

Tenth session of the Permanent Forum on Indigenous Issues, 2011

Statement by Jose Carlos Morales Morales,

Chairperson-Rapporteur of the Expert Mechanism on the Rights of Indigenous Peoples

Agenda Item 4 - Human Rights

Greetings.

Thank you, Chair, for this opportunity to address the Forum. Allow me to first congratulate you on your election as chairperson.

I. The Expert Mechanism on the Rights of Indigenous Peoples

The Expert Mechanism's mandate is to provide advice, mainly through studies and proposals, on the rights of indigenous peoples to the Human Rights Council – the principal UN body dealing with human rights. In doing so, the Expert Mechanism can, among other objectives, contribute to a better understanding of the Declaration on the Rights of Indigenous Peoples and how it might be implemented such as, for example, in relation to the right of indigenous peoples to education and to participate in decision-making that affects them.

The fourth session of the Expert Mechanism will take place from 11 - 15 July 2011. As a specific forum to discuss the rights of indigenous peoples, it is open to all, including organisations without ECOSOC status.

The Expert Mechanism, the Permanent Forum on Indigenous Issues and the Special Rapporteur on the rights of indigenous peoples coordinate by participating in annual sessions, making substantive contributions to each body's respective work, as well as in coordination meetings. The Expert Mechanism has sought to develop close working relationship with other universal and regional human rights mechanisms, including treaty bodies and the African working group on indigenous populations/communities. The Expert Mechanism also cooperates with the Office of the High Commissioner for Human Rights and other UN agencies, such as the attendance at the annual Inter-Agency Support Group meeting, and has engaged with the United Nations Indigenous Peoples Partnership, providing recommendations for appointments to its policy board.

It is essential that states, indigenous peoples and other stakeholders involve themselves in the work of the Expert Mechanism and, also, that the Expert Mechanism is considered to be meaningful and useful for indigenous peoples.

II. Work undertaken by the Expert Mechanism

A significant number of Member States, indigenous peoples, and other organisations and institutions, including the Special Rapporteur, and representatives of the Permanent Forum, Committee on Elimination of Racial Discrimination and the African working group, have participated in the Expert Mechanism. Its usually includes statements by the High Commissioner for Human Rights and the President of the Human Rights Council.

The Expert Mechanism completed the study on the lessons learned and challenges to achieve the right of indigenous peoples to education, including the Expert Mechanism Advice No. 1 in 2009. The Human Rights Council in resolution 12/13 strongly encourages States to disseminate that report broadly and to take it into account when elaborating national plans and strategies.

The Expert Mechanism is finalising its two-year study on indigenous peoples and the right to participate in decision-making. Its Progress Report on the study was welcomed by the Human Rights Council in resolution 15/7 and the Expert Mechanism was requested to give examples of good practices at different levels of decision making. The Progress Report examined the international human rights framework as it relates to indigenous peoples, their internal decision-making processes and institutions, and participation in decision-making mechanisms linked to both State and non-State institutions, and processes affecting indigenous peoples. The final study includes a selection of examples of indigenous peoples' participation in both indigenous and other, including state, decision-making processes from around the world. Participants at the fourth session of the Expert Mechanism will have the opportunity to review the Progress Report and the Final Report before its submission to the Human Rights Council in September 2011.

The UN Declaration on the Rights of Indigenous Peoples is used as a framework for the Expert Mechanism's work, such as the criteria for selecting examples of indigenous peoples' participation in decision-making, and is a specific item on its annual agenda. The Declaration also informs the Expert Mechanism in its proposals to the Human Rights Council, including in relation to future studies.

The Expert Mechanism seeks to encourage the application and implementation of the rights of indigenous peoples, including in its proposals to the Human Rights Council each year, such as: its recommendation that the Council encourage states to ensure they have strong national human rights institutions; that the Council include a panel on the rights of indigenous peoples in its annual sessions; and that the Council expand the mandate of the Voluntary Fund of Indigenous Populations.

Members of the Expert Mechanism have had opportunities to participate in meetings in different regions of the world and, on occasion, jointly with Permanent Forum representatives and the Special Rapporteur.

III. Invitation to promote the work and sessions of the Expert Mechanism

I would like to thank the Permanent Forum for its efforts to promote the work of the Expert Mechanism and would appreciate continued collaboration in disseminating information about our existence and mandate.

Contributions by the Permanent Forum, in the form of written submissions, participation in the annual sessions of the Expert Mechanism as well as follow-up of Expert Mechanism studies and Advice would enhance cooperation between our mechanisms and advance our common goal of promoting respect for and protection of indigenous peoples' rights. The Expert Mechanism warmly welcomes further efforts to work together on similar issues at the regional level also, particularly in assisting indigenous peoples' effective engagement with States.

Thank you.