

EU Intervention

Expert Mechanism on the Rights of Indigenous Peoples

12th Session

15-19 July 2019

Agenda item 8: UN Declaration on the Rights of Indigenous Peoples – Interactive Dialogue with the Special Rapporteur on the Rights of Indigenous Peoples, the Chair of the Permanent Forum on Indigenous Issues, the Chair of the Board of Trustees for the Voluntary Fund for Indigenous peoples and members of the human rights treaty bodies.

The EU attaches great importance to the fact that this dialogue brings all the three UN indigenous mechanisms together along with the Board of Trustees of the Voluntary Fund as well as members of the human rights treaty bodies. We believe that the dynamic discussions and exchange of information of lessons learned and best practices contribute to the cross-fertilization and collaborative efforts between your very different and yet complementary mandates. At the same time, it also allows for effective linkages and coherence between discussions taking place in the all the indigenous mechanisms, the treaty bodies, the Human Rights Council, and the 3rd Committee of UNGA.

As you will know EU policies on Indigenous peoples is integral to EU's human rights policies. In our Council Conclusions of May 2017, we restated our commitments to the UN Declaration on the Rights of Indigenous Peoples as well as the Outcome document of the World Conference on Indigenous Peoples held in 2014.

As we are discussing the UN Declaration on the Rights of Indigenous Peoples, we would today like to share some recent policy developments that are also highly relevant to indigenous peoples and thus to the EU's contributions towards supporting the implementation of UNDRIP. In recent months the EU foreign Affairs Council have adopted two important human rights guidelines, one on the issue of non-discrimination and the other on the human rights to safe drinking water and sanitation.

The EU Human Rights Guidelines on Non-discrimination in External Action were adopted in March of this year. The Guidelines give clear political lines as well as conceptual and operational guidance on how to fight discrimination. In the guidelines there is no enumeration of frequently discriminated groups like indigenous peoples, instead the guidelines enumerates the grounds for discrimination as listed in international and EU law. In the annex of the Guidelines there is a list of International human rights instruments, International Labour Instruments and humanitarian law instruments that are particularly relevant for the elimination of discrimination. In that list the ILO 169 on Indigenous and Tribal Peoples is listed and so is the UNDRIP.

The EU Human Rights Guidelines on Safe Drinking Water and Sanitation provide guidance for EU's political and operational work in and towards third countries and multilateral fora, as well as in exchanges with other stake holders, including civil society in promoting the human rights to safe drinking water and sanitation.

The Guidelines respond to the commitment in the EU Action Plan on Human Rights and Democracy (2015-2019) to foster a comprehensive agenda to promote economic, social and

cultural rights. While bearing in mind that all human rights are universal, indivisible interdependent and interrelated, the guidelines represent an important step in delivering on the aforementioned agenda by ensuring the progressive realisation of the human rights to safe drinking water and sanitation for all. They also respond to commitments under the 2030 Agenda for Sustainable development and the principle of leaving no one behind and in particular the Sustainable Development Goal 6 to “Ensure availability And sustainable management of water and sanitation for all”.

The Guidelines prescribe a rights based approach- encompassing all human rights for the promotion and protection of the human rights to safe drinking water and sanitation. As such they have a strong emphasis on non-discrimination, participation and consultation. The Guidelines have several references to the inclusion of those frequently excluded such as indigenous peoples. Reference is also made to the above mentioned EU Council conclusions on Indigenous peoples which underscores the crucial importance of further enhancing 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.

The two Guidelines are first and foremost intended to be used by EU institutions and officials and EU Member States in the cooperation and contact with third countries, international organisations and civil society organisations. But we also very much hope that our partners, be they non-EU governments, international organisations, civil society, indigenous peoples and you as UN human rights mandate holders and indigenous mechanisms will find them useful – also in the context of promoting the implementation of the UN Declaration on the Rights of Indigenous Peoples.

We will be happy to provide the link to where the guidelines can be found in English, French, Spanish and Portuguese and other European languages.

In closing allow me to thank you all for the work that you so diligently carry out in fulfilling your important mandates.

Thank you.