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Addressee: ILO, OHCHR, UN system, Human Rights Treaty Bodies and Mechanisms of the United Nations, Treaty Monitoring Mechanisms of ILO

Paragraph #45 Session #3 (2004)

Full Text

The Forum recommends that all human rights treaty bodies and other human rights mechanisms of the United Nations and the treaty monitoring mechanisms of ILO pay special attention to the human rights of indigenous peoples, in particular indigenous women, in the discharge of their mandates. The Forum also encourages indigenous women's organizations and other organizations working in this area to enhance their cooperation and contacts with these mechanisms.

Comments

ILO - A number of ILO Conventions other than No. 169 are of relevance to Indigenous and Tribal Peoples (ITPs). Apart from current work by the Project to Promote the ILO Policy on Indigenous and Tribal Peoples (PRO-169 Project) to raise awareness of these instruments and their relevance for ITPs, ILO's Committee on Experts on the Application of Conventions and Recommendations has made reference to the situation of ITPs within the context of other relevant Conventions, inter alia, the Discrimination (Employment and Occupation),

Convention 1957 (No. 111), the Equal Remuneration Convention, 1951 (No.100), the Forced Labour Convention, 1930 (No. 29), and the Abolition of Forced Labour Convention, 1957 (No. 105). Under the PRO-169 Project training tools are currently being developed for indigenous peoples on ILO instruments other than Convention No. 169 that are of relevance to them.

OHCHR- The recommendation has been brought to the attention of the relevant bodies. The human rights treaty bodies and the Special Procedures are independent human rights mechanisms whose mandates are determined by either the treaties themselves or by the Commission on Human Rights and in practice the rights of indigenous peoples are covered by these mechanisms. For example, the Committee on the Elimination of Racial Discrimination recently reviewed, under its Early-Warning and Urgent Action Procedure, the compatibility of the New Zealand Foreshore and Seabed Act 2004 with the provisions of the International Convention on the Elimination of All Forms of Racial Discrimination in the light of information received from the Government and a number of Maori non-governmental organizations and taking into account its General Recommendation XXIII on indigenous peoples.

OHCHR reports that the Special Rapporteur on trafficking in persons, especially women and children, sent a questionnaire on forced marriage to organizations of indigenous peoples with a view to gathering information, and the annual report of the Special Rapporteur on violence against women examines the intersections between violence against women and culture. Indigenous representatives participated in the seminars preceding the reports. The Special Rapporteur's thematic report reproduces the discussions of those seminars and includes specific recommendations on the recognition of the rights of indigenous women in the declaration on the rights of indigenous peoples. The reports on her missions to Mexico and Guatemala also include a section entitled "Violence against indigenous women".

Area of Work

Human rights