



**European Union**

**UNITED NATIONS HUMAN RIGHTS COUNCIL**

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**Expert Mechanism on the Rights of Indigenous Peoples**

**Ninth Session 11-15 July 2016**

**Agenda item 3:**

**Follow-up to the World Conference on Indigenous Peoples including the review  
of the mandate of the Expert Mechanism**

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**Geneva, 11 July 2016**

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I have the honour to speak on behalf of the European Union.

The European Union is pleased to address the ninth session of the Expert Mechanism on the Rights of Indigenous Peoples (EMRIP). As this is the first time that the EU is taking the floor during this session, allow me also to congratulate [name TBC] on your election as the Chair.

The EU wishes to commend the rights based approach taken by EMRIP, as well as its inclusive working methods by ensuring the full and effective participation of indigenous peoples but also by engaging academic expertise. The EU is fully committed to achieving the ends of the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) and the Outcome of the World Conference on Indigenous Peoples and therefore welcomes the review of EMRIP.

The EU would like to thank the OHCHR for the report of the Expert Workshop on the review of the mandate of the Expert Mechanism on the Right of Indigenous Peoples, which we think gives a balanced representation of the diverse views expressed.

The EU is of the opinion that the main strength of EMRIP is its exclusive focus on the rights of indigenous peoples from a human rights perspective and that EMRIP should maintain its status as a subsidiary body of the Human Rights Council. We believe that EMRIP should have a more independent mandate and retain its complementarity with the other indigenous mechanisms, each of which has its vantage point. The existing practice of inviting the Special Rapporteur on the Rights of Indigenous Peoples and a member of the Permanent Forum on Indigenous Issues to EMRIP's annual meeting ensures cooperation and prevents duplication of work, while the similar practice of the Permanent Forum during its dialogues on human rights also serves that purpose.

EMRIP's thematic reports and advice have over the years enriched the shared knowledge of the important aspects pertaining to the challenges, but also to the wealth of existing good practices in

many countries, in achieving the ends of the Declaration on the Rights of Indigenous Peoples. This mandate could be further refined so as to enable EMRIP to issue instead an annual status report, focussed on one or more issues pertaining to UNDRIP and which would set out best practises and recommendations.

EMRIP's mandate should not be similar to that of a treaty monitoring body. States should not be placed under an obligation to report on the implementation of the Declaration. Nevertheless, we also see a need to further align EMRIP's mandate to achieving the ends of the Declaration on the Rights of Indigenous Peoples (UNDRIP). In cooperation and agreement with the concerned States and Indigenous peoples, EMRIP could facilitate dialogue between States and Indigenous Peoples and also provide their expert advice and share best practises in cases where challenges or barriers exist. It could be involved in the identification of technical assistance needs of Member States to monitor, evaluate and improve the effective realization of UNDRIP.

EMRIP could collect and disseminate good practices and share recommendations or concrete tools on monitoring, evaluation and the effective realization of the UNDRIP. In line with its function, EMRIP could rely on findings, observations and recommendations of the UN Treaty Bodies and special procedures, UPR recommendations and information from other sources, including National Human Rights Institutions and regional Human Rights bodies.

To strengthen complementarity, it is important to enhance EMRIP's interaction with the HRC and its mechanisms, such as participation upon invitation in annual meetings of special procedures mandate holders. Moreover, both the senior official of the UN system responsible for coordinating the follow up to the World Conference on Indigenous Peoples and the Members of the Inter-Agency Support Group on Indigenous Issues should be invited to participate in EMRIP meetings.

With regard to appointment of experts, we support a transparent process in the nomination and selection of independent experts, where quality rather than quantity of experts should be the main focus. Lastly, the working methods should fall within the competence of the Expert Mechanism.

In closing, we wish to assure you of the EU's continued active engagement with all partners in this important review in line with our commitments to UNDRIP and the Outcome of the World Conference on Indigenous Peoples.

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