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Subject: Council Conclusions on Indigenous Peoples

Delegations will find in the Annex the Council Conclusions on Indigenous Peoples, adopted by the Council at its 3535th meeting held on 15 May 2017.

COUNCIL CONCLUSIONS ON INDIGENOUS PEOPLES

Foreign Affairs Council, 15 May 2017

1. The European Union is founded on values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities. Furthermore, the prohibition of discrimination on any grounds and the respect for cultural, religious and linguistic diversity are fundamental principles under the Charter of fundamental rights of the European Union. The EU is committed to promote the respect of human rights of all, everywhere in the world. The Council recalls its conclusions on Indigenous Peoples of November 2002 (GAERC 2463) setting out a wide range of external policies in this regard.
2. The Council recalls the EU's support for adoption of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) at the UN General Assembly in 2007 and its contributions to, and its support for the Outcome document of the World Conference on Indigenous Peoples held in 2014 as a High level Plenary of the UN General Assembly. It invites the High Representative, the Commission and EU Member States to engage proactively at national and regional levels and at the United Nations in the commemoration of the 10-year Anniversary of UNDRIP in 2017.
3. The Joint Staff Working Document "Implementing EU External Policy on Indigenous Peoples" (SWD (2016) 340 Final) by the High Representative of the European Union for Foreign Affairs and Security Policy and the European Commission was published on 17 October 2016. The document aims to respond to the undertakings in the EU Action Plan on Human Rights and Democracy (2015–2019) to further develop EU policy in line with the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) and the Outcome document of the 2014 World Conference on Indigenous Peoples.

These Council conclusions reaffirm these undertakings in its external action.

4. Through its human rights policies, its development policy and financing instruments, the EU has contributed to the international advancement and recognition of the rights of indigenous peoples as set out in the UNDRIP. In this regard, the EU recognises the important contributions of the UN mechanisms working on indigenous issues and reaffirms its support hereto.
5. The Council notes, as the Staff Working Document (SWD) indicates, that there is room within the existing EU policy framework to enhance the EU's impact and make the EU's action more effective and more evenly applied in EU relations with its partner countries and in multilateral cooperation. In this regard, the Council underlines the importance of giving priority to:
 - the discrimination and inequalities based on indigenous origin or identity in relation to ensuring the economic, social and cultural rights as well as the civil and political rights, and
 - the actions taken to address the threats to and violence against indigenous peoples and individuals as well as to Human Rights defenders, in the context of land and natural resources in the protection of the environment, biodiversity and the climate.

The Council recognizes that situations vary across the world and that the significance of national and regional particularities and various historical and cultural backgrounds calls for flexible approaches.

6. In this regard, the Council would in particular note that the EU's rights-based approach to development, encompassing all human rights, should be the main vehicle in external action for integrating the support to indigenous peoples in the EU's implementation of the 2030 Agenda for Sustainable Development. Specific attention should be given to women, children and youth and persons with disabilities as well as to those in situations of forced displacement or in violent/armed conflict. Their contribution in the context of conflict prevention and peacebuilding should also be taken into account.

7. The Council recalls its conclusions on Business and Human rights (10254/16) of June 2016, including its commitments to the UN Guiding Principles on Business and Human Rights, and notes their relevance in this context.
 8. The Council underscores the crucial importance of further enhancing opportunities for dialogue and consultation with indigenous peoples at all levels of EU cooperation, including in EU funded programmes and projects under all aid modalities to secure their full participation and their free, prior and informed consent in a meaningful and systematic way, and to inform and underpin EU external action policy and its implementation worldwide. Further dialogues are important for ensuring that the EU's commitments to the UNDRIP as well as the Outcome document of the 2014 World Conference on Indigenous Peoples are taken into account also in evolving EU policy commitments and their implementation such as in the framework of the New European Consensus for Development and of a renewed partnership with African, Caribbean and Pacific countries.
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