming session, the Commission was enclosing the Annual Report of the Inter-American Commission on Human Rights 1984-1985. 1/ There are at least three sections of this report which deal

with the subject of the human rights of indigenous populations:

(a) resolution No. 12/85, Case No. 7615 concerning the situation of the Yanomami Indians of Brazil, passed by the Commission on 5 March 1985; (b) the section of the report on Guatemala which deals with the Indian population; and, (c) the section of the report pertaining to the status of work on the Additional Protocol to the American Convention on Economic, Social and Cultural Rights which alludes to the need to include the rights of indigenous populations.

Note

1/ Available for consultation in Secretariat files.