

Suleiman Mamutov
The Mejlis of the Crimean Tatar people
Crimea, Ukraine

Item 11: Enhancing the participation of indigenous peoples' in the United Nations

UNDRIP includes the right to self-determination, to be recognized as distinct peoples, to be free from discrimination, and to participate in decision-making.

Article 41 of the Declaration designates the UN's role in the full realization of its provisions. This includes establishing ways and means to ensure the participation of indigenous peoples on issues affecting them. Enhanced participation of the indigenous peoples and their representative bodies in the work of the UN system has the utmost importance.

One of the factors that contributed to the gross and systematic violations of human rights against indigenous peoples was their exclusion from decision-making processes. Enhanced participation would create an opportunity to understand how to overcome the historical injustices and continuing marginalization of and discrimination against indigenous peoples. We believe that enhanced participation will also reinforce our capacity to become agents of our own protection concerning the rights guaranteed by the Declaration.

The modalities of participation should be inclusive. Alta outcome document recommended that the United Nations recognize indigenous peoples and Nations based on our original free existence, inherent sovereignty, and the right of self-determination in international law. At a minimum, permanent observer status should be granted to indigenous peoples within the UN system, enabling direct participation through our governments and parliaments.

The process and outcome of enhancing our participation should be based on the rights in the UNDRIP, with full consideration for the diversity of the forms of the social organization of indigenous peoples, both traditional and modern. Indigenous peoples should not be perceived as civil society organizations or local communities. Involving indigenous peoples in all the matters that affect them in the HRC's and UN system work is in line with our right to participate in decision-making processes and the principle of free, prior, and informed consent.

In this regard, I'd like to bring EMRIP's attention to the activities of states that violate the rights of indigenous peoples guaranteed by UNDRIP. Especially the right to maintain and strengthen our distinct political, legal, economic, social, and cultural institutions (Art. 5).

The Mejlis is the highest elected representative body of the indigenous Crimean Tatar people. It was prohibited and labeled as an extremist organization by Russia two years after its military aggression against Ukraine, which led to the temporarily occupation of the Crimean Peninsula in 2014. Last year, Russia imprisoned Nariman Dzhelyal, the deputy head of the Mejlis of the Crimean Tatar people, in a fabricated case. The decision of the International Court of Justice demanded that Russia refrain from such activities and stop persecuting members of our self-governing institutions. But as you know, Russia did nothing to stop this grave violation and thousands of other abuses and war crimes committed against the Crimean Tatar people.

I call on EMRIP not to ignore these precedents and illustrate in its work massive violations of indigenous peoples' rights from all regions, including Ukraine's temporarily occupied territories.

The Human Rights Council should take leadership over the process of enhancing the full and effective participation of indigenous peoples' representatives and institutions in meetings of

relevant United Nations bodies on issues affecting them and thereby serve as an example for all United Nations agencies.

It is essential to continue supporting the UN Voluntary Fund for Indigenous Peoples and other mechanisms that facilitate the participation of indigenous peoples' representatives and institutions in UN processes and tools.