

# Venues of Participation

# Brief Background

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- **What is EP?** The only participation category that exists for Indigenous Peoples to generally participate in UN meetings is that of Non-Governmental Organizations which does not accurately reflect the status of Indigenous governments. EP is the development process for a new status, not based on Economic and Social Council accreditation requirements, to allow Indigenous Peoples' governments and representative institutions to participate in UN meetings such as the General Assembly, Human Rights Council and COP and to distinguish them from the representatives of civil society institutions, national human rights institutions, non-governmental organizations or local communities.
- **Why should people care?** While the United Nations has made important advances in recognizing indigenous rights and self-determination, our participation in the international body is still limited. And if you're not at the table, you're on the menu. Or you're serving the menu.

# Background

- Pursuant to the universal application of the right of self determination for all Peoples, recommends that the UN recognize Indigenous Peoples and Nations based on our original free existence, inherent sovereignty and the right of self determination in international law. We call for, at a minimum, permanent observer status within the UN system enabling our direct participation through our own governments and parliaments. Our own governments include *inter alia* our traditional councils and authorities; (A/67/994) Theme 2 §10:
- §15: Requests the Office of the High Commissioner to convene a four-day expert workshop in 2022, open to the participation of States, and of indigenous peoples from the seven indigenous sociocultural regions, including by inviting the submission of written contributions, on possible ways to enhance the participation of indigenous peoples in the work of the Human Rights Council, and to prepare a summary report on the discussion and the resulting recommendations and to submit it to the Council prior to its fifty-third session; HRC/48/L.22 §15

# Background

- Workshop to be held from November 21-24, 2022 at Palais des Nations in Geneva
- Topics: Venues of participation, modalities of participation, selection criteria and selection mechanism.
- These topics derive from the EP process at the General Assembly.
- Workshop organised by the OHCHR and the UN Voluntary Fund for Indigenous Peoples in conjunction with the Indigenous Coordinating Body.

# Background

- **Dialogue rhythm:**
  - 2nd Virtual Dialogue: Venues of Participation
    - October 21, 2-4 PM Geneva time
  - 3rd Virtual Dialogue: Participation Modalities
    - October 24, 2-4 PM Geneva time
  - 4th Virtual Dialogue: Selection Criteria and Mechanism
    - October 28, 2-4:30 PM Geneva time
  - Submission deadline
    - October 31

# Key issues

# Some key issues expressed

- While noting the status and territorial integrity of States as set out in the Charter of the United Nations as well as in article 46 of the United Nations Declaration on the Rights of Indigenous Peoples, most responses have in principle indicated the need for enhanced forms of participation for indigenous peoples in United Nations bodies affecting them, although some responses have expressed concerns about moving in that direction.
- There was considerable (but not uniform) support expressed for a separate category of participation in the United Nations, including in the General Assembly, for indigenous peoples, as the current procedures and practices such as those applicable to non-governmental organizations accredited to the Economic and Social Council do not naturally or sufficiently accommodate the participation of indigenous peoples as indigenous peoples in United Nations bodies.



# Some key issues expressed

- There appears to be a convergence of views among those responding that, at a minimum, the level of indigenous peoples' participation at the United Nations should not fall below that of non-governmental organizations accredited to the Economic and Social Council and, further, should not in any way undermine existing unique procedures permitting the participation of indigenous peoples' organizations in the Expert Mechanism on the Rights of Indigenous Peoples and the Permanent Forum on Indigenous Issues.
- Many mentioned the need for indigenous peoples' guaranteed participation in all United Nations programmes and funds and the specialized agencies, as well as in conferences of the parties to United Nations treaties. Advice received suggests that the General Assembly does not have the authority to require Indigenous Peoples' participation in all activities or entities associated with the United Nations.

# Recommendations & Guiding Questions

# Recommendations

- Indigenous Peoples may wish to support a negotiations process on enhanced participation at the Human Rights Council that includes:
  - HRC to include in September 2023 resolution to start consultations on substantial matters of enhanced participations.
  - Inclusive and open informal consultations on the draft resolution with Member States and Indigenous Peoples, and taking into account the views emerging from regional meetings.
  - A decision to be adopted by the Human Rights Council in September 2024

# Guiding Questions

- Indigenous Peoples should consider to comment on these key questions:
  - How could the existing level of participation of Indigenous Peoples' representatives and institutions at the Human Rights Council be enhanced in order to be effective and meaningful?
  - To which venues would a new separate category of participation of Indigenous Peoples' representatives and institutions in the Human Rights Council give access to?
  - Which criteria should be considered when deciding which meetings of the Human Rights Council should include the participation of Indigenous Peoples' representatives and institutions?

**Merci!**