



**OFFICE OF THE HIGH COMMISSIONER FOR
HUMAN RIGHTS**



**Working group of the Commission on Human Rights to elaborate
a draft declaration in accordance with paragraph 5 of
General Assembly resolution 49/214 of 23 December 1994**

Commission on Human Rights Resolution: 2004/59

The Commission on Human Rights,

Bearing in mind General Assembly resolution 47/75 of 14 December 1992 and Part II, paragraph 28, of the Vienna Declaration and Programme of Action (A/CONF.157/23),

Reaffirming its resolution 1995/32 of 3 March 1995, in which it established an open-ended intersessional working group with the sole purpose of elaborating a draft declaration, considering the draft contained in the annex to resolution 1994/45 of 26 August 1994 of the Sub-Commission on the Promotion and Protection of Human Rights, entitled “Draft United Nations declaration on the rights of indigenous peoples”, for consideration and adoption by the General Assembly within the International Decade of the World’s Indigenous People,

Underlining the importance of concluding, at the latest in 2004, the draft United Nations declaration on the rights of indigenous people for consideration and adoption by the General Assembly, prior to the conclusion of the Decade,

Reaffirming in particular that the invitation contained in resolution 1995/32 was addressed to organizations of indigenous people seeking authorization to participate in the open-ended intersessional working group on the draft United Nations declaration on the rights of indigenous peoples,

Recognizing that organizations of indigenous people have special knowledge and understanding of the current situation of the world’s indigenous people and their human rights needs,

Recalling General Assembly resolution 49/214 of 23 December 1994, in which the Assembly encouraged the Commission to consider the draft declaration with the participation of representatives of indigenous people, on the basis of and in accordance with appropriate procedures to be determined by the Commission,

Welcoming the progress made in the process of drafting a declaration on the rights of indigenous people and emphasizing the importance and special nature of such a draft declaration as an instrument specifically for promoting the rights of indigenous people,

Encouraging Governments and organizations of indigenous people to participate actively and in a spirit of compromise in the working group in order to present a draft United Nations declaration on the rights of indigenous people to the General Assembly, as a matter of priority, for consideration and adoption,

Recalling the need for the working group to consider all aspects of the draft declaration, including its scope of application,

1. *Takes note* of the report of the working group (E/CN.4/2004/81 and Add.1) and welcomes the continuation and positive nature of the deliberations of the working group, in particular the measures taken to ensure effective input by organizations of indigenous people;

2. *Expresses its appreciation* for the work of the Economic and Social Council in considering applications from organizations of indigenous people to participate in the working group under the procedures set out in the annex to Commission resolution 1995/32;

3. *Welcomes* the decisions of the Council approving the participation of organizations of indigenous people in the work of the working group and urges the Council to process all pending applications as soon as possible, taking strictly into account the procedures set out in the annex to Commission resolution 1995/32;

4. *Recommends* that the working group meet for 10 working days prior to the sixty-first session of the Commission, the cost of the meeting to be met from within existing resources;

5. *Invites* the Chairperson-Rapporteur of the working group to undertake inquiries with the Office of the United Nations High Commissioner for Human Rights to determine the possibility of convening additional meetings of the working group, within existing resources, with a view to facilitating progress in drafting a declaration on the rights of indigenous people;

6. *Also invites* the Chairperson-Rapporteur of the working group and all interested parties to conduct broad informal intersessional consultations with a view to facilitating progress in concluding a declaration on the rights of indigenous people at the next session of the Working Group;

7. *Encourages* organizations of indigenous people that are not already registered to participate in the working group and that wish to do so to apply for authorization in accordance with the procedures set out in the annex to Commission resolution 1995/32;

8. *Requests* the working group to submit a report for consideration by the Commission at its sixty-first session under the same agenda item;

9. *Recommends* the following draft decision to the Economic and Social Council for adoption:

[For the text, see chap. I, draft decision 21.]

*56th meeting
20 April 2004*

[Adopted without a vote. See chap. XV.- E/2004/23 – E/CN.4/2004/127]