

## Human Rights Council 24th Session

### Panel discussion on the World Conference on Indigenous Peoples: Human Rights as a cross-cutting theme in the World Conference on Indigenous Peoples

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#### Talking Points

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#### 1. Introduction

The General Assembly decided, through resolution [A/RES/65/198](#) of 21 December 2010, to organize “a high-level plenary meeting of the General Assembly in 2014, to be known as the World Conference on Indigenous Peoples”.

*Objective:* The main aim is to share perspectives and best practices on the realization of the rights of indigenous peoples and to pursue the objectives of the United Nations Declaration on the Rights of Indigenous (2007).

#### 2. Background

Resolution 65/198 invites the President of the General Assembly (PGA) to conduct open-ended consultations with Member States and with representatives of indigenous peoples within the framework of the Permanent Forum on Indigenous Issues (PFII), as well as the Expert Mechanism on the Rights of Indigenous Peoples (EMRIP) and the Special Rapporteur on the Rights of Indigenous Peoples (SRIP), in order to determine the modalities for the meeting, including the participation of indigenous peoples in the Conference.

The three UN mandates specific to indigenous peoples - PFII, EMRIP and SRIP- have initiated discussions on the World Conference. During its 10<sup>th</sup>, 11<sup>th</sup> and 12<sup>th</sup> sessions (2011, 2012 and 2013), the Permanent Forum devoted plenary sessions to enable indigenous peoples, member states and other partners to discuss their views and perspectives on the 2014 World Conference. The sessions in 2011 and 2012 were undertaken in close cooperation with the Presidents of the General Assembly. Drawing on the discussions, the Forum adopted a number of recommendations and highlighted the need to secure the equal, direct and meaningful participation of indigenous peoples throughout all stages of the World Conference as essential to achieve a constructive and comprehensive

outcome document that will genuinely improve the status and conditions of indigenous peoples worldwide.<sup>1</sup> The recommendations from those sessions are contained in documents [E/2011/43](#), [E/2012/43](#) and [E/2013/43](#). EMRIP has also included the 2014 World Conference in its discussions since 2012.

In January 2012, the Permanent Forum was asked by the other indigenous-specific UN mechanisms to take the leading role in the World Conference process, mainly due to its position and role within the UN system, and the location of its secretariat at UNHQ.

The UN Declaration on the Rights of Indigenous Peoples provides the normative framework for the World Conference and its outcome documents. In this context, it is relevant to note Article 42, which firmly places the responsibility to promote respect for and full application and effectiveness of the Declaration on the UN, its agencies and bodies, including the Permanent Forum on Indigenous Issues, and on Member-States.

### **3. Modalities**

*Facilitators:* In accordance with the mandate and the spirit of GA resolution 65/198, in April 2012 the President of the 66th session of the General Assembly appointed H. E. Luis Alfonso de Alba, Permanent Representative of Mexico and Mr. John B. Henriksen, the international representative of the Sami Parliament of Norway, to facilitate consultations on the modalities and arrangements for the World Conference, including the substantive participation of indigenous peoples.

Based on these consultations, the 66th Session of the UN General Assembly adopted a resolution in September 2012 ([A/RES/66/296](#)) on the Organization of the High-level Plenary Meeting of the General Assembly, to be known as the World Conference on Indigenous Peoples. This resolution includes the following elements:

*Format:*

The High Level Event (WCIP 2014) will be a two day event on 22-23 September consisting of:

- Two plenary meetings in the form of an opening and closing session;
- Three interactive round-table discussions; and
- One interactive panel discussion.

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<sup>1</sup> Para 69 of Report of 11<sup>th</sup> Session of the UN PFII ([E/2012/43](#)).

*Accreditation:* Organizations and institutions of indigenous peoples interested in participating in the World Conference will submit applications for accreditation for consideration of Member States. The President of the General Assembly (PGA) will draw up a list of representatives of non-governmental organizations, civil society organizations, academic institutions, national human rights institutions and the private sector to be considered on a non-objection basis.

*Preparatory process:* The PGA is requested to organize, no later than June 2014, an informal interactive hearing with representatives of indigenous peoples, the UN system, academic institutions, national human rights institutions, parliamentarians, civil society and non-governmental organizations, to provide input into the preparatory process.

*Outcome:* The World Conference shall result in a concise, action oriented outcome document. The PGA will prepare a draft text in consultations with member States and Indigenous Peoples, taking into account the views emerging from the preparatory process and interactive hearing.

*Funding:* The mandate of the UN Voluntary Fund for Indigenous Populations, managed by OHCHR, is expanded to assist representatives of indigenous peoples to participate in the World Conference (travel).

*In this context, it is relevant to take into consideration that no additional funds have been provided and/or requested for organizing and conducting the World Conference in 2014.*

#### **4. Activities related to the World Conference**

The following are some of the activities and events that are upcoming:

- It is hoped that during the next resumed session of ECOSOC in October 2013 the draft decisions and the report of 12<sup>th</sup> session of the Permanent Forum will be adopted. This was deferred from the July ECOSOC session;
- The Chairperson of the Permanent Forum will meet the Chef de Cabinet of the President-elect of the 68<sup>th</sup> session of the General Assembly to deliver the recommendations of the Permanent Forum on the World Conference;
- The Inter-Agency Support Group on Indigenous Issues will conduct its annual meeting in New York. This will be hosted by UNICEF and the main focus is to discuss the role of the UN system agencies, funds and programmes for the World Conference. The meeting will be held from 22 to 23 October 2013;
- The Government of Mexico plans to organize a regional thematic preparatory meeting in early 2014 in Mexico on the World Conference;

- There will be an informal inter-active hearing conducted by the President of the General Assembly – to be completed before June 2014;
- The Permanent Forum session will take place from 12 to 23 May 2014, and will include a discussion on the World Conference;
- EMRIP is also expected to include a discussion at its 2014 session in July; and
- Finally, the high level event of the General Assembly, to be known as the World Conference on Indigenous Peoples, will be organized on 22-23 September 2014.

## **5. Pending tasks for the PGA**

As of now, these are some of the tasks that remain:

- That the PGA continues the earlier practice and appoints a State representative and an indigenous peoples' representative to conduct inclusive informal consultations on his behalf;
- In consultation with member States and representatives of Indigenous Peoples, the PGA finalizes the organizational arrangements for the World Conference, including the definition of specific themes for the round-table discussions and the interactive panel discussion, the opening ceremony, the discussion of the outcome document, and the identification of the chairs of the roundtable discussions and panel discussion; and
- It is hoped that, with the support of all concerned, an action-oriented outcome document will emerge, which will provide all concerned with a road map to put into practice the UN Declaration on the Rights of Indigenous Peoples.

## **UNPFII and recommendations of the 12th session:**

In preparation for the World Conference on Indigenous Peoples (2014), during an inter-active discussion at the 12<sup>th</sup> session in May 2013, the PFII took careful note of the statements and recommendations on what are the expectations of the upcoming World Conference.

At this session, statements were made by Member States, indigenous peoples from the seven socio-cultural regions, in addition to indigenous women, youth and disability caucuses, UN Agencies and Inter-governmental Organizations as well as NGOs. Based on these discussions, the Permanent Forum prepared 24 *recommendations* on the World Conference. (E/2013/43).

Some of the important aspects of the recommendations are:

(71.) The Permanent Forum **reaffirms the United Nations Declaration on the Rights of Indigenous Peoples as the normative framework** for the World Conference on Indigenous Peoples. The provisions of General Assembly resolution 66/296 regarding the organization of the high-level plenary meeting of the sixty-ninth session of the Assembly, to be known as the World Conference on Indigenous Peoples, **must be given the widest and most generous interpretation possible in order to achieve the full and effective participation** of indigenous peoples.

(74.) The Permanent Forum **welcomes the confirmation of the Government of Mexico** to hold a **regional and thematic preparatory meeting** with the participation of United Nations Member States, indigenous peoples and the United Nations system, the Expert Mechanism on the Rights of Indigenous Peoples, the Special Rapporteur on the rights of indigenous peoples and the Permanent Forum to build further consensus on the process and content of the World Conference and its related discussions.

(78.) The Permanent Forum considers that **the conclusion of the Global Preparatory Indigenous Peoples' Conference** on the World Conference on Indigenous Peoples, to be held in Alta, Norway, from 10 to 12 June 2013, **should be considered as a firm basis for the identification of specific themes for the round table and panel discussions** under the auspices of the General Assembly.

(79.) The Permanent Forum recommends to the **President of the sixty-eighth session** of the General Assembly **the continuation of the practice**, established during the sixty-sixth session of the Assembly, **to appoint a State representative and an indigenous peoples' representative to conduct inclusive informal consultations** on his behalf, in order to build consensus on the themes of the round table and panel discussions and the contents of the outcome document of the World Conference on Indigenous Peoples as well as to ensure the full and effective participation of indigenous peoples in the process.

(80.) The Permanent Forum recalls GA Resolution 66/296 and **recommends that the President of the sixty-eighth session of the General Assembly organize an informal interactive hearing, back-to-back with, but separate from, the thirteenth session of the Permanent Forum** on Indigenous Issues. This will ensure that those representatives of indigenous peoples who are attending the Permanent Forum are also able to participate in the informal interactive hearing without the need to return to New York at a later date and incur further travel and other related expenditures.

(84.) The Permanent Forum requests the **Office of the sixty-eighth session of the President of the General Assembly to maintain close communication with the Forum, through its secretariat, to facilitate the Forum's contribution to the preparatory stages of the World Conference** on Indigenous Peoples. The

Permanent Forum further requests DESA of the UN Secretariat to provide support to the secretariat of the Permanent Forum to carry out its responsibilities in this regard.

(86.) Recalling the recommendation made in paragraph 118 of the report on its eleventh session (E/2012/43-E.C19/2012/13), the Permanent Forum takes note of the interventions made by indigenous peoples, Member States, and others concerning the potential themes for the World Conference. A number of **themes have emerged as priority issues of concern to all: (a)** the right of Indigenous peoples to self-determination; **(b)** the right of Indigenous peoples to lands, territories, and resources, extractive industries, and the related right to free, prior, and informed consent; **(c)** the economic, social, and cultural rights of Indigenous peoples and; **(d)** and the need to strengthen the participation of indigenous peoples in United Nations mechanisms and the mechanism themselves, as well as the need for immediate, effective and comprehensive implementation of the United Nations Declaration on the Rights of Indigenous Peoples by Member States and the United Nations system with the full participation of indigenous peoples. The Forum is mindful that dialogue will continue among and between indigenous peoples and Member States in preparation for the World Conference.

(89.) The Permanent Forum **calls upon Member States**, guided by the spirit of solidarity with indigenous peoples and consistent with their capabilities, **to provide support for the effective implementation of outcomes of the World Conference in mutually agreed areas of cooperation within the framework of United Nations Declaration on the Rights of Indigenous Peoples.**

(90.) The Permanent Forum recommends that the President of the sixty-eighth session of the General Assembly in the selection of co-chairs and other members of the two plenary meetings, the three interactive round-table discussions, one interactive panel discussion during the WCIP and the informal interactive hearing to be held before June 2014, apply the following criteria: **(a)** Regional representation of indigenous peoples; **(b)** Gender balance; **(c)** The inclusion of indigenous elders and youth; **(d)** The inclusion of indigenous persons with disabilities. The Permanent Forum offers its assistance to the PGA in identifying potential co-chairs and other members.