

## **United Nations Declaration on the Rights of Indigenous Peoples Hoti ts'eeda Plain Language Articles and Glossary**

### **Articles**

1

Indigenous people have all the same human rights and freedoms as all other people. These rights are recognized by the United Nations and international law.

2

Indigenous people are free and equal to all other people. Indigenous people have the right to be free from discrimination and to have their human rights respected, especially any that relate to their Indigenous background and identity.

3

Indigenous people have the right to self-determination, meaning they have the right to decide how they want to represent themselves to other governments/ govern themselves on their own territories and pursue economic, social and cultural development.

4

Indigenous people have the right to govern themselves on local matters on their own territories. They have the right to how they organize their own governments, and to resources to finance their own governments.

5

Indigenous people have the right to have their own strong political, legal, economic, social and cultural organizations, laws, policies, institutions, and supports in their communities. They also have the right to be fully participate as citizens and be recognized as citizens of the countries they live in, if they wish.

6

Indigenous people have the right to belong to a Indigenous community or nation.

7.1

Indigenous people have the right to be physically and mentally safe and free.

7.2

Indigenous people have the right to be free and safe as their own distinct group, and not experience genocide or any other act of violence from outside groups. This includes taking children away.

8.1 Indigenous peoples have the right to not experience forced assimilation or the destruction of their culture.

8.2 Governments must protect Indigenous Peoples cultures against actions that destroy their cultures or harm their communities, such as: denying their cultural values and ethnic identities, taking away their lands territories and resources, forced relocation, forced assimilation, or promoting discrimination. Governments must repair any damage to Indigenous Peoples cultures and communities caused by any of those things.

9

Indigenous peoples have the right to belong to their community or nation. Exercising that right cannot be used to discriminate against them.

10

Indigenous peoples have the right to live on their land and territories. They cannot be forcibly removed without free, prior and informed consent, and fair compensation.

11.1

Indigenous peoples have the right to practice, protect and develop their cultural customs including: archeological sites, artefacts, designs, ceremonies, technologies and visual and performing arts and literature.

11.2

Governments are responsible to restore cultural, intellectual, religious or spiritual property that was taken without free prior and informed consent, to Indigenous peoples. This should be done in partnership with Indigenous peoples.

12.1

Indigenous peoples have the right to practice, develop, and teach their spiritual, and religious ceremonies, customs and traditions. This includes access, privacy and control of religious and cultural sites, objects and processes such as returning human remains to their communities.

12.2

With Indigenous peoples, governments must develop ways to support access to, or return of ceremonial objects and human remains to Indigenous peoples.

13.1

Indigenous peoples have the right to preserve, develop and teach to future generations their histories, languages, writing systems, and philosophies. This includes preserving their own names for their communities, places and people.

13.2

Governments must develop ways to make sure that the right in 13.1 is protected and also ensure necessary supports are in place for Indigenous peoples to be understood during

political, legal, and administrative processes by providing access to interpreters or other appropriate means.

14 1.

Indigenous peoples have the right to develop and control their educational systems and schools and to be able to provide education in their own languages in their own culturally-based ways.

14.2.

Indigenous individuals, particularly children, have the right to access all levels of education, free of discrimination.

14.3.

Governments must work with Indigenous Peoples to create ways for indigenous individuals to have access to education in their own language and culture. This includes Indigenous individuals living outside of their communities.

15 1.

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

15.2.

Governments work in partnership with Indigenous peoples, to promote good relations between Indigenous peoples and other members of their society and combat prejudice and discrimination.

16 1.

Indigenous peoples have the right to develop their own media in their own languages and to have access to all forms of non-Indigenous media without discrimination.

16.2. Governments must ensure that Government-owned media reflect on Indigenous cultural diversity and must ensure there is full freedom of expression, and should encourage privately owned media to also reflect Indigenous cultural diversity.

17 1.

Indigenous individuals and peoples have the right to fully enjoy all of their rights under international and domestic labour law.

17.2. Governments must take into account children's special vulnerability and their education for their own empowerment. Governments must work in partnership with Indigenous peoples to protect Indigenous children from work that is hazardous, harmful to health (physical, mental, spiritual, moral, or social development), or interferes with their education.

17.3. Indigenous individuals have the right not to be discriminated against in the work place.

18

Indigenous peoples have the right to participate in the decision-making in matters that affect their rights, using representatives that they choose in accordance with their own cultural practices, as well as to develop and maintain their own decision-making organizations laws, processes, and institutions.

19

To obtain free, prior, and informed consent, governments must consult and cooperate in good faith with the indigenous peoples through their own representative organizations before adopting and implementing legislative or administrative measures that may affect them.

20.1

Indigenous peoples have the right to develop their own governance organizations and determine how those organizations operate. They have the right to develop their own social institutions and systems, and their own economies. This includes how they wish to develop socially and economically, including traditional land and culture based economies.

20.2

If indigenous peoples are prevented from developing their economies, they are entitled to compensation.

21.1

Indigenous peoples have the right to improve their social and economic conditions including in areas such as: education, employment, vocational training and retraining, housing, sanitation, health and social security

21.2

Governments must take action for social and economic conditions to be improved. Elders, women, youth, children, and the disabled will be included.

22.1

When implementing UNDRIP, special attention will be paid to the rights and needs of Elders, women, youth, children, and the disabled.

22.2

Governments, in partnership with Indigenous peoples, must take action to protect women and children from all forms of violence and discrimination.

23

Indigenous peoples have the right to control their own development. They must be involved in all stages of social programs, housing, and economic initiatives. Where possible, their own organizations should administer programs to their people using their own laws and policies.

24.1

Indigenous peoples have the right to their traditional medicines, including protecting their medicinal plants, animals and medicines. They have the right to access all health care and social services, without being treated unfairly.

24.2

Indigenous people have the right to the highest standard of physical and mental health. Governments must act to achieve this.

25

Indigenous peoples have the right to maintain and strengthen their spiritual relationship with the land, and to uphold it for future generations.

26.1

Indigenous peoples have rights in their traditional territories.

26.2

Indigenous peoples have the right to determine how they care for and use the lands that they own.

26.3

Governments must recognize and protect Indigenous lands and respect Indigenous control and use.

27

Governments, with Indigenous peoples, must set up ways to identify and respect Indigenous peoples rights to their lands. Ways that is done must be transparent and fair, and respectful of their cultural practices relating to land and resource use and ownership.

28.1

Where lands have been damaged or taken, the land should be cleaned up or given back. When that is not possible then Indigenous peoples must be fairly compensated by governments for loss of that land.

28.2

The compensation should be in the form of lands and resources, or other compensation as agreed by the Indigenous people affected.

29.1

Indigenous peoples have the right to protect and use their lands. Governments will support Indigenous peoples to conserve and protect their lands and resources.

29.2

If hazardous materials are placed on Indigenous lands, governments will make sure it happens only with Indigenous peoples free, prior, and informed consent.

### 29.3

The health of Indigenous peoples on the lands containing hazardous materials, will be monitored and restored.

### 30.1

Military activities can take place on Indigenous lands only if justified by public interest, or at the request or with the consent of Indigenous peoples affected.

### 30.2

Before using Indigenous lands for military purposes, governments will consult with affected Indigenous peoples.

### 31.1

Indigenous peoples have the right to control, protect, and develop all aspects of their cultural heritage, traditional knowledge, and intellectual property.

### 31.2

Governments, with Indigenous peoples, must take action to recognize and protect those rights.

### 32.1

Indigenous peoples have a right to determine how to use their lands and resources.

### 32.2

If Governments want to use Indigenous lands, especially for minerals and water, they must secure free, prior, and informed consent of the Indigenous people affected through their indigenous governments.

### 32.3

Governments must take steps to address any negative impacts when they use Indigenous lands.

### 33.1

Indigenous peoples have the right to determine their own identity and membership. This does not prevent Indigenous people from also having citizenship in the states where they live.

### 33.2

Indigenous people have the right to determine their own membership according to their own culturally based practices and laws.

### 34

Indigenous peoples have the right to set up and operate their own institutions, including their own justice systems and institutions, in accordance with international human rights standards.

35

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

36.1

Indigenous peoples, particularly those separated by international borders, have the right to maintain their connections to each other.

36.2

Governments, in consultation and cooperation with Indigenous people, must support these connections.

37.1

Indigenous peoples have the right to have their treaties respected and enforced by the Governments that entered into those agreements with.

37.2

Nothing in the Declaration takes away from treaties or the rights within them.

38

Governments, in consultation and cooperation with Indigenous peoples, must take measures, including the passing of laws, to implement the UN Declaration.

39

Indigenous peoples have the right to resources and assistance from Governments, to implement this Declaration.

40

Where conflicts arise between Governments and Indigenous peoples, Indigenous peoples should have access to timely decisions, and that address impacts on Indigenous peoples' collective rights.

41

The United Nations has a responsibility to support through, among other things, financial and technical assistance, the implementation of the UN Declaration, and the participation of Indigenous peoples in UN decisions that affect them.

42

The UN and its organizations, and Governments, have responsibility to promote, implement, and follow up on the Declaration.

43

The rights recognized in the UN Declaration are the minimum standards for the survival, dignity and well-being of the indigenous peoples of the world.

44

All the rights and freedoms recognized in this Declaration are equally guaranteed to men and women.

45

This Declaration cannot be used to reduce or do away with rights that Indigenous peoples have now or that may be recognized in future.

46.1

Nothing in this Declaration can be used to support any country or person acting to undermine the UN's Charter, or to undermine the sovereignty or territory of any government/country.

46.2

The rights in the Declaration can be exercised in ways that human rights and fundamental freedoms are respected. They can only be limited by law and international human rights standards, and only when strictly necessary.

46.3

The rights in the Declaration shall be interpreted according to principles of justice, democracy, respect for human rights, equality, non-discrimination, good governance and good faith.

## **Glossary**

### **United Nations**

The United Nations is an international organization founded in 1945. Currently made up of 193 [Member States](#), the [UN and its work](#) are guided by the purposes and principles contained in its founding [Charter](#). The United Nations is where all the world's nations can gather together, discuss common problems, and find shared solutions that benefit all of humanity.

### **Discrimination**

Discrimination is when someone is treated badly because of their race, ethnicity, age, religion, sexual orientation, disability, etc. A person can be discriminated against by an individual or by a whole system. Sometimes discrimination is built into laws and policies in ways that deny fair treatment and services.

### **Human Rights**

Recognized freedoms and abilities to do, to be, and to have certain things, that belong to every person from birth to death, by virtue of being a human, that cannot be earned, or taken away.



## **Self-determination**

The right of a people to determine their own destiny.

Self-Determination: Self-determination generally means that indigenous peoples have the right to decide what is best for themselves and their communities.

## **Genocide**

Coordinated actions to destroy a group of people, committed against individual members belonging to that group.

## **Assimilation**

When Indigenous peoples are subject to laws and actions by states that force them to adopt and use European settler culture, language, and ways of living, or if by the lack of availability of supports to maintain their culture and language, they adopt culture and language of settlers. Indigenous cultures, languages, and ways of living can be lost in this process.

## **Declaration**

A declaration is an agreement among countries about a specific issue that requires urgent action. It tells us what governments must do or not do around such an issue.

## **Rights**

An ability to do, to be, or to have something, and that is described in laws. Rights do not have to be earned, and cannot be taken away. When rights are described in laws, governments have an obligation to make sure that the law is followed.

## **Free, Prior, and Informed Consent**

Governments must talk to Indigenous peoples so that they can make decisions on any matter that may affect their rights freely, without pressure, having all the information, and before action is taken on the matter they are considering.

## **Economy**

Everything to do with earning a living, the money system and financial matters. This includes living from the land, how your community gets and distributes things it needs, like food, water, housing, etc.

## **Rights of Indigenous Peoples**

Human rights that Indigenous peoples have, because they are Indigenous. These rights are understood in a context where Indigenous peoples in particular were not recognized as having human rights, through colonial laws, policies, and actions.

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### **Disclaimer**

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This document is being used as part of the “Ełet’ànìts’e’ah: Implementing UNDRIP in Health” initiative of Hotiì ts'eeda.