

United Nations Declaration  
on the Rights of  
Indigenous Peoples





# United Nations Declaration on the Rights of Indigenous Peoples

GENERAL ASSEMBLY RESOLUTION 61/295  
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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, racial, religious, ethnic  
or cultural differences are racist, scientifically false, legally invalid, morally condemnable  
and socially unjust,  
Reaffirming also 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,  
Further recognizing 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 an end to 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 also 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 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 relationships 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 and the International  
Covenant on Civil and Political Rights as well as the Vienna Declaration and  
Programme of Action, affirm the fundamental importance of the right of  
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 of 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 are indispensable for their existence, well-being  
and integral development as peoples,  
Recognizing also 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,

## FOUNDATIONAL RIGHTS

### Article 1 COLLECTIVE AND INDIVIDUAL HUMAN RIGHTS

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 and  
international human rights law.

### Article 2 EQUALITY AND FREEDOM FROM DISCRIMINATION

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 SELF-DETERMINATION

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 SELF-GOVERNMENT

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.

### Article 5 OUR OWN INSTITUTIONS

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 NATIONALITY

Every indigenous individual has the right to a  
nationality.

## EDUCATION, INFORMATION AND EMPLOYMENT

### Article 14 EDUCATION

- 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.
- Indigenous individuals, particularly children, have the right to  
all levels and forms of education of the State without  
discrimination.
- 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 PUBLIC INFORMATION

- 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.
- 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 MEDIA AND CULTURAL DIVERSITY

- 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.
- 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 EMPLOYMENT AND WORKING CONDITIONS

- Indigenous individuals and peoples have the right to enjoy  
fully all rights established under applicable international  
and domestic labour law.

### Article 7 SECURITY AND FREEDOM FROM GENOCIDE

- Indigenous individuals have the rights to life, physical  
and mental integrity, liberty and security of person.
- 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 FREEDOM FROM ASSIMILATION AND DESTRUCTION OF CULTURE

- Indigenous peoples and individuals have the right not  
to be subjected to forced assimilation or destruction  
of their culture.
- States shall provide effective mechanisms for  
prevention of, and redress for:

- 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;
- Any action which has the aim or effect of  
dispossessing them of their lands, territories or  
resources;

### Article 9 COMMUNITIES AND NATIONS

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 REMOVAL AND RELOCATION

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.

## LANGUAGE, CULTURAL AND SPIRITUAL IDENTITY

### Article 11 CULTURE AND CULTURAL PROPERTY

- 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.
- 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 SPIRITUALITY

- 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.

### Article 13 OUR WAYS OF BEING AND KNOWING

- 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.
- 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.

## PARTICIPATION, DEVELOPMENT AND ECONOMIC AND SOCIAL RIGHTS

### Article 18 DECISION-MAKING

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 CONSENT AND PARTNERSHIP

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 ECONOMIC DEVELOPMENT

- 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.
- Indigenous peoples deprived of their means of  
subsistence and development are entitled to  
just and fair redress.

### Article 21 IMPROVED LIVING CONDITIONS

- 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.
- 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 SPECIAL NEEDS

- 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.
- 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 DEVELOPMENT

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 HEALTH AND TRADITIONAL MEDICINES

- 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.
- 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.

## IMPLEMENTING THE DECLARATION

### Article 38 NATIONAL MEASURES

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 ACCESS TO FUNDING AND OTHER ASSISTANCE

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 DISPUTE RESOLUTION AND EFFECTIVE REMEDIES

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 INTERNATIONAL COOPERATION

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 PROMOTION OF THE DECLARATION

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.

## RIGHTS TO COUNTRY, RESOURCES AND KNOWLEDGE

### Article 25 CONNECTION TO COUNTRY

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 OWNERSHIP AND USE OF COUNTRY

- Indigenous peoples have the right to the lands, territories  
and resources which they have traditionally owned,  
occupied or otherwise used or acquired.
- 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.
- 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 RECOGNISING OUR RIGHTS TO COUNTRY

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 SETTING THIS RIGHT - COMPENSATION

- 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.
- 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 CARING FOR COUNTRY AND THE ENVIRONMENT

- 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.

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