

Human Rights Council
Expert Mechanism on the Rights of Indigenous Peoples
Fifth session
9-13 July 2012

**OPENING OF THE FIFTH SESSION OF THE EXPERT MECHANISM ON
THE RIGHTS OF INDIGENOUS PEOPLES**

9 July 2012

10:00- 11:30

(Room XX, Palais des Nations)

Ms. Marcia Kran, Director of the Research and Right to Development Division, OHCHR
Ambassador Ms. Laura Dupuy Lasserre, President of the Human Rights Council,
Indigenous peoples' representatives,
Your Excellencies,

On behalf of the Expert Mechanism on the Rights of Indigenous Peoples, I would like to welcome you to the 5th session. I am confident that we will have a very productive and rewarding session and, in so doing, contribute to the promotion and protection of the rights of indigenous peoples.

I would like to thank the outgoing Chairperson of the Expert Mechanism, Mr. Vital Bambanze, for his contributions this year. He has led the Expert Mechanism with determination and skill, dedicating many long weeks to the work of the Expert Mechanism, especially its studies and reports.

I would also like to welcome our new member from the African region, Mr. Danfred Titus, who will be joining us shortly.

It has been a very busy year for the Expert Mechanism indeed. We have undertaken, in accordance with Human Rights Council resolution 18/8:

- a study on the role of languages and cultures in the promotion and protection of the rights and identities of indigenous peoples;
- a follow-up report building on the study on indigenous peoples and the right to participate in decision making with a specific focus on extractive industries;
- a questionnaire for states on best practices regarding possible appropriate measures and implementation strategies to attain the goals of the Declaration on the Rights of Indigenous Peoples; and
- work on the upcoming World Conference on Indigenous Peoples including, together with other relevant mechanisms on indigenous peoples' issues, contributing to the exploration of the modalities for the meeting, specifically indigenous peoples' participation in the World Conference and its preparatory and follow-up processes.

We have also established a briefing programme for the United Nations human rights treaty bodies, which involves providing information to the treaty bodies on the work of the Expert Mechanism , including the results of our studies. These briefings complement the close cooperation and coordination we undertake with the Permanent Forum on Indigenous Issues and with the Special Rapporteur on the rights of indigenous peoples.

Our other inter-sessional activities are also directed at enhancing coordination within the international and regional human rights systems, in the interests of more effective protection and promotion of the rights of indigenous peoples. To this end, we have promoted the work of the Expert Mechanism in the Forum on Minority Issues, in the African Commission on Human and Peoples' Rights, in UNESCO and in various presentations made at seminars, conferences, and other meetings.

This year has also seen the establishment of the Expert Mechanism's academic friendship, comprised of a group of academics working on the rights of indigenous peoples at the international, regional and/or domestic levels and the Expert Mechanism. The Expert Mechanism has been extremely fortunate to work especially closely with:

- the University of Brunel, in the United Kingdom, during its seminar on indigenous peoples' languages and cultures; and
- the University of Manitoba, Canada, which provided invaluable support to the preparation of the report on states' responses to the questionnaire on their strategies to implement the Declaration.

One of the goals of the Expert Mechanism in the future is to more proactively engage with states and indigenous peoples on the implementation of the rights of indigenous peoples, including as elaborated in the Expert Mechanism's studies, at the domestic level. We would like to see, and promote, concrete actions that reflect the advice and recommendations of the Expert Mechanism in governmental policy. In achieving this, we will rely very heavily on cooperation with states and indigenous peoples and would very much welcome your support.

Another of the Expert Mechanism's objectives is to become more transparent and inclusive in our work. To this end, we have attempted over the year to keep our website up-to-date with information about our activities, including our reports and studies, and to respond promptly to questions asked of us. We were delighted to see, also, the extent to which states, indigenous peoples and non-governmental organisations engaged with us on our study on indigenous peoples' languages and cultures. We benefited enormously from the many and varied submissions, which we have posted online, when permission was granted.

We have a very full agenda for this fifth session, as set out in the annotated agenda available at the back of the room. Over the week, our discussions will include the World Conference on Indigenous Peoples. We are extremely privileged, to welcome one of the

General Assembly appointed co-facilitators for preparations for the World Conference, former Expert Mechanism member John Henriksen.

We are also very much looking forward to hearing from observers on the follow-up report on indigenous peoples and the right to participate in decision making, with a focus on extractive industries, and our study on indigenous peoples' languages and cultures. Both of these, the report and the study, will be finalized at the end of this session for submission to the Human Rights Council at its 21st session in September.

We intend to focus on the implementation of the Declaration on the Rights of Indigenous Peoples in our session on the Declaration. We would like to discuss, with you, the results of our questionnaire survey to states on their implementation strategies associated with the Declaration. While we, too, were disappointed as Ms. Marcia Kran stated, with the number of responses, we were pleased with their rich content.

During the agenda item on the Declaration, we will have the inaugural interactive dialogue with a member of the Expert Mechanism, the Chairperson of the Permanent Forum on Indigenous Issues and the Special Rapporteur on the rights of indigenous peoples. The topic of the interactive dialogue is the implementation of the Declaration, with a specific focus on indigenous peoples' participation at the United Nations. As you are all aware, the Human Rights Council requested the Secretary General to prepare a report on indigenous peoples' participation at the United Nations and present it at the Council's 21st session in September.

Finally, the Expert Mechanism will be considering its proposals over the coming week to be made to the Human Rights Council for its approval, and in this regard welcomes the comments of observers, especially under agenda item 7. One of the more important questions is that of the topic of the next study of the Expert Mechanism.

The Expert Mechanism has been heartened by the care that the Human Rights Council has taken to consider its proposals, a number of which were included in the Council's

resolution 18/8. We look forward to working closely with the Council in the interests of coming to an agreement on the topic of the next Expert Mechanism study.

In conclusion, I would like to once again welcome you warmly to the fifth session of the Expert Mechanism. On behalf of my colleagues, I would like to stress how valuable we find your contributions to our work and how much we enjoy meeting with you in the interests of contributing to the realization of indigenous peoples' rights, goals and aspirations.

Hai Hai (Thank you).