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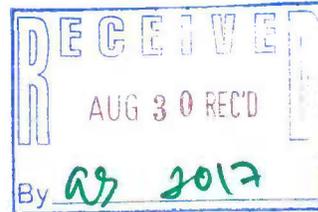


# National Christopher Columbus Association

James P. McCusker, President

August 28, 2017

City Council of Los Angeles  
200 N Spring St.  
Los Angeles, CA 90012



Dear City Council Members,

On behalf of the National Christopher Columbus Association, I am writing to respectfully request that you vote against the resolution to abolish Columbus Day as a city holiday.

Replacing Columbus Day not only diminishes Christopher Columbus' historic achievement of linking the Old World and the New, but also relies upon an inaccurate portrayal of his character as a person of violence, brutality and disrespect. Modern scholars of Columbus have [shown](#) just how unfair this characterization is. Columbus' real legacy is marked by faith, the courage of his convictions, dedication to purpose, perseverance in effort, professional excellence, and boldness in facing the unknown.

Furthermore, most Americans – including a majority of Californians – have a positive view of Christopher Columbus and support the holiday in his honor. In fact, according to [recent Marist polling](#), 57% of Los Angeles residents view Christopher Columbus positively, and 53% of all Californians still support the holiday.

Weakening the legacy of Christopher Columbus also furthers the discriminatory agenda of the Ku Klux Klan, whose attempts to [defame](#) the explorer date back to the 1920s. Denigration of Columbus has long been a Klan tactic which targeted the Italian and Catholic communities of our nation.

The last thing that Los Angeles needs is to advance a false version of history and continue a movement that began in bigotry.

We at the National Christopher Columbus Association urge you to keep Columbus Day on our calendars, honor the heritage it represents, and put an end to a longstanding and divisive movement aimed at the marginalization of Italians and Catholics.

Sincerely,

Handwritten signature of James P. McCusker in blue ink.

James P. McCusker, President

National Christopher Columbus Association

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Frank J DeSantis  
Past State and National President  
Order Sons of Italy in America  
5051 Mission Street, San Francisco CA 94112



August 30, 2017

Dear Council Chair Herb Wesson and Members of the LA City Council,

As a member of the Order Sons of Italy (OSIA) since 1972, serving in many capacities; including as a president of the California Grand Lodge and National President representing approximately 600,000 Italian American members. I wish to state that we are proud of our Italian heritage and contributions to the United States of America by over 5 million immigrants from Italy including our parents, who became citizens upon coming to the United States of America.

Please note the Italian community only has one annual holiday. Please respect our Heritage and the contributions of our Italian community.

To take away our established holiday is unjust for all Italian Americans. We must not forget our Italian community which has contributed so much to build and enhance this multi-cultural city.

On behalf of this large and giving community I ask that you do NOT take away the American dream of our ancestors and their history.

Our children deserve to know our history and what it means to have pride and be an American and honor members of our community who contribute to our country and the importance of our immigrant society.

Sincerely,

*Commendatore Frank J DeSantis*  
Past Human Relations Honoree  
City of Los Angeles

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COLUMBUS VS INDIGENOUS PEOPLES DAY

AUGUST 30, 2017



Esteemed council members and chambers visitors: Italians and people of Italian descent have much to be proud of. They have shared their rich culture of wonderful music, lyric language, and delicious food with the world. We can all celebrate that heritage.

But Christopher Columbus, who never made landfall on the continental United States, was not a purveyor of Italian culture. He was a purveyor of enslavement, violence and brutal treatment as he encountered the Taino people of the Caribbean. He kidnapped and transported thousands to Spain as slaves, and forced others to labor in mines and on plantations on their own land.

While some will argue that celebrating Columbus Day helps us understand the era of conquest and exploration, I say leave that for the history books. Changing this day to Indigenous Peoples Day will acknowledged the existence of the Tongva on whose traditional land this city hall sits, for example, as well as other Native peoples of this area. In fact, it will celebrate the rich cultures of 5,000 indigenous groups and 370 million of people around the world. They have shared their information about flora and fauna from which the world has benefited. And today we share various ecological concerns.

Columbus Day was declared a holiday in 1971. Now, in 2017, it is time for a broader view of the period of conquest and exploration and all of its consequences.

Valena Broussard Dismukes  
3800 Stocker St. No.1  
Los Angeles, CA 90008



General Assembly

Distr.  
GENERAL

A/RES/49/214  
17 February 1995

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Forty-ninth session  
Agenda item 103

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/49/613/Add.1)]

49/214. International Decade of the World's  
Indigenous People

The General Assembly,

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

Recognizing the value and diversity of the cultures and the forms of social organization of the world's indigenous people,

Recalling its resolution 48/163 of 21 December 1993, by which it proclaimed the International Decade of the World's Indigenous People, commencing on 10 December 1994,

Conscious of the need to improve the economic, social and cultural situation of the indigenous people, with full respect for their distinctiveness and their own initiatives,

Reaffirming that the goal of the Decade is to strengthen international cooperation for the solution of problems faced by indigenous people in such areas as human rights, the environment, development, education and health,

Recalling that, beginning in the first year of the Decade, one day of every year shall be observed as the International Day of Indigenous People,

Welcoming the recommendation of the Working Group on Indigenous Populations of the Subcommission on Prevention of Discrimination and Protection of Minorities of the Commission on Human Rights that the International Day be observed every year on 9 August, that date being the anniversary of the first day of the meeting of the Working Group in 1982,

Also welcoming the appointment of the Assistant Secretary-General for Human Rights as Coordinator for the Decade,

Recognizing the importance of considering the establishment of a permanent forum for indigenous people within the United Nations system in the framework of the Decade, and recalling that the Commission on Human Rights, in its resolution 1994/28 of 4 March 1994, 1/ requested the Working Group to give priority consideration to the possible establishment of a permanent forum for indigenous people,

Recalling its request to the Coordinator to coordinate the programme of activities for the Decade in full collaboration and consultation with Governments, competent bodies, the International Labour Organization and other specialized agencies, and indigenous and non-governmental organizations,

Recalling also its request to specialized agencies, regional commissions and other organizations of the United Nations system to consider with Governments and in partnership with indigenous people how they can contribute to the success of the Decade, and welcoming recommendations received in this regard,

Recognizing the importance of consultation and cooperation with indigenous people in planning and implementing the programme of activities for the Decade, the need for adequate financial support from the international community, including support from within the United Nations and the specialized agencies, and the need for adequate coordination and communication channels,

Recalling its invitation to indigenous organizations and other non-governmental organizations to consider the contributions they can make to the success of the Decade, with a view to presenting them to the Working Group on Indigenous Populations,

Taking note of Economic and Social Council decision 1992/255 of 20 July 1992, in which the Council requested United Nations bodies and specialized agencies to ensure that all technical assistance financed or provided by them was compatible with international instruments and standards applicable to indigenous people, and encouraged efforts to promote coordination in this field and greater participation of indigenous people in the planning and implementation of projects affecting them,

Convinced that the development of indigenous people within their countries will contribute to the socio-economic, cultural and environmental advancement of all the countries of the world,

Recognizing that indigenous people can and should be able through appropriate mechanisms to make their distinct contributions to humanity,

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1/ See Official Records of the Economic and Social Council, 1994, Supplement No. 4 (E/1994/24), chap. II, sect. A.

Mindful of the relevant recommendations of the World Conference on Human Rights, the United Nations Conference on Environment and Development and the International Conference on Population and Development, in particular chapter 26 of Agenda 21 2/ on recognizing and strengthening the role of indigenous people and their communities,

Welcoming the proposal for an Indigenous Youth Cultural Olympics to be held at Manila in 1995, in conjunction with the Decade and the fiftieth anniversary of the United Nations,

Determined to promote the enjoyment of the rights of indigenous people and the full development of their distinct cultures and communities,

1. Takes note of the preliminary report of the Secretary-General of 28 September 1994 on a comprehensive programme of action for the International Decade of the World's Indigenous People 3/ and the annexes to that report;

2. Decides to adopt the short-term programme of activities for 1995 contained in annex II to the report of the Secretary-General, and invites the Commission on Human Rights, at its fifty-first session, to consider the short-term programme with a view to adjusting or supplementing it if required;

3. Invites Governments to submit written comments to the Secretary-General, by the end of August 1995, on the preliminary report and its annexes, with a view to the preparation of a final comprehensive programme of action for the Decade, to be submitted by the Secretary-General to the General Assembly at its fiftieth session;

4. Decides that the Decade will have an operational focus to implement its goals and that its theme will be "Indigenous people: partnership in action";

5. Encourages the Commission on Human Rights to consider the draft United Nations declaration on the rights of indigenous peoples, contained in the annex to resolution 1994/45 of 26 August 1994 of the Subcommission on Prevention of Discrimination and Protection of Minorities, 4/ with the participation of representatives of indigenous people, on the basis of and in accordance with appropriate procedures to be determined by the Commission, with a view to achieving the adoption of a draft declaration by the General Assembly within the Decade;

6. Recognizes the importance of considering the establishment of a permanent forum for indigenous people within the United Nations during the Decade, as recommended in the Vienna Declaration and Programme of Action, 5/ adopted by the World Conference on Human Rights at Vienna in June 1993, and

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2/ Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992 (Vol.I and Vol.I/Corr.1, Vol.II, Vol.III and Vol.III/Corr.1) (United Nations publication, Sales No. E.93.I.8 and corrigenda), vol. I: Resolutions adopted by the Conference, resolution 1, annex II.

3/ A/49/444.

4/ See E/CN.4/1995/2 - E/CN.4/Sub.2/1994/56.

5/ Report of the World Conference on Human Rights, Vienna, 14-25 June 1993 (A/CONF.157/24 (Part I)), chap. III.

requests the Commission on Human Rights to make recommendations in this regard;

7. Recognizes the importance of strengthening the human and institutional capacity of indigenous people to develop their own solutions to their problems, and for these purposes recommends that the United Nations University consider the possibility of sponsoring, in each region, one or more institutions of higher education as centres of excellence and the diffusion of expertise, and invites the Commission on Human Rights to recommend appropriate means of implementation;

8. Decides that the International Day of the World's Indigenous People shall be observed every year during the Decade on 9 August, requests the Secretary-General to support the observance of the Day, from within existing budgetary resources, and encourages Governments to observe the Day at the national level;

9. Expresses its appreciation for the work undertaken by the Goodwill Ambassador, Rigoberta Menchú Tum, and expresses the hope that she will continue to play an important role in promoting the Decade;

10. Recommends that special attention be given to improving the extent and effectiveness of the participation of indigenous people in planning and implementing the activities for the Decade, including through the recruitment, where appropriate, by relevant United Nations bodies and specialized agencies of staff from among indigenous nationals of Member States, consistent with Article 101 of the Charter of the United Nations, within existing resources, and through consultation with Governments at the national, regional and international levels;

11. Recommends for this purpose that a second technical meeting on the planning of the Decade be convened immediately prior to the thirteenth session of the Working Group on Indigenous Populations, to be supported from within existing budgetary resources, and urges Governments, United Nations bodies, specialized agencies and, in particular, indigenous people's organizations to participate actively in that meeting, in accordance with agreed procedures;

12. Decides to consider at a later session the convening of meetings for planning and review purposes at appropriate intervals during the Decade, and urges Governments, United Nations bodies, specialized agencies and, in particular, indigenous people's organizations to participate actively in such meetings;

13. Recommends that the Secretary-General:

(a) Establish, during the first quarter of 1995, the Voluntary Fund for the Decade and include that Fund in the annual Pledging Conference for Development Activities held at United Nations Headquarters;

(b) Request United Nations representatives in countries where there are indigenous people to promote, through the appropriate channels, greater participation of indigenous people in the planning and implementation of projects affecting them;

(c) Urge relevant United Nations conferences convened during the Decade to promote and facilitate to the extent possible, and as appropriate, the effective input of the views of indigenous people;

(d) Ensure that information about the programme of activities for the Decade and opportunities for indigenous people to participate in those

activities is disseminated in all countries and to the greatest possible extent in indigenous languages, to be financed from within existing budgetary resources;

(e) Report to the General Assembly at its fiftieth session on progress made at the national, regional and international levels in accomplishing these objectives;

14. Requests the United Nations High Commissioner for Human Rights to take into account the special concerns of indigenous people and the goals of the Decade in the fulfilment of his functions;

15. Requests the Assistant Secretary-General for Human Rights, bearing in mind the contribution that indigenous people have the capacity to make, to establish a unit within the Centre for Human Rights of the Secretariat to support its activities related to indigenous people, in particular to plan, coordinate and implement activities for the Decade;

16. Invites the Assistant Secretary-General for Human Rights to consider the appointment of a fund-raiser who could develop new sources of funding for the Decade;

17. Requests the Administrative Committee on Coordination, through its inter-agency process, to consult and coordinate on the Decade, with a view to assisting the Coordinator of the Decade to fulfil his function, and to report on activities of the United Nations system in relation to the Decade to the General Assembly in each year of the Decade;

18. Invites United Nations financial and development institutions, operational programmes and specialized agencies, in accordance with the existing procedures of their governing bodies:

(a) To give increased priority and resources to improving the conditions of indigenous people, with particular emphasis on the needs of those people in developing countries, including by the preparation of specific programmes of action for the implementation of the goals of the Decade, within their areas of competence;

(b) To launch special projects, through appropriate channels and in collaboration with indigenous people, for strengthening their community-level initiatives, and to facilitate the exchange of information and expertise among indigenous people and other relevant experts;

(c) To designate focal points for coordination with the Centre for Human Rights of activities related to the Decade;

19. Encourages Governments to support the Decade by:

(a) Contributing to the United Nations Trust Fund for the Decade;

(b) Preparing relevant programmes, plans and reports in relation to the Decade, in consultation with indigenous people;

(c) Seeking means, in consultation with indigenous people, of giving indigenous people greater responsibility for their own affairs and an effective voice in decisions on matters which affect them;

(d) Establishing national committees or other mechanisms involving indigenous people to ensure that the objectives and activities of the Decade

are planned and implemented on the basis of full partnership with indigenous people;

20. Also encourages Governments to consider contributing, as appropriate, to the Fund for the Development of Indigenous Peoples of Latin America and the Caribbean, in support of the achievement of the goals of the Decade;

21. Appeals to Governments and intergovernmental and non-governmental organizations to support the Decade by identifying resources for activities designed to implement the goals of the Decade, in cooperation with indigenous people;

22. Decides to include in the provisional agenda of its fiftieth session the item entitled "Programme of activities of the International Decade of the World's Indigenous People".

94th plenary meeting  
23 December 1994



United Nations

United Nations  
**DECLARATION**  
on the **RIGHTS**  
of **INDIGENOUS**  
**PEOPLES**



Published by the United Nations

07-58681—March 2008—4,000



United Nations

United Nations Declaration  
on the Rights of Indigenous Peoples



## Resolution adopted by the General Assembly

[without reference to a Main Committee (A/61/L.67 and Add.1)]

### 61/295. 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,<sup>1</sup> 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*

#### 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,

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

*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 Rights<sup>2</sup> and the International Covenant on Civil and Political Rights,<sup>2</sup> as well as the Vienna Declaration and Programme of Action,<sup>3</sup> 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,

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<sup>2</sup>See resolution 2200 A (XXI), annex.

<sup>3</sup>A/CONF.157/24 (Part I), chap. III.

*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 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 Rights<sup>4</sup> 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

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<sup>4</sup>Resolution 217 A (III).

their internal and local affairs, as well as ways and means for financing their autonomous functions.

*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.