

Core National and International Instruments Pertaining to the Rights of Indigenous Peoples



**Lawyers' Association for Human Rights of
Nepalese Indigenous Peoples (LAHURNIP)**

**Core National and International
Instruments Pertaining to the Rights
of Indigenous Peoples**

Compiled by
Tahal Thami
Manoj Rai

**Lawyers' Association for Human Rights of
Nepalese Indigenous Peoples
(LAHURNIP)**

Publisher

Lawyers' Association for Human Rights of Nepalese Indigenous
Peoples (LAHURNIP)

Anamnagar, Kathmandu, Nepal

P.O.Box: 11179

Phone: +977-01-4268510

Email: lahurnip.nepal@gmail.com

Website: www.lahurnip.org

© LAHURNIP, 2017

Design & Layout

Yeti Enterprises

Cell: 9851084393

Email: yetienter2016@gmail.com

Print

Hisi Offset Printers P. Ltd

Jamal, Kathmandu

Tel: 01-4226416

ISBN: 978-9937-9135-3-9

Forewords

Lawyers' Association for Human Rights of Nepalese Indigenous Peoples is pleased to publish the compilation of major national and international documents pertaining to Indigenous Peoples (IPs). This publication accommodates United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and International Labour Organisation Indigenous and Tribal Peoples Convention, 1989 (No. 169). Similarly, the book clubs the outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples and National Foundation for Development of Indigenous Nationalities Act, 2058 (2002).

Those legal instruments are expected to be useful for academicians, policy makers and socio-political activists.

Shanti Kumari Rai
Chairperson

Contents

Forewords.....	
United Nations Declaration on the Rights of Indigenous Peoples (2007).....	1
Indigenous and Tribal Peoples Convention, 1989 (No. 169).....	18
Outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples.....	34
National Foundation for Development of Indigenous Nationalities Act, 2058 (2002).....	43
About Lahurnip.....	56

United Nations Declaration on the Rights of Indigenous Peoples

The General Assembly,

Taking note of the recommendation of the Human Rights Council contained in its resolution 1/2 of 29 June 2006,¹ by which the Council adopted the text of the United Nations Declaration on the Rights of Indigenous Peoples,

Recalling its resolution 61/178 of 20 December 2006, by which it decided to defer consideration of and action on the Declaration to allow time for further consultations thereon, and also decided to conclude its consideration before the end of the sixty-first session of the General Assembly,

Adopts the United Nations Declaration on the Rights of Indigenous Peoples as contained in the annex to the present resolution.

*107th plenary meeting
13 September 2007*

¹ See Official Records of the General Assembly, Sixty-first Session, Supplement No. 53 (A/61/53), part one, chap. II, sect. A.

Annex

United Nations Declaration on the Rights of Indigenous Peoples

The General Assembly,

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

Affirming that indigenous peoples are equal to all other peoples, while recognizing the right of all peoples to be different, to consider themselves different, and to be respected as such,

Affirming also that all peoples contribute to the diversity and richness of civilizations and cultures, which constitute the common heritage of humankind,

Affirming further that all doctrines, policies and practices based on or advocating superiority of peoples or individuals on the basis of national origin or racial, religious, ethnic or cultural differences are racist, scientifically false, legally invalid, morally condemnable and socially unjust,

Reaffirming that indigenous peoples, in the exercise of their rights, should be free from discrimination of any kind,

Concerned that indigenous peoples have suffered from historic injustices as a result of, inter alia, their colonization and dispossession of their lands, territories and resources, thus preventing them from exercising, in particular, their right to development in accordance with their own needs and interests,

Recognizing the urgent need to respect and promote the inherent rights of indigenous peoples which derive from their political, economic and social structures and from their cultures, spiritual traditions, histories and philosophies, especially their rights to their lands, territories and resources,

Recognizing also the urgent need to respect and promote the rights of indigenous peoples affirmed in treaties, agreements and other constructive arrangements with States,

Welcoming the fact that indigenous peoples are organizing themselves for political, economic, social and cultural enhancement and in order to bring to an end all forms of discrimination and oppression wherever they occur,

Convinced that control by indigenous peoples over developments affecting them and their lands, territories and resources will enable them to maintain and strengthen their institutions, cultures and traditions, and to promote their development in accordance with their aspirations and needs,

Recognizing that respect for indigenous knowledge, cultures and traditional practices contributes to sustainable and equitable development and proper management of the environment,

Emphasizing the contribution of the demilitarization of the lands and territories of indigenous peoples to peace, economic and social progress and development, understanding and friendly relations among nations and peoples of the world,

Recognizing in particular the right of indigenous families and communities to retain shared responsibility for the upbringing, training, education and well-being of their children, consistent with the rights of the child,

Considering that the rights affirmed in treaties, agreements and other constructive arrangements between States and indigenous peoples are, in some situations, matters of international concern, interest, responsibility and character,

Considering also that treaties, agreements and other constructive arrangements, and the relationship they represent, are the basis for a strengthened partnership between indigenous peoples and States,

Acknowledging that the Charter of the United Nations, the International Covenant on Economic, Social and Cultural Rights² and the International Covenant on Civil and Political Rights,² as well as the Vienna Declaration and Programme of Action,³ affirm the fundamental importance of the right to self-determination of all peoples, by virtue of which they freely determine their political status and freely pursue their economic, social and cultural development,

Bearing in mind that nothing in this Declaration may be used to deny any peoples their right to self-determination, exercised in conformity with international law,

Convinced that the recognition of the rights of indigenous peoples in this Declaration will enhance harmonious and cooperative relations between the State and indigenous peoples, based on principles of justice, democracy, respect for human rights, non-discrimination and good faith,

Encouraging States to comply with and effectively implement all their obligations as they apply to indigenous peoples under international instruments, in particular those related to human rights, in consultation and cooperation with the peoples concerned,

Emphasizing that the United Nations has an important and continuing role to play in promoting and protecting the rights of indigenous peoples,

Believing that this Declaration is a further important step forward for the recognition, promotion and protection of the rights and freedoms of indigenous peoples and in the development of relevant activities of the United Nations system in this field,

Recognizing and reaffirming that indigenous individuals are entitled without discrimination to all human rights recognized in international law, and that indigenous peoples possess collective rights which

² See resolution 2200 A (XXI), annex.

³ A/CONF.157/24 (Part I), chap. III.

are indispensable for their existence, well-being and integral development as peoples, Recognizing that the situation of indigenous peoples varies from region to region and from country to country and that the significance of national and regional particularities and various historical and cultural backgrounds should be taken into consideration,

Solemnly proclaims the following United Nations Declaration on the Rights of Indigenous Peoples as a standard of achievement to be pursued in a spirit of partnership and mutual respect:

Article 1

Indigenous peoples have the right to the full enjoyment, as a collective or as individuals, of all human rights and fundamental freedoms as recognized in the Charter of the United Nations, the Universal Declaration of Human Rights⁴ and international human rights law.

Article 2

Indigenous peoples and individuals are free and equal to all other peoples and individuals and have the right to be free from any kind of discrimination, in the exercise of their rights, in particular that based on their indigenous origin or identity.

Article 3

Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

Article 4

Indigenous peoples, in exercising their right to self-determination, have the right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions.

⁴ Resolution 217 A (III).

Article 5

Indigenous peoples have the right to maintain and strengthen their distinct political, legal, economic, social and cultural institutions, while retaining their right to participate fully, if they so choose, in the political, economic, social and cultural life of the State.

Article 6

Every indigenous individual has the right to a nationality.

Article 7

1. Indigenous individuals have the rights to life, physical and mental integrity, liberty and security of person.
2. Indigenous peoples have the collective right to live in freedom, peace and security as distinct peoples and shall not be subjected to any act of genocide or any other act of violence, including forcibly removing children of the group to another group.

Article 8

1. Indigenous peoples and individuals have the right not to be subjected to forced assimilation or destruction of their culture.
2. States shall provide effective mechanisms for prevention of, and redress for:
 - (a) Any action which has the aim or effect of depriving them of their integrity as distinct peoples, or of their cultural values or ethnic identities;
 - (b) Any action which has the aim or effect of dispossessing them of their lands, territories or resources;
 - (c) Any form of forced population transfer which has the aim or effect of violating or undermining any of their rights;
 - (d) Any form of forced assimilation or integration;
 - (e) Any form of propaganda designed to promote or incite racial or ethnic discrimination directed against them.

Article 9

Indigenous peoples and individuals have the right to belong to an indigenous community or nation, in accordance with the traditions and customs of the community or nation concerned. No discrimination of any kind may arise from the exercise of such a right.

Article 10

Indigenous peoples shall not be forcibly removed from their lands or territories. No relocation shall take place without the free, prior and informed consent of the indigenous peoples concerned and after agreement on just and fair compensation and, where possible, with the option of return.

Article 11

1. Indigenous peoples have the right to practise and revitalize their cultural traditions and customs. This includes the right to maintain, protect and develop the past, present and future manifestations of their cultures, such as archaeological and historical sites, artefacts, designs, ceremonies, technologies and visual and performing arts and literature.
2. States shall provide redress through effective mechanisms, which may include restitution, developed in conjunction with indigenous peoples, with respect to their cultural, intellectual, religious and spiritual property taken without their free, prior and informed consent or in violation of their laws, traditions and customs.

Article 12

1. Indigenous peoples have the right to manifest, practise, develop and teach their spiritual and religious traditions, customs and ceremonies; the right to maintain, protect, and have access in privacy to their religious and cultural sites; the right to the use and control of their ceremonial objects; and the right to the repatriation of their human remains.

2. States shall seek to enable the access and/or repatriation of ceremonial objects and human remains in their possession through fair, transparent and effective mechanisms developed in conjunction with indigenous peoples concerned.

Article 13

1. Indigenous peoples have the right to revitalize, use, develop and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems and literatures, and to designate and retain their own names for communities, places and persons.
2. States shall take effective measures to ensure that this right is protected and also to ensure that indigenous peoples can understand and be understood in political, legal and administrative proceedings, where necessary through the provision of interpretation or by other appropriate means.

Article 14

1. Indigenous peoples have the right to establish and control their educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning.
2. Indigenous individuals, particularly children, have the right to all levels and forms of education of the State without discrimination.
3. States shall, in conjunction with indigenous peoples, take effective measures, in order for indigenous individuals, particularly children, including those living outside their communities, to have access, when possible, to an education in their own culture and provided in their own language.

Article 15

1. Indigenous peoples have the right to the dignity and diversity of their cultures, traditions, histories and aspirations which shall be appropriately reflected in education and public information.

2. States shall take effective measures, in consultation and cooperation with the indigenous peoples concerned, to combat prejudice and eliminate discrimination and to promote tolerance, understanding and good relations among indigenous peoples and all other segments of society.

Article 16

1. Indigenous peoples have the right to establish their own media in their own languages and to have access to all forms of non-indigenous media without discrimination.
2. States shall take effective measures to ensure that State-owned media duly reflect indigenous cultural diversity. States, without prejudice to ensuring full freedom of expression, should encourage privately owned media to adequately reflect indigenous cultural diversity.

Article 17

1. Indigenous individuals and peoples have the right to enjoy fully all rights established under applicable international and domestic labour law.
2. States shall in consultation and cooperation with indigenous peoples take specific measures to protect indigenous children from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development, taking into account their special vulnerability and the importance of education for their empowerment.
3. Indigenous individuals have the right not to be subjected to any discriminatory conditions of labour and, inter alia, employment or salary.

Article 18

Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives

chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions.

Article 19

States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them.

Article 20

1. Indigenous peoples have the right to maintain and develop their political, economic and social systems or institutions, to be secure in the enjoyment of their own means of subsistence and development, and to engage freely in all their traditional and other economic activities.
2. Indigenous peoples deprived of their means of subsistence and development are entitled to just and fair redress.

Article 21

1. Indigenous peoples have the right, without discrimination, to the improvement of their economic and social conditions, including, inter alia, in the areas of education, employment, vocational training and retraining, housing, sanitation, health and social security.
2. States shall take effective measures and, where appropriate, special measures to ensure continuing improvement of their economic and social conditions. Particular attention shall be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities.

Article 22

1. Particular attention shall be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities in the implementation of this Declaration.

2. States shall take measures, in conjunction with indigenous peoples, to ensure that indigenous women and children enjoy the full protection and guarantees against all forms of violence and discrimination.

Article 23

Indigenous peoples have the right to determine and develop priorities and strategies for exercising their right to development. In particular, indigenous peoples have the right to be actively involved in developing and determining health, housing and other economic and social programmes affecting them and, as far as possible, to administer such programmes through their own institutions.

Article 24

1. Indigenous peoples have the right to their traditional medicines and to maintain their health practices, including the conservation of their vital medicinal plants, animals and minerals. Indigenous individuals also have the right to access, without any discrimination, to all social and health services.
2. Indigenous individuals have an equal right to the enjoyment of the highest attainable standard of physical and mental health. States shall take the necessary steps with a view to achieving progressively the full realization of this right.

Article 25

Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources and to uphold their responsibilities to future generations in this regard.

Article 26

1. Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.

2. Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.
3. States shall give legal recognition and protection to these lands, territories and resources. Such recognition shall be conducted with due respect to the customs, traditions and land tenure systems of the indigenous peoples concerned.

Article 27

States shall establish and implement, in conjunction with indigenous peoples concerned, a fair, independent, impartial, open and transparent process, giving due recognition to indigenous peoples' laws, traditions, customs and land tenure systems, to recognize and adjudicate the rights of indigenous peoples pertaining to their lands, territories and resources, including those which were traditionally owned or otherwise occupied or used. Indigenous peoples shall have the right to participate in this process.

Article 28

1. Indigenous peoples have the right to redress, by means that can include restitution or, when this is not possible, just, fair and equitable compensation, for the lands, territories and resources which they have traditionally owned or otherwise occupied or used, and which have been confiscated, taken, occupied, used or damaged without their free, prior and informed consent.
2. Unless otherwise freely agreed upon by the peoples concerned, compensation shall take the form of lands, territories and resources equal in quality, size and legal status or of monetary compensation or other appropriate redress.

Article 29

1. Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources. States shall establish

and implement assistance programmes for indigenous peoples for such conservation and protection, without discrimination.

2. States shall take effective measures to ensure that no storage or disposal of hazardous materials shall take place in the lands or territories of indigenous peoples without their free, prior and informed consent.
3. States shall also take effective measures to ensure, as needed, that programmes for monitoring, maintaining and restoring the health of indigenous peoples, as developed and implemented by the peoples affected by such materials, are duly implemented.

Article 30

1. Military activities shall not take place in the lands or territories of indigenous peoples, unless justified by a relevant public interest or otherwise freely agreed with or requested by the indigenous peoples concerned.
2. States shall undertake effective consultations with the indigenous peoples concerned, through appropriate procedures and in particular through their representative institutions, prior to using their lands or territories for military activities.

Article 31

1. Indigenous peoples have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions, as well as the manifestations of their sciences, technologies and cultures, including human and genetic resources, seeds, medicines, knowledge of the properties of fauna and flora, oral traditions, literatures, designs, sports and traditional games and visual and performing arts. They also have the right to maintain, control, protect and develop their intellectual property over such cultural heritage, traditional knowledge, and traditional cultural expressions.
2. In conjunction with indigenous peoples, States shall take effective measures to recognize and protect the exercise of these rights.

Article 32

1. Indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands or territories and other resources.
2. States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources.
3. States shall provide effective mechanisms for just and fair redress for any such activities, and appropriate measures shall be taken to mitigate adverse environmental, economic, social, cultural or spiritual impact.

Article 33

1. Indigenous peoples have the right to determine their own identity or membership in accordance with their customs and traditions. This does not impair the right of indigenous individuals to obtain citizenship of the States in which they live.
2. Indigenous peoples have the right to determine the structures and to select the membership of their institutions in accordance with their own procedures.

Article 34

Indigenous peoples have the right to promote, develop and maintain their institutional structures and their distinctive customs, spirituality, traditions, procedures, practices and, in the cases where they exist, juridical systems or customs, in accordance with international human rights standards.

Article 35

Indigenous peoples have the right to determine the responsibilities of individuals to their communities.

Article 36

1. Indigenous peoples, in particular those divided by international borders, have the right to maintain and develop contacts, relations and cooperation, including activities for spiritual, cultural, political, economic and social purposes, with their own members as well as other peoples across borders.
2. States, in consultation and cooperation with indigenous peoples, shall take effective measures to facilitate the exercise and ensure the implementation of this right.

Article 37

1. Indigenous peoples have the right to the recognition, observance and enforcement of treaties, agreements and other constructive arrangements concluded with States or their successors and to have States honour and respect such treaties, agreements and other constructive arrangements.
2. Nothing in this Declaration may be interpreted as diminishing or eliminating the rights of indigenous peoples contained in treaties, agreements and other constructive arrangements. Article 38 States in consultation and cooperation with indigenous peoples, shall take the appropriate measures, including legislative measures, to achieve the ends of this Declaration.

Article 39

Indigenous peoples have the right to have access to financial and technical assistance from States and through international cooperation, for the enjoyment of the rights contained in this Declaration.

Article 40

Indigenous peoples have the right to access to and prompt decision through just and fair procedures for the resolution of conflicts and disputes with States or other parties, as well as to effective remedies for all infringements of their individual and collective rights. Such a decision shall give due consideration to the customs, traditions, rules and legal systems of the indigenous peoples concerned and international human rights.

Article 41

The organs and specialized agencies of the United Nations system and other intergovernmental organizations shall contribute to the full realization of the provisions of this Declaration through the mobilization, inter alia, of financial cooperation and technical assistance. Ways and means of ensuring participation of indigenous peoples on issues affecting them shall be established.

Article 42

The United Nations, its bodies, including the Permanent Forum on Indigenous Issues, and specialized agencies, including at the country level, and States shall promote respect for and full application of the provisions of this Declaration and follow up the effectiveness of this Declaration.

Article 43

The rights recognized herein constitute the minimum standards for the survival, dignity and well-being of the indigenous peoples of the world.

Article 44

All the rights and freedoms recognized herein are equally guaranteed to male and female indigenous individuals.

Article 45

Nothing in this Declaration may be construed as diminishing or extinguishing the rights indigenous peoples have now or may acquire in the future.

Article 46

1. Nothing in this Declaration may be interpreted as implying for any State, people, group or person any right to engage in any activity or to perform any act contrary to the Charter of the United Nations or construed as authorizing or encouraging any action which would dismember or impair, totally or in part, the territorial integrity or political unity of sovereign and independent States.

2. In the exercise of the rights enunciated in the present Declaration, human rights and fundamental freedoms of all shall be respected. The exercise of the rights set forth in this Declaration shall be subject only to such limitations as are determined by law and in accordance with international human rights obligations. Any such limitations shall be non discriminatory and strictly necessary solely for the purpose of securing due recognition and respect for the rights and freedoms of others and for meeting the just and most compelling requirements of a democratic society.
3. The provisions set forth in this Declaration shall be interpreted in accordance with the principles of justice, democracy, respect for human rights, equality, non-discrimination, good governance and good faith.

Indigenous and Tribal Peoples Convention, 1989 (No. 169)
(ILO Convention 169)

Preamble

The General Conference of the International Labour Organisation,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its 76th Session on 7 June 1989, and

Noting the international standards contained in the Indigenous and Tribal Populations Convention and Recommendation, 1957, and

Recalling the terms of the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, and the many international instruments on the prevention of discrimination, and

Considering that the developments which have taken place in international law since 1957, as well as developments in the situation of indigenous and tribal peoples in all regions of the world, have made it appropriate to adopt new international standards on the subject with a view to removing the assimilationist orientation of the earlier standards, and

Recognising the aspirations of these peoples to exercise control over their own institutions, ways of life and economic development and to maintain and develop their identities, languages and religions, within the framework of the States in which they live, and

Noting that in many parts of the world these peoples are unable to enjoy their fundamental human rights to the same degree as the rest of the population of the States within which they live, and that their laws, values, customs and perspectives have often been eroded, and

Calling attention to the distinctive contributions of indigenous and tribal peoples to the cultural diversity and social and ecological

harmony of humankind and to international co-operation and understanding, and

Noting that the following provisions have been framed with the co-operation of the United Nations, the Food and Agriculture Organisation of the United Nations, the United Nations Educational, Scientific and Cultural Organisation and the World Health Organisation, as well as of the Inter-American Indian Institute, at appropriate levels and in their respective fields, and that it is proposed to continue this co-operation in promoting and securing the application of these provisions, and

Having decided upon the adoption of certain proposals with regard to the partial revision of the Indigenous and Tribal Populations Convention, 1957 (No. 107), which is the fourth item on the agenda of the session, and

Having determined that these proposals shall take the form of an international Convention revising the Indigenous and Tribal Populations Convention, 1957;

adopts this twenty-seventh day of June of the year one thousand nine hundred and eighty-nine the following Convention, which may be cited as the Indigenous and Tribal Peoples Convention, 1989;

PART I. GENERAL POLICY

Article 1

1. This Convention applies to:

- (a) tribal peoples in independent countries whose social, cultural and economic conditions distinguish them from other sections of the national community, and whose status is regulated wholly or partially by their own customs or traditions or by special laws or regulations;
- (b) peoples in independent countries who are regarded as indigenous on account of their descent from the populations which inhabited the country, or a geographical region to which the country

belongs, at the time of conquest or colonisation or the establishment of present state boundaries and who, irrespective of their legal status, retain some or all of their own social, economic, cultural and political institutions.

2. Self-identification as indigenous or tribal shall be regarded as a fundamental criterion for determining the groups to which the provisions of this Convention apply.
3. The use of the term **peoples** in this Convention shall not be construed as having any implications as regards the rights which may attach to the term under international law.

Article 2

1. Governments shall have the responsibility for developing, with the participation of the peoples concerned, co-ordinated and systematic action to protect the rights of these peoples and to guarantee respect for their integrity.
2. Such action shall include measures for:
 - (a) ensuring that members of these peoples benefit on an equal footing from the rights and opportunities which national laws and regulations grant to other members of the population;
 - (b) promoting the full realisation of the social, economic and cultural rights of these peoples with respect for their social and cultural identity, their customs and traditions and their institutions;
 - (c) assisting the members of the peoples concerned to eliminate socio-economic gaps that may exist between indigenous and other members of the national community, in a manner compatible with their aspirations and ways of life.

Article 3

1. Indigenous and tribal peoples shall enjoy the full measure of human rights and fundamental freedoms without hindrance or discrimination. The provisions of the Convention shall be applied without discrimination to male and female members of these peoples.
2. No form of force or coercion shall be used in violation of the human rights and fundamental freedoms of the peoples concerned, including the rights contained in this Convention.

Article 4

1. Special measures shall be adopted as appropriate for safeguarding the persons, institutions, property, labour, cultures and environment of the peoples concerned.
2. Such special measures shall not be contrary to the freely-expressed wishes of the peoples concerned.
3. Enjoyment of the general rights of citizenship, without discrimination, shall not be prejudiced in any way by such special measures.

Article 5

In applying the provisions of this Convention:

- (a) the social, cultural, religious and spiritual values and practices of these peoples shall be recognised and protected, and due account shall be taken of the nature of the problems which face them both as groups and as individuals;
- (b) the integrity of the values, practices and institutions of these peoples shall be respected;
- (c) policies aimed at mitigating the difficulties experienced by these peoples in facing new conditions of life and work shall be adopted, with the participation and co-operation of the peoples affected.

Article 6

1. In applying the provisions of this Convention, governments shall:
 - (a) consult the peoples concerned, through appropriate procedures and in particular through their representative institutions, whenever consideration is being given to legislative or administrative measures which may affect them directly;
 - (b) establish means by which these peoples can freely participate, to at least the same extent as other sectors of the population, at all levels of decision-making in elective institutions and administrative and other bodies responsible for policies and programmes which concern them;
 - (c) establish means for the full development of these peoples' own institutions and initiatives, and in appropriate cases provide the resources necessary for this purpose.

2. The consultations carried out in application of this Convention shall be undertaken, in good faith and in a form appropriate to the circumstances, with the objective of achieving agreement or consent to the proposed measures.

Article 7

1. The peoples concerned shall have the right to decide their own priorities for the process of development as it affects their lives, beliefs, institutions and spiritual well-being and the lands they occupy or otherwise use, and to exercise control, to the extent possible, over their own economic, social and cultural development. In addition, they shall participate in the formulation, implementation and evaluation of plans and programmes for national and regional development which may affect them directly.
2. The improvement of the conditions of life and work and levels of health and education of the peoples concerned, with their participation and co-operation, shall be a matter of priority in plans for the overall economic development of areas they inhabit. Special projects for development of the areas in question shall also be so designed as to promote such improvement.
3. Governments shall ensure that, whenever appropriate, studies are carried out, in co-operation with the peoples concerned, to assess the social, spiritual, cultural and environmental impact on them of planned development activities. The results of these studies shall be considered as fundamental criteria for the implementation of these activities.
4. Governments shall take measures, in co-operation with the peoples concerned, to protect and preserve the environment of the territories they inhabit.

Article 8

1. In applying national laws and regulations to the peoples concerned, due regard shall be had to their customs or customary laws.
2. These peoples shall have the right to retain their own customs and institutions, where these are not incompatible with fundamental rights defined by the national legal system and with internationally

recognised human rights. Procedures shall be established, whenever necessary, to resolve conflicts which may arise in the application of this principle.

3. The application of paragraphs 1 and 2 of this Article shall not prevent members of these peoples from exercising the rights granted to all citizens and from assuming the corresponding duties.

Article 9

1. To the extent compatible with the national legal system and internationally recognised human rights, the methods customarily practised by the peoples concerned for dealing with offences committed by their members shall be respected.
2. The customs of these peoples in regard to penal matters shall be taken into consideration by the authorities and courts dealing with such cases.

Article 10

1. In imposing penalties laid down by general law on members of these peoples account shall be taken of their economic, social and cultural characteristics.
2. Preference shall be given to methods of punishment other than confinement in prison.

Article 11

The exaction from members of the peoples concerned of compulsory personal services in any form, whether paid or unpaid, shall be prohibited and punishable by law, except in cases prescribed by law for all citizens.

Article 12

The peoples concerned shall be safeguarded against the abuse of their rights and shall be able to take legal proceedings, either individually or through their representative bodies, for the effective protection of these rights. Measures shall be taken to ensure that members of these peoples can understand and be understood in legal proceedings, where necessary through the provision of interpretation or by other effective means.

PART II. LAND

Article 13

1. In applying the provisions of this Part of the Convention governments shall respect the special importance for the cultures and spiritual values of the peoples concerned of their relationship with the lands or territories, or both as applicable, which they occupy or otherwise use, and in particular the collective aspects of this relationship.
2. The use of the term **lands** in Articles 15 and 16 shall include the concept of territories, which covers the total environment of the areas which the peoples concerned occupy or otherwise use.

Article 14

1. The rights of ownership and possession of the peoples concerned over the lands which they traditionally occupy shall be recognised. In addition, measures shall be taken in appropriate cases to safeguard the right of the peoples concerned to use lands not exclusively occupied by them, but to which they have traditionally had access for their subsistence and traditional activities. Particular attention shall be paid to the situation of nomadic peoples and shifting cultivators in this respect.
2. Governments shall take steps as necessary to identify the lands which the peoples concerned traditionally occupy, and to guarantee effective protection of their rights of ownership and possession.
3. Adequate procedures shall be established within the national legal system to resolve land claims by the peoples concerned.

Article 15

1. The rights of the peoples concerned to the natural resources pertaining to their lands shall be specially safeguarded. These rights include the right of these peoples to participate in the use, management and conservation of these resources.
2. In cases in which the State retains the ownership of mineral or sub-surface resources or rights to other resources pertaining to lands, governments shall establish or maintain procedures

through which they shall consult these peoples, with a view to ascertaining whether and to what degree their interests would be prejudiced, before undertaking or permitting any programmes for the exploration or exploitation of such resources pertaining to their lands. The peoples concerned shall wherever possible participate in the benefits of such activities, and shall receive fair compensation for any damages which they may sustain as a result of such activities.

Article 16

1. Subject to the following paragraphs of this Article, the peoples concerned shall not be removed from the lands which they occupy.
2. Where the relocation of these peoples is considered necessary as an exceptional measure, such relocation shall take place only with their free and informed consent. Where their consent cannot be obtained, such relocation shall take place only following appropriate procedures established by national laws and regulations, including public inquiries where appropriate, which provide the opportunity for effective representation of the peoples concerned.
3. Whenever possible, these peoples shall have the right to return to their traditional lands, as soon as the grounds for relocation cease to exist.
4. When such return is not possible, as determined by agreement or, in the absence of such agreement, through appropriate procedures, these peoples shall be provided in all possible cases with lands of quality and legal status at least equal to that of the lands previously occupied by them, suitable to provide for their present needs and future development. Where the peoples concerned express a preference for compensation in money or in kind, they shall be so compensated under appropriate guarantees.
5. Persons thus relocated shall be fully compensated for any resulting loss or injury.

Article 17

1. Procedures established by the peoples concerned for the

transmission of land rights among members of these peoples shall be respected.

2. The peoples concerned shall be consulted whenever consideration is being given to their capacity to alienate their lands or otherwise transmit their rights outside their own community.
3. Persons not belonging to these peoples shall be prevented from taking advantage of their customs or of lack of understanding of the laws on the part of their members to secure the ownership, possession or use of land belonging to them.

Article 18

Adequate penalties shall be established by law for unauthorised intrusion upon, or use of, the lands of the peoples concerned, and governments shall take measures to prevent such offences.

Article 19

National agrarian programmes shall secure to the peoples concerned treatment equivalent to that accorded to other sectors of the population with regard to:

- (a) the provision of more land for these peoples when they have not the area necessary for providing the essentials of a normal existence, or for any possible increase in their numbers;
- (b) the provision of the means required to promote the development of the lands which these peoples already possess.

PART III. RECRUITMENT AND CONDITIONS OF EMPLOYMENT

Article 20

1. Governments shall, within the framework of national laws and regulations, and in co-operation with the peoples concerned, adopt special measures to ensure the effective protection with regard to recruitment and conditions of employment of workers belonging to these peoples, to the extent that they are not effectively protected by laws applicable to workers in general.
2. Governments shall do everything possible to prevent any discrimination between workers belonging to the peoples concerned and other workers, in particular as regards:
 - (a) admission to employment, including skilled employment,

- as well as measures for promotion and advancement;
 - (b) equal remuneration for work of equal value;
 - (c) medical and social assistance, occupational safety and health, all social security benefits and any other occupationally related benefits, and housing;
 - (d) the right of association and freedom for all lawful trade union activities, and the right to conclude collective agreements with employers or employers' organisations.
3. The measures taken shall include measures to ensure:
- (a) that workers belonging to the peoples concerned, including seasonal, casual and migrant workers in agricultural and other employment, as well as those employed by labour contractors, enjoy the protection afforded by national law and practice to other such workers in the same sectors, and that they are fully informed of their rights under labour legislation and of the means of redress available to them;
 - (b) that workers belonging to these peoples are not subjected to working conditions hazardous to their health, in particular through exposure to pesticides or other toxic substances;
 - (c) that workers belonging to these peoples are not subjected to coercive recruitment systems, including bonded labour and other forms of debt servitude;
 - (d) that workers belonging to these peoples enjoy equal opportunities and equal treatment in employment for men and women, and protection from sexual harassment.
4. Particular attention shall be paid to the establishment of adequate labour inspection services in areas where workers belonging to the peoples concerned undertake wage employment, in order to ensure compliance with the provisions of this Part of this Convention.

PART IV. VOCATIONAL TRAINING, HANDICRAFTS AND RURAL INDUSTRIES

Article 21

Members of the peoples concerned shall enjoy opportunities at least equal to those of other citizens in respect of vocational training measures.

Article 22

1. Measures shall be taken to promote the voluntary participation of members of the peoples concerned in vocational training programmes of general application.
2. Whenever existing programmes of vocational training of general application do not meet the special needs of the peoples concerned, governments shall, with the participation of these peoples, ensure the provision of special training programmes and facilities.
3. Any special training programmes shall be based on the economic environment, social and cultural conditions and practical needs of the peoples concerned. Any studies made in this connection shall be carried out in co-operation with these peoples, who shall be consulted on the organisation and operation of such programmes. Where feasible, these peoples shall progressively assume responsibility for the organisation and operation of such special training programmes, if they so decide.

Article 23

1. Handicrafts, rural and community-based industries, and subsistence economy and traditional activities of the peoples concerned, such as hunting, fishing, trapping and gathering, shall be recognised as important factors in the maintenance of their cultures and in their economic self-reliance and development. Governments shall, with the participation of these people and whenever appropriate, ensure that these activities are strengthened and promoted.
2. Upon the request of the peoples concerned, appropriate technical and financial assistance shall be provided wherever possible, taking into account the traditional technologies and cultural

characteristics of these peoples, as well as the importance of sustainable and equitable development.

PART V. SOCIAL SECURITY AND HEALTH

Article 24

Social security schemes shall be extended progressively to cover the peoples concerned, and applied without discrimination against them.

Article 25

1. Governments shall ensure that adequate health services are made available to the peoples concerned, or shall provide them with resources to allow them to design and deliver such services under their own responsibility and control, so that they may enjoy the highest attainable standard of physical and mental health.
2. Health services shall, to the extent possible, be community-based. These services shall be planned and administered in co-operation with the peoples concerned and take into account their economic, geographic, social and cultural conditions as well as their traditional preventive care, healing practices and medicines.
3. The health care system shall give preference to the training and employment of local community health workers, and focus on primary health care while maintaining strong links with other levels of health care services.
4. The provision of such health services shall be co-ordinated with other social, economic and cultural measures in the country.

PART VI. EDUCATION AND MEANS OF COMMUNICATION

Article 26

Measures shall be taken to ensure that members of the peoples concerned have the opportunity to acquire education at all levels on at least an equal footing with the rest of the national community.

Article 27

1. Education programmes and services for the peoples concerned shall be developed and implemented in co-operation with them to address their special needs, and shall incorporate their histories, their knowledge and technologies, their value systems and their further social, economic and cultural aspirations.
2. The competent authority shall ensure the training of members of these peoples and their involvement in the formulation and implementation of education programmes, with a view to the progressive transfer of responsibility for the conduct of these programmes to these peoples as appropriate.
3. In addition, governments shall recognise the right of these peoples to establish their own educational institutions and facilities, provided that such institutions meet minimum standards established by the competent authority in consultation with these peoples. Appropriate resources shall be provided for this purpose.

Article 28

1. Children belonging to the peoples concerned shall, wherever practicable, be taught to read and write in their own indigenous language or in the language most commonly used by the group to which they belong. When this is not practicable, the competent authorities shall undertake consultations with these peoples with a view to the adoption of measures to achieve this objective.
2. Adequate measures shall be taken to ensure that these peoples have the opportunity to attain fluency in the national language or in one of the official languages of the country.
3. Measures shall be taken to preserve and promote the development and practice of the indigenous languages of the peoples concerned.

Article 29

The imparting of general knowledge and skills that will help children belonging to the peoples concerned to participate fully and on an equal footing in their own community and in the national community shall be an aim of education for these peoples.

Article 30

1. Governments shall adopt measures appropriate to the traditions

and cultures of the peoples concerned, to make known to them their rights and duties, especially in regard to labour, economic opportunities, education and health matters, social welfare and their rights deriving from this Convention.

2. If necessary, this shall be done by means of written translations and through the use of mass communications in the languages of these peoples.

Article 31

Educational measures shall be taken among all sections of the national community, and particularly among those that are in most direct contact with the peoples concerned, with the object of eliminating prejudices that they may harbour in respect of these peoples. To this end, efforts shall be made to ensure that history textbooks and other educational materials provide a fair, accurate and informative portrayal of the societies and cultures of these peoples.

PART VII. CONTACTS AND CO-OPERATION ACROSS BORDERS

Article 32

Governments shall take appropriate measures, including by means of international agreements, to facilitate contacts and co-operation between indigenous and tribal peoples across borders, including activities in the economic, social, cultural, spiritual and environmental fields.

PART VIII. ADMINISTRATION

Article 33

1. The governmental authority responsible for the matters covered in this Convention shall ensure that agencies or other appropriate mechanisms exist to administer the programmes affecting the peoples concerned, and shall ensure that they have the means necessary for the proper fulfilment of the functions assigned to them.

2. These programmes shall include:
 - (a) the planning, co-ordination, execution and evaluation, in co-operation with the peoples concerned, of the measures provided for in this Convention;
 - (b) the proposing of legislative and other measures to the competent authorities and supervision of the application of the measures taken, in co-operation with the peoples concerned.

PART IX. GENERAL PROVISIONS

Article 34

The nature and scope of the measures to be taken to give effect to this Convention shall be determined in a flexible manner, having regard to the conditions characteristic of each country.

Article 35

The application of the provisions of this Convention shall not adversely affect rights and benefits of the peoples concerned pursuant to other Conventions and Recommendations, international instruments, treaties, or national laws, awards, custom or agreements.

PART X. FINAL PROVISIONS

Article 36

This Convention revises the Indigenous and Tribal Populations Convention, 1957.

Article 37

The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour Office for registration.

Article 38

1. This Convention shall be binding only upon those Members of the International Labour Organisation whose ratifications have been registered with the Director-General.

2. It shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Director-General.
3. Thereafter, this Convention shall come into force for any Member twelve months after the date on which its ratification has been registered.

Article 39

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an act communicated to the Director-General of the International Labour Office for registration. Such denunciation shall not take effect until one year after the date on which it is registered.
2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention at the expiration of each period of ten years under the terms provided for in this Article.

Article 40

1. The Director-General of the International Labour Office shall notify all Members of the International Labour Organisation of the registration of all ratifications and denunciations communicated to him by the Members of the Organisation.
2. When notifying the Members of the Organisation of the registration of the second ratification communicated to him, the Director-General shall draw the attention of the Members of the Organisation to the date upon which the Convention will come into force.

Article 41

The Director-General of the International Labour Office shall communicate to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations full particulars of all ratifications and acts of denunciation registered by him in accordance with the provisions of the preceding Articles.

Article 42

At such times as it may consider necessary the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall examine the desirability of placing on the agenda of the Conference the question of its revision in whole or in part.

Article 43

1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides-
 - (a) the ratification by a Member of the new revising Convention shall ipso jure involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 39 above, if and when the new revising Convention shall have come into force;
 - (b) as from the date when the new revising Convention comes into force this Convention shall cease to be open to ratification by the Members.
2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

Article 44

The English and French versions of the text of this Convention are equally authoritative.

Resolution adopted by the General Assembly on 22 September 2014

Outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples

1. We, the Heads of State and Government, ministers and representatives of Member States, reaffirming our solemn commitment to the purposes and principles of the Charter of the United Nations, in a spirit of cooperation with the indigenous peoples of the world, are assembled at United Nations Headquarters in New York on 22 and 23 September 2014, on the occasion of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples, to reiterate the important and continuing role of the United Nations in promoting and protecting the rights of indigenous peoples.
2. We welcome the indigenous peoples' preparatory processes for the World Conference, including the Global Indigenous Preparatory Conference held in Alta, Norway, in June 2013. We take note of the outcome document of the Alta Conference⁵ and other contributions made by indigenous peoples. We also welcome the inclusive preparatory process for the high level plenary meeting, including the comprehensive engagement of the representatives of indigenous peoples.
3. We reaffirm our support for the United Nations Declaration on the Rights of Indigenous Peoples, adopted by the General Assembly on 13 September 2007,⁶ and our commitments made in this respect to consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them, in accordance with the applicable principles of the Declaration.

⁵ A/67/994, annex.

⁶ Resolution 61/295 annex.

4. We reaffirm our solemn commitment to respect, promote and advance and in no way diminish the rights of indigenous peoples and to uphold the principles of the Declaration.
5. In addition to the Declaration, we recall the other major achievements of the past two decades in building an international framework for the advancement of the rights and aspirations of the world's indigenous peoples, including the establishment of the Permanent Forum on Indigenous Issues, the creation of the Expert Mechanism on the Rights of Indigenous Peoples and the establishment of the mandate of the Special Rapporteur on the rights of indigenous peoples. We commit ourselves to giving due consideration to recommendations and advice issued by those bodies in cooperation with indigenous peoples.
6. We encourage those States that have not yet ratified or acceded to the International Labour Organization Indigenous and Tribal Peoples Convention, 1989 (No. 169),⁷ to consider doing so. We recall the obligation of ratifying States under the Convention to develop coordinated and systematic action to protect the rights of indigenous peoples.
7. We commit ourselves to taking, in consultation and cooperation with indigenous peoples, appropriate measures at the national level, including legislative, policy and administrative measures, to achieve the ends of the Declaration and to promote awareness of it among all sectors of society, including members of legislatures, the judiciary and the civil service.
8. We commit ourselves to cooperating with indigenous peoples, through their own representative institutions, to develop and implement national action plans, strategies or other measures, where relevant, to achieve the ends of the Declaration.
9. We commit ourselves to promoting and protecting the rights of indigenous persons with disabilities and to continuing to improve their social and economic conditions, including by developing targeted measures for the aforementioned action plans, strategies or measures, in collaboration with indigenous persons with disabilities. We also commit ourselves to ensuring that national legislative, policy and institutional

⁷ United Nations, Treaty Series, vol. 1650, No. 28383.

structures relating to indigenous peoples are inclusive of indigenous persons with disabilities and contribute to the advancement of their rights.

10. We commit ourselves to working with indigenous peoples to disaggregate data, as appropriate, or conduct surveys and to utilizing holistic indicators of indigenous peoples' well-being to address the situation and needs of indigenous peoples and individuals, in particular older persons, women, youth, children and persons with disabilities.
11. We commit ourselves to ensuring equal access to high quality education that recognizes the diversity of the cultures of indigenous peoples and to health, housing, water, sanitation and other economic and social programmes to improve well-being, including through initiatives, policies and the provision of resources. We intend to empower indigenous peoples to deliver such programmes as far as possible.
12. We recognize the importance of indigenous peoples' health practices and their traditional medicine and knowledge.
13. We commit ourselves to ensuring that indigenous individuals have equal access to the highest attainable standard of physical and mental health. We also commit ourselves to intensifying efforts to reduce rates of HIV and AIDS, malaria, tuberculosis and non-communicable diseases by focusing on prevention, including through appropriate programmes, policies and resources for indigenous individuals, and to ensure their access to sexual and reproductive health and reproductive rights in accordance with the Programme of Action of the International Conference on Population and Development,⁸ the Beijing Platform for Action⁹ and the outcome documents of their review conferences.
14. We commit ourselves to promoting the right of every indigenous child, in community with members of his or her group, to enjoy his or her own culture, to profess and practise his or her own religion or to use his or her own language.

⁸ Report of the International Conference on Population and Development, Cairo, 5-13 September 1994 (United Nations publication, Sales No.E.95.XIII.18), chap.I, resolution 1, annex.

⁹ Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995 (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex II.

15. We support the empowerment and capacity-building of indigenous youth, including their full and effective participation in decision-making processes in matters that affect them. We commit ourselves to developing, in consultation with indigenous peoples, policies, programmes and resources, where relevant, that target the well-being of indigenous youth, in particular in the areas of health, education, employment and the transmission of traditional knowledge, languages and practices, and to taking measures to promote awareness and understanding of their rights.
16. We acknowledge that indigenous peoples' justice institutions can play a positive role in providing access to justice and dispute resolution and contribute to harmonious relationships within indigenous peoples' communities and within society. We commit ourselves to coordinating and conducting dialogue with those institutions, where they exist.
17. We commit ourselves to supporting the empowerment of indigenous women and to formulating and implementing, in collaboration with indigenous peoples, in particular indigenous women and their organizations, policies and programmes designed to promote capacity-building and strengthen their leadership. We support measures that will ensure the full and effective participation of indigenous women in decision-making processes at all levels and in all areas and eliminate barriers to their participation in political, economic, social and cultural life.
18. We commit ourselves to intensifying our efforts, in cooperation with indigenous peoples, to prevent and eliminate all forms of violence and discrimination against indigenous peoples and individuals, in particular women, children, youth, older persons and persons with disabilities, by strengthening legal, policy and institutional frameworks.
19. We invite the Human Rights Council to consider examining the causes and consequences of violence against indigenous women and girls, in consultation with the Special Rapporteur on violence against women, its causes and consequences, the Special Rapporteur on the rights of indigenous peoples and other special procedures mandate holders within their

respective mandates. We also invite the Commission on the Status of Women to consider the issue of the empowerment of indigenous women at a future session.

20. We recognize commitments made by States, with regard to the United Nations Declaration on the Rights of Indigenous Peoples, to consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources.
21. We also recognize commitments made by States, with regard to the Declaration, to establish at the national level, in conjunction with the indigenous peoples concerned, fair, independent, impartial, open and transparent processes to acknowledge, advance and adjudicate the rights of indigenous peoples pertaining to lands, territories and resources.
22. We recognize that the traditional knowledge, innovations and practices of indigenous peoples and local communities make an important contribution to the conservation and sustainable use of biodiversity. We acknowledge the importance of the participation of indigenous peoples, wherever possible, in the benefits of their knowledge, innovations and practices.
23. We intend to work with indigenous peoples to address the impact or potential impact on them of major development projects, including those involving the activities of extractive industries, including with the aim of managing risks appropriately.
24. We recall the responsibility of transnational corporations and other business enterprises to respect all applicable laws and international principles, including the Guiding Principles on Business and Human Rights: Implementing the United Nations "Protect, Respect and Remedy" Framework¹⁰ and to operate transparently and in a socially and environmentally responsible manner. In this regard, we commit ourselves to taking further steps, as appropriate, to prevent abuses of the rights of indigenous peoples.
25. We commit ourselves to developing, in conjunction with the indigenous peoples concerned, and where appropriate, policies, programmes and resources to support indigenous

- peoples' occupations, traditional subsistence activities, economies, livelihoods, food security and nutrition.
26. We recognize the importance of the role that indigenous peoples can play in economic, social and environmental development through traditional sustainable agricultural practices, including traditional seed supply systems, and access to credit and other financial services, markets, secure land tenure, health care, social services, education, training, knowledge and appropriate and affordable technologies, including for irrigation and water harvesting and storage.
 27. We affirm and recognize the importance of indigenous peoples' religious and cultural sites and of providing access to and repatriation of their ceremonial objects and human remains in accordance with the ends of the Declaration. We commit ourselves to developing, in conjunction with the indigenous peoples concerned, fair, transparent and effective mechanisms for access to and repatriation of ceremonial objects and human remains at the national and international levels.
 28. We invite the Human Rights Council, taking into account the views of indigenous peoples, to review the mandates of its existing mechanisms, in particular the Expert Mechanism on the Rights of Indigenous Peoples, during the sixty-ninth session of the General Assembly, with a view to modifying and improving the Expert Mechanism so that it can more effectively promote respect for the Declaration, including by better assisting Member States to monitor, evaluate and improve the achievement of the ends of the Declaration.
 29. We invite the human rights treaty bodies to consider the Declaration in accordance with their respective mandates. We encourage Member States to include, as appropriate, information on the situation of the rights of indigenous peoples, including measures taken to pursue the objectives of the Declaration, in reports to those bodies and during the universal periodic review process.
 30. We welcome the increasingly important role of national and regional human rights institutions in contributing to the achievement of the ends of the Declaration. We encourage

the private sector, civil society and academic institutions to take an active role in promoting and protecting the rights of indigenous peoples.

31. We request the Secretary-General, in consultation and cooperation with indigenous peoples, the Inter-Agency Support Group on Indigenous Peoples' Issues and Member States, to begin the development, within existing resources, of a system-wide action plan to ensure a coherent approach to achieving the ends of the Declaration and to report to the General Assembly at its seventieth session, through the Economic and Social Council, on progress made. We invite the Secretary-General to accord, by the end of the seventieth session of the Assembly, an existing senior official of the United Nations system, with access to the highest levels of decision-making within the system, responsibility for coordinating the action plan, raising awareness of the rights of indigenous peoples at the highest possible level and increasing the coherence of the activities of the system in this regard.
32. We invite United Nations agencies, funds and programmes, in addition to resident coordinators, where appropriate, to support the implementation, upon request, of national action plans, strategies or other measures to achieve the ends of the Declaration, in accordance with national priorities and United Nations Development Assistance Frameworks, where they exist, through better coordination and cooperation.
33. We commit ourselves to considering, at the seventieth session of the General Assembly, ways to enable the participation of indigenous peoples' representatives and institutions in meetings of relevant United Nations bodies on issues affecting them, including any specific proposals made by the Secretary-General in response to the request made in paragraph 40 below.
34. We encourage Governments to recognize the significant contribution of indigenous peoples to the promotion of sustainable development, in order to achieve a just balance among the economic, social and environmental needs of present and future generations, and the need to promote

- harmony with nature to protect our planet and its ecosystems, known as Mother Earth in a number of countries and regions.
35. We commit ourselves to respecting the contributions of indigenous peoples to ecosystem management and sustainable development, including knowledge acquired through experience in hunting, gathering, fishing, pastoralism and agriculture, as well as their sciences, technologies and cultures.
 36. We confirm that indigenous peoples' knowledge and strategies to sustain their environment should be respected and taken into account when we develop national and international approaches to climate change mitigation and adaptation.
 37. We note that indigenous peoples have the right to determine and develop priorities and strategies for exercising their right to development. In this regard, we commit ourselves to giving due consideration to all the rights of indigenous peoples in the elaboration of the post 2015 development agenda.
 38. We invite Member States and actively encourage the private sector and other institutions to contribute to the United Nations Voluntary Fund for Indigenous Peoples, the Trust Fund on Indigenous Issues, the Indigenous Peoples Assistance Facility and the United Nations Indigenous Peoples' Partnership as a means of respecting and promoting the rights of indigenous peoples worldwide.
 39. We request the Secretary-General to include relevant information on indigenous peoples in his final report on the achievement of the Millennium Development Goals.
 40. We request the Secretary-General, in consultation with the Inter-Agency Support Group on Indigenous Peoples' Issues and Member States, taking into account the views expressed by indigenous peoples, to report to the General Assembly at its seventieth session on the implementation of the present outcome document, and to submit at the same session, through the Economic and Social Council, recommendations regarding how to use, modify and improve existing United Nations mechanisms to achieve the ends of the United Nations Declaration on the Rights of Indigenous Peoples, ways to enhance a coherent, system-wide approach to achieving the ends of the Declaration and specific proposals

to enable the participation of indigenous peoples' representatives and institutions, building on the report of the Secretary-General on ways and means of promoting participation at the United Nations of indigenous peoples' representatives on the issues affecting them.¹¹

*4th plenary meeting
22 September 2014*

National Foundation for Upliftment of *Aadibasi/Janjati* Act, 2058 (2002)

Amendments

1. Amending some Nepal Acts relating to maintain
Date of Authentication 2058-10-25 (Feb. 7, 2002)
Gender Equality Act, 2063 (2006) 2063.7.17 (Nov. 3, 2006)
2. Republic Strengthening and Some
Nepal Laws Amendment
Act, 2066 (2010)¹² 2066-10-7 (Jan. 21, 2010)

Act Number 20 of the year 2058 (2002)

An Act made to provide for the establishment of National Foundation for Upliftment of *Aadibasi/Janjati*

Preamble: Whereas, it is expedient to establish and operate a Foundation for upliftment of *Aadibasi/Janjati* for social, economic and cultural development and upliftment of various *Aadibasi/Janjati* of Nepal and for their equal participation in the mainstream of national development,

Now, therefore, be it enacted by the Parliament in the first year of the reign of His Majesty King Gyanendra Bir Bikram Shah Dev.

Chapter- 1 Preliminary

1. **Short title and commencement:** (1) This Act may be called as "National Foundation for upliftment of *Aadibasi/Janjati* Act, 2058 (2002)".
(2) This Act shall commence immediately.
2. **Definitions:** Unless the subject or context otherwise requires, in this Act, -
 - (a) "*Aadibasi/Janjati*" means a tribe or community as mentioned in the Schedule having its own mother language and traditional rites and customs, distinct cultural identity, distinct social structure and written or unwritten history.
 - (b) "Foundation" means the National Foundation for upliftment of *Aadibasi/Janjati* established pursuant to Section 3.

- (c) "Council" means the Governing Council of the Foundation constituted pursuant to Section 7.
- (d) "Committee" means the Executive Committee of the council constituted pursuant to Section 10.
- (e) "Prescribed" or "as prescribed" means prescribed or as prescribed in the Rules made under this Act.

Chapter 2

Establishment, objectives, functions, duties and powers of the Foundation

3. **Establishment of Foundation:**
 - (1) A Foundation named "Foundation for upliftment of *Aadibasi/Janjati*" is hereby established.
 - (2) The central office of the Foundation shall be situated inside the Kathmandu valley and the Foundation may establish its branch office in other place as per necessity.

4. **Foundation to be an autonomous body:**
 - (1) The Foundation shall be an autonomous body corporate with perpetual succession.
 - (2) The Foundation shall have its own separate seal for its activities.
 - (3) The Foundation may like a person, acquire, use, sell and dispose of or manage otherwise movable, immovable property.
 - (4) The Foundation may, like a person, sue or be sued by its name.

5. **Objectives of the Foundation:** The Foundation shall have the following objectives:-
 - (a) To make overall upliftment of the *Aadibasi/Janjati* by formulating and implementing the programmes relating to the social, educational, economic and cultural development and upliftment of *Aadibasi/Janjati*,
 - (b) To preserve and promote the language, script, culture, literature, arts, history of the *Aadibasi/Janjati*,
 - (c) To preserve and promote the traditional knowledge, skill, technology and special knowledge of the *Aadibasi/Janjati* and to provide assistance in its vocational use.

- (d) To cause the *Aadibasi/Janjati* to be participated in the mainstream of overall national development of the country by maintaining a good relation, goodwill, and harmony between different *Aadibasi/Janjati*, castes, tribes and communities,
- (e) To provide assistance in building an equitable society by making social, economic, religious and cultural development and upliftment of *Aadibasi/Janjati*.

6. **Functions, duties and powers of the Foundation:** To attain the objectives under Section 5, the functions, duties and powers of the Foundation shall be as follows:-

- (a) To formulate, implement or cause to be implemented the programme necessary for promotion and preservation of the language, script, literature, history, arts, culture, traditional skill and technology of the *Aadibasi/Janjati*,
- (b) To study and research the language, script, literature, history, arts, tradition and culture of *Aadibasi/Janjati* and develop such language, script, history arts, literature and tradition,
- (c) Subject to the prevailing law to protect or cause to be protected as prescribed the technology, skill and special knowledge that have been traditionally practiced by *Aadibasi/Janjati* as intellectual property rights of the concerned *Aadibasi/Janjati*,
- (d) So publish the history and literature of the *Aadibasi/Janjati*,
- (e) With the assistance of other bodies concerned with language, literature, to prepare and publish or cause to be published the dictionary of the language of *Aadibasi/Janjati*.
- (f) To establish archives and museum that give identity of the language, culture, history, tradition of the *Aadibasi/Janjati*,
- (g) To establish a school that teaches the language of the *Aadibasi/Janjati* at least up to primary level,
- (h) With the approval of Government of Nepal, to allow a foreign scholar who wants to study, research the language, culture, history, literature, arts, traditional technology to make study or research being affiliated with the Foundation,

- (i) To collect and manage information pertaining to *Aadibasi/Janjati*,
- (j) To conduct or cause to be conducted special programmes to enhance economic and social status of the poor and backwarded group out of the *Aadibasi/Janjati*,
- (k) To establish relation with the foreign or international associations having similar objectives and to exchange cooperation with them,
- (l) To provide consultancy service on *Aadibasi/Janjati*,
- (m) To make arrangements for broadcasting notice, news and miscellaneous programmes in the mother language of *Aadibasi/Janjati*,
- (n) To prepare list of the wealthy and poor *Aadibasi/Janjati* having regard to the social, economic and cultural differences, verities and discrepancies existing between *Aadibasi/Janjati*,
- (o) To do or cause to be done other necessary matters relating to *Aadibasi/Janjati* to attain the objectives of the Foundation.

Chapter-3

Provisions relating to Governing Council and Executive Committee

7. **Constitution of governing council**: (1) In order to discharge the functions required to be discharged on behalf of the Foundation there shall be a governing council as follows as the supreme body of the Foundation:-

- (a) Prime Minister - Chairperson
- (b) Minister/State Minister of the Ministry of Local Development - Co-Chairperson
- (c) One person nominated by the chairperson of the council from among - Deputy Chairperson

three *Aadibasi/Janjati* recommended by a Recommendation Committee formed under Sub-section (2) from among the persons who have made remarkable contribution to the upliftment of *Aadibasi/Janjati*

- X (d) -
- X (e) -
- (f) Vice-chancellor of the ^X Nepal Academy or a member designated by him/her - Member
- (g) Member, National Planning Commission, (looking after the concerned matter) - Member
- (h) Secretary, Ministry of Local Development - Member
- (i) Secretary, Ministry of Finance - Member
- (j) Secretary, Ministry of Culture, Tourism and Civil Aviation - Member
- (k) Secretary, Ministry of Education and Sports - Member
- (l) Persons nominated by the co-chairperson, on recommendation of the federation of the *Aadibasi/Janjati* out of the unions and associations of the *Aadibasi/Janjati* referred to in the schedule affiliated to the federation, one person from each *Aadibasi/Janjati* and in the case of *Aadibasi/Janjati*, if there exists any, not affiliated to the federation of *Aadibasi/Janjati* one person each from such *Aadibasi/Janjati* - Member
- (m) Ten women nominated by Government of Nepal two from each development region from among the *Aadibasi/Janjati* women who have contributed to the upliftment of the *Aadibasi/Janjati* - Member
- (n) Two persons nominated by Government of Nepal from among the tradesman, industrialists and donor of the *Aadibasi/Janjati* community - Member
- (o) Members of the executive committee - Member
- (p) Person nominated by the co- chairperson of the council on recommendation of the deputy-chairperson of the council from among the persons of *Aadibasi/Janjati* who have made special contribution to the upliftment of *Aadibasi/Janjati* - Secretary

^X Omitted by Strengthening the Republic and Some Nepal Laws Amendment Act, 2066

- (2) There shall be a recommendation committee under the coordinationship of the co-chairperson of the council consisting of one person designated by the federation of *Aadibasi/Janjati* and one person by *Aadibasi/Janjati* Council to make recommendation for the nomination of deputy chairperson pursuant to clause (c) of Sub-section (1).
- (3) The tenure of the deputy chairperson, member and member-secretary nominated pursuant to clause (c), (l), (m), (n), and (p) of Sub-section (1) shall be of four years and they may be appointed for one time again.

✂

- (4) If the Council considers it necessary, it may invite national or foreign experts to take part in the meeting of the council as an observer.

8. **Meeting and decision of council:**

- (1) The meeting of the Council shall take place twice a year on such date, time and place as specified by the chairperson of the Council.
- (2) The Chairperson of the Council shall preside over the meeting of the council. In his/her absence, the co-chairperson and in the absence even of him/her the Deputy Chairperson of the Council shall preside over the meeting of the Council.
- (3) The presence of at least fifty percent member out of total members of the Council shall be deemed to have constituted the quorum for the meeting.
- (4) The decision of majority of vote shall be deemed to be the decision of the council. In case of tie of votes in the meeting the presiding person may exercise a casting vote.
- (5) The decision of the meeting of the Council shall be certified by the member-secretary.
- (6) Other procedures relating to the meeting shall be as determined by the council itself.

✂ Deleted by Amending Some Nepal Acts to maintain Gender Equality Act, 2063

9. **Functions, duties and powers of the council:**

- (1) The functions to be performed work to be done and power to be exercised by the Foundation under this Act shall be performed and exercised by the council.
- (2) Without prejudice to the generality of Sub-section (1), the functions, duties and powers of the council shall be as follows:-
 - (a) To formulate the policy of various programmes and projects to be operated by the Foundation,
 - (b) To approve the annual and periodic plan of the Foundation,
 - (c) To approve annual budget of the Foundation,
 - (d) To evaluate the programmes and projects operated by the Foundation,
 - (e) To approve the by-rules to be framed by the Foundation,
 - (f) To perform other functions as prescribed.

10. **Constitution of Executive Committee:**

- (1) In order to discharge the daily work of the Council subject to this Act or Rules made thereunder and the general directions of the Foundation there shall be an Executive Committee as follows :-
 - a. Deputy chairperson of the council - Chairperson
 - b. Two persons including one woman nominated by the chairperson on recommendation of the co-chairperson of the council from among at least five members including one woman recommended by a three member Recommendation Committee from among the experts who have made special study, research on *Aadibasi/Janjati* or the persons from among the *Aadibasi/Janjati* who have made remarkable contribution in the upliftment of *Aadibasi/Janjati*. Provided that, the Recommendation Committee shall not recommend the name from among themselves
 - (g) An officer at least of joint-secretary level of the Ministry of Local Development designated by that Ministry - Member
 - (h) Member secretary of the Council - Member-Secretary
- (2) The tenure of the office of the members referred to in Clause (b) of Sub-section (1) shall be of Four years.

11. Meeting and decision of committee:

- (1) The meeting of the committee shall take place as per necessity on such date, time and place specified by the chairperson of the committee.
- (2) The chairperson of the committee shall preside over the meeting of the committee and in his/her absence; the senior most member in term of nomination from among the members nominated shall preside over the meeting.
- (3) National or foreign experts and a person concerned with the programme and project of the Foundation may be invited in the meeting of the committee as per necessity.
- (4) Other procedures concerning the meeting of the committee shall be as prescribed.

12. Functions, duties and powers of the committee:

In addition to the functions mentioned elsewhere in this Act, the functions, duties and powers of the committee shall be as follows:-

- (a) To implement or cause to be implemented the decision of the Council,
- (b) To prepare periodic and annual programmes, projects and budget of the Foundation and submit to the Council,
- (c) To manage and operate the fund of the Foundation,
- (d) To have the account of the Foundation audited and to submit the report thereof to the Council,
- (e) To prepare draft of the Bye-laws to be framed by the Foundation and submit to the council,
- (f) To do or cause to be done other functions as prescribed to attain the objectives of the Foundation subject to the direction given from time to time by the Council.

13. Provision concerning the conditions of service of the Deputy Chairperson Council:

- (1) The deputy chairperson of the Foundation shall be the full time chief executive officer of the Foundation.
- (2) The remuneration, facilities and other conditions of service of the Deputy Chairperson shall be as prescribed.

14. Provision concerning the conditions of service of member secretary of the council:

- (1) The Member-Secretary of the council shall be the full time executive officer of the Foundation and he/she shall function under general direction of the Deputy Chairperson.
- (2) The remuneration, facilities and other conditions of the service of the Member-Secretary of the Council shall be as prescribed.

15. Subcommittee or task force may be formed:

- (1) The Council or Committee may form a Subcommittee or Task Force as per necessity.
- (2) The functions, duties, powers, procedure and facility of the Sub- committee or Task Force formed under Sub-section (1) shall be as specified by the Council or Committee.

Chapter-4

16. Fund, account and audit of the Foundation

17. Fund of the Foundation:

- (1) The Foundation shall have its separate fund.
- (2) The fund shall consist of the following amounts:-
 - (a) Amount received from Government of Nepal,
 - (b) Loan amount received from a foreign government or international union and association,
 - (c) Donation, assistance, grant or any other amount to be received from a foreign government or international union and association or person,
 - (d) Amount received as donation, assistance from a person or association,
 - (e) Amount received for the service made available by the Foundation,
 - (f) Amount received from any other sources.
- (3) The Foundation shall be required to obtain the approval of Government of Nepal to receive the amount under Clause (b) of Sub-section (2) and shall be required to give pre information to Government of Nepal to receive the amount under Clause (c).

- (4) All expenses to be incurred by the Foundation shall be borne from the fund under Sub-section (1).
- (5) All amounts to be received by the Foundation shall be deposited into a bank by opening an account in the name of the Foundation in such bank.
- (6) The operation of the account of the fund of Foundation shall be as prescribed.

18. Account and au dit the reof:

- (1) The Foundation shall maintain accounts of its income and expenditure as per the prevailing law.
- (2) The audit of the Foundation shall be performed by the Department of the Auditor General.

Chapter-5 Miscellaneous

19. **Act an d action not to be deemed illegal:** Notwithstanding anything contained in other sections of this Act, an act and action carried out when the position of a member of the council or committee was vacant shall not be deemed illegal on account of that ground only.

20. **Delegation of power :** The Council may delegate all or some of the powers conferred to it by this Act or Rules or Bye-laws made there under to the committee or chairperson of the committee or Member Secretary of the Committee on the condition that it is exercised according to the conditions specified by it. (2) The committee may delegate all or some of the powers conferred to it by this Act or Rules made there under to a Member or Member Secretary or an officer employee of the Committee.

21. Annual re port to be su bmitted:

- (1) The Foundation shall be required to submit an annual report of its activities within three months of the expiry of every fiscal year to Government of Nepal
- (2) The report under Sub-section (1) shall contain, *inter alia*, description in brief of the work performed within one year by the Foundation, Foundation's financial status, statement of expenditure, programme or project completed and cost thereof and the problems faced by the Foundation.

- (3) The Foundation shall publish the main content of the report under Sub-section (1).

22. Appointment of the employees of the Foundation:

- (1) The Foundation may appoint the employees as prescribed.
(2) The appointment of the employees of the Foundation and conditions of their service shall be as provided for in the Bye-laws framed by the Council.

23. Government of Nepal may issue direction: Government of Nepal may issue necessary directions to the Foundation.

24. Liaison with Government of Nepal: The Foundation shall liaise with Government of Nepal through the Ministry of Local Development.

25. Power to make Rule and Bye-laws:

- (1) The Council may make necessary Rules to implement the objectives of this Act.
(2) Subject to this Act and Rules made there under, the Council may make bye-laws in the following matters and such Bye-laws shall come into force from the date on which Government of Nepal approves them:-
(a) Internal work operation,
(b) Appointment of employees and conditions of service,
(c) Fiscal administration.

26. Alternation in Schedule: Government of Nepal, on the recommendation of the Council, may alter the Schedule by publishing a notice in the Nepal Gazette.

27. Repeal and saving: The National *Aadibasi/Janjati* Development Committee (Formation) Order, 2054 (1997) is, hereby, repealed and all movable and immovable property and right and title of the National *Aadibasi/Janjati* Development Committee formed under that order shall be transferred to the Foundation.

(2) All contract, agreement, lease concluded with the National *Aadibasi/Janjati* Development Committee formed pursuant to Sub-section (1) shall be deemed to have been concluded with the Foundation and all act and action carried out by that Committee shall be deemed to have been carried out by the Foundation.

Schedule
(Relating to Clause (a) of Section 2)

1.	Kisan	31.	Baramo
2.	Kumal	32.	Bahra Gaunle
3.	Kushwadiya	33.	Bote
4.	Kushunda	34.	Bhujel
5.	Gangai	35.	Bhote
6.	Gurung	36.	Magar
7.	Chepang	37.	Majhi
8.	Chhantyal	38.	Marphali Thakali
9.	Chhairotan	39.	Mugali
10.	Jirel	40.	Meche (bodo)
11.	Jhangad	41.	Yakkha
12.	Dolpo	42.	Rai
13.	Tangbe	43.	Raute
14.	Tajpuriya	44.	Rajbansi (Koch)
15.	Tamang	45.	Raji
16.	TinGaunleThakali	46.	Larke
17.	Topkegola	47.	Limbu
18.	Thakali	48.	Lepcha
19.	Thami	49.	Lhopa
20.	Tharu	50.	Lhomi (Shingsawa)
21.	Thudam	51.	Walung
22.	Danuwar	52.	Byasi
23.	Darai	53.	Sherpa
24.	Dura	54.	Satar (Santhal)
25.	Dhanuk (Rajbansi)	55.	Siyar
26.	Dhimal	56.	Sunuwar
27.	Newar	57.	Surel
28.	Pahari	58.	Hayu
29.	Free	59.	H Yolmo
30.	Bankariya		

About Lahurnip

Background

Lawyers' Association for Human Rights of Nepalese Indigenous Peoples (LAHURNIP) is a pioneer organisation of human rights lawyers working for the rights of Indigenous Peoples (IPs) in Nepal.

LAHURNIP was established in 1995 by the professional Indigenous lawyers with objectives of ensuring social justice through legal service including Pro bono service in collective rights cases. It has primary objectives of promoting, protecting and defending human rights and fundamental freedoms of IPs in Nepal.

It envisions a situation where IPs are equally participating in the decision making process, and are valued, respected and listened to, where they feel safe, secure and they can develop their the fullest potential, equal rights and dignity simultaneously in democracy.

LAHURNIP is promoting for better implementation of ILO convention No. 169, United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) *inter alia* other international human rights instruments that Nepal is a party to. It has been working to create solidarity to the regional and international IPs' rights promotional movements.

Meanwhile, LAHURNIP is supporting Indigenous communities to manifest their rights, particularly those who are affected by the projects in their land, territories and natural resources, in laws and policies.

Vision

LAHURNIP envisions full-fledged human dignity, sustainable development and peace which cannot be achieved unless the human rights and fundamental freedoms including collective rights of IPs are ensured and respected.

Mission

LAHURNIP was established to render support and contribute to the rights, human rights and interests of Nepalese IPs.

Objectives

1. To ensure, protect and promote the human rights of Nepalese IPs.
2. To conduct different ethnographic research studies and survey about the human rights issues of Nepalese IPs.
3. To make them more alert and sensitive to their rights, welfare and for their fundamental freedom.
4. To establish resource centre and provide detailed information on human rights of Nepalese IPs.
5. To organise different level of workshops, interactions, symposium seminars, meeting in the area of IPs,
6. To work as a national pressure group to defend, ensure and promote basic human rights of Nepalese IPs.
7. To collect, process, analyse and disseminate information on indigenous human rights issues.
8. To provide free legal aid, in the violation of legal and human rights issues.
9. To conduct different projects concerning to the human rights issues of IPs in Nepal.
10. To organise solidarity campaign and support national and international efforts in order to accelerate the socio-economic upliftments of the IPs in Nepal.
11. To work and contribute in the field of peace and conflict managements.
12. To advocate against racial discrimination and gender inequalities.
13. To work, collaborate and cooperate with International Human Rights Organisations in order to promote the human right and fundamental freedoms of IPs in different level.

Values

LAHURNIP is committed to follow the following values:

Transparency and accountability: Committed to work to ensure transparency at all levels and accountability to the people to which our work is directly concerned.

Equality, Equity and Justice: committed to work to ensure equal opportunity to everyone based on non-discrimination principle.

Honesty: Committed to work with honesty at all levels for betterment of IPs.

Solidarity: Wider solidarity to IPs organisations and movements to fight for establishment of human rights.

LAHURNIP Team

Board

Advocate Shanti Kumari Rai, Chairperson
Advocate Dinesh Kumar Ghale, Vice-chairperson
Advocate Shankar Limbu, Secretary
Advocate Bhim Rai, Treasurer
Advocate Makawan Subba, Member
Advocate Hira Bahadur Ghale, Member
Advocate Kashi Ram Chaudhari, Member

Thematic Committees

Indigenous Women Affairs Committee
Advocate Laxmi Rai, Coordinator

Legal Counseling and Aid Committee
Advocate Chet Bahadur Ale Magar, Coordinator

Human Rights Committee
Advocate Santosh Rana Magar, Coordinator

Public Relation Committee
Advocate Buddha Kumari Lama, Coordinator

Information Dissemination Committee
Advocate Ram Hari Shrestha, Coordinator

Secretariat

Mr. Tahal B. Thami, Director
Mr. Durga Mani Rai (Yamphu), Programme Coordinator
Mr. Gobinda Chhanyal, Programme Coordinator
Mr. Asim Sunuwar, Admin and Finance Officer
Ms. Amita Rai, Project Assistant
Mr. Manoj Rai, Project Assistant
Ms. Anjana Shrestha, Admin and Finance Assistant
Mr. Dal Bahadur Gharti Magar, Regional Field Coordinator
Mr. Gokul Bhujel, Regional Field Coordinator
Mr. Bisnu Kumar Rai, Office Assistant
Ms Sunita Chaudhari, Office Helper

Regional Indigenous Peoples Human Rights Defenders

Advocate Juna Kumari Gurung, Kaski
Advocate Ram Hari Shrestha, Kathmandu
Advocate Santosh Rana Magar, Kathmandu
Mr. Devraj Chaudhari, Morang
Mr. Gopal Dewan, Sunsari

Indigenous Peoples Human Rights Defenders

Advocate Laxmi Rai, Kathmandu
Advocate Nina Dangol, Kathmandu
Ms. Agni Maya Meche, Jhapa
Ms. Bina Devi Tamang, Sunsari
Ms. Dhan Kumari Sunuwar, Sindhuli
Advocate Kashi Ram Chaudhari, Bardiya
Advocate Yam Prasad Limbu, Ilam
Mr. Birkha Bahadur Waiba Tamang, Panchthar
Mr. Dal Bahadur Gharti, Kailali
Mr. Dil Bahadur Thebe, Morang
Mr. Karsang Temba Tamang, Rasuwa
Mr. Khagendra Pun Magar, Dailekh
Mr. Khem Jung Gurung, Lamjung
Mr. Kiran Mukhiya, Ilam
Mr. Prem Raj Ghising, Jhapa
Mr. Raj Kumar Rajbanshi, Morang
Mr. Gam Bahadur Thapa Magar, Palpa

Mr. Sarju Prasad Chaudhary, Kailali
Mr. Nar Bahadur Gurung, Gorkha
Ms. Niranti Tumbapo, Panchthar
Ms. Sangita Thami, Ilam
Ms. Meera Amatya. Kathmandu
Ms. Bhuwan Kumari Gurung, Dolakha
Ms. Sumi Darlami, Ramechhap
Ms. Babita Ghising Tamang, Ramechhap
Ms. Sarita Rai, Khotang

Contact

Lawyers' Association for Human Rights of Nepalese Indigenous
Peoples (LAHURNIP)
Anamnagar, Kathmandu, Nepal
PO Box: 11179
Contact: +977 01 4268510
Email: lahurnip.nepal@gmail.com
URL: www.lahurnip.org