



FAWCO UN Report

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Program: Eighth Expert Mechanism on the Rights of Indigenous Peoples

On July 20-24 I attended the Eighth Expert Mechanism on the Rights of Indigenous Peoples (EMRIP) at the Palais des Nations in Geneva. In addition to members of the EMRIP, participants and observers at the conference included representatives of States, IP from around the world, United Nations bodies, programs, and specialized agencies, NGOs, human rights institutions and academics.

EMRIP was established by the Human Rights Council (HRC) in 2007 as a subsidiary body of the HRC. EMRIP provides the HRC with thematic advice, in the form of studies and research, on the rights of Indigenous Peoples (IP) as directed by the HRC. EMRIP may also suggest proposals to the HRC for its consideration and approval. Proposals to the HRC resulting from this eighth EMRIP session pertain largely to the rights of Indigenous women and children. This report first mentions agenda items covered then provides a short summary of recommendations to the HRC.

Items covered at Eighth EMRIP included:

Follow up discussion on the World Conference on IP, including review of the mandate of the Expert Mechanism.

Panel discussion on the human rights of IPs in relation to business enterprises.

Discussion on how IP rights can be incorporated in the Post 2015 agenda.

Review of the study on the promotion and protection of the rights of IP with respect to their culture heritage. Background: At HRC27, the Council requested the EMRIP prepare a study on this topic, including the participation on political and public life. The draft study was reviewed at this conference and will subsequently be finalized and submitted at HRC30 in September 2015.

General discussion on the United Nations Declaration on the Rights of IP as well as a focused discussion on the use of the Declaration to promote and protect the rights of IP. Background: At HRC27, the Council requested EMRIP to continue, with the assistance of the Office of the United Nations High Commissioner for Human Rights, the questionnaire survey seeking the views of States and IP on best practices regarding possible appropriate measures and implementation strategies in order to attain the end goals of the Declaration. The draft results compiled by EMRIP were discussed with the intent to finalize for submission at HRC30 in September 2015. (The full summary of responses to the survey can be provided of interested.)

Proposals to the HRC resulting from the eighth EMRIP include:

Proposes to the HRC that the Council authorize EMRIP to undertake a study on one of the following themes:

1. Discrimination facing IP in business and access to financial services, with specific reference to Indigenous women entrepreneurs.
2. The right of IP to health, with focus on children and youth.

3. The role of IP organizations and civil society, including human rights defenders in the promotion and protection on the rights of IP.

Proposes to the HRC that it organize a panel discussion on the violence against Indigenous women and girls at HRC33.

As follow up to the World Conference on IP EMRIP proposes to the HRC that it include EMRIP, its views and full participation of IP is ensured. EMRIP also urges the HRC to take measures to ensure that the EMRIP is provided appropriate human and financial resources commensurate with its new mandate. EMRIP also asks the HRC to urge Member States to cooperate with IP develop and implement national action plans and strategies. Lastly concerning follow up to the World Conference on IP, EMRIP proposes to the HRC that it encourage States to follow up on the Conference Outcome Document in which States committed to working with IP to disaggregate data as appropriate, or conduct surveys using holistic indicators of IP well-being to address situations in particular needs of older persons, women, youth, children and the disabled.

Regarding Post-2015 UN Development Agenda, EMRIP proposes the HRC urge States to take measures to ensure the participation of IP, and in particular youth.

Lastly, pertaining to the implementation of the UN Declaration on the Rights of IP, EMRIP proposes that HRC urge States and IP to report on the measures taken to implement the rights enshrined in the Declaration, with particular reference to paragraph 8, in which Member States commit to cooperating with IP on achieving goals. EMRIP reiterates its proposal to the HRC to review the language and terminology used in UN documents pertaining to the rights of IP. EMRIP also proposes the HRC urge Member States to contribute to the UN Voluntary Fund on IP and acknowledge the work of the fund in the 30 years since its establishment.

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