

Selection Criteria & Mechanism

Brief Background

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The Origin

- 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

**Participation of Indigenous
governments at the UNGA.**

Brief Background

What are we preparing for?

- 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.

Brief Background

Virtual dialogues

- **Dialogue rhythm:**
 - 1st Virtual Dialogue: Introduction
 - October 14, 2-4 PM Geneva time
 - 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

Key Issues

Selection Criteria

- Based on UN Declaration on the Rights of Indigenous Peoples
- There should be a two-step approach that first considers whether the group or people is an Indigenous people and then, second, considers whether the specific Indigenous institution concerned is eligible for such status.
- Indigenous governing institutions need to be recognized by their own Indigenous constituents as such
- Indigenous Peoples themselves should determine the criteria for their representation
- National Human Rights Institutions, Paris Principles, Selection mechanism

Key Issues

Selection Mechanism

- The creation of a new and independent body comprised of Indigenous Peoples and Member States should be considered to ensure specific focus and competence on eligibility of Indigenous Peoples e.g., under the General Assembly.
- Should selection be carried out by a new or existing committee or workinggroup with any committee or working group including Indigenous government leaders or in consultation with Indigenous government leaders?
- The body must only determine the eligibility of the Indigenous Peoples' institution rather than the status of any group as an Indigenous people or not.
- Selection mechanism for UNPFII, EMRIP, LCIP/FWG, NGO ECOSOC.

Recommendations & Guiding Questions

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Recommendations & Guiding Questions

Submissions

- Submit ideas on the four topics.
- Summary report of the Expert Workshop will rely on submissions that have been reinforced on the floor during the Expert Workshop.
- Written contributions in English, French or Spanish.
- Word format, maximum length of 2500 words.
- Contributions may be sent by e-mail, fax or postal mail.
They must be received by **31 October 2022 18:00 CEST**.
- mariagiovanna.bianchi@un.org

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

Recommendations & Guiding Questions

Guiding questions on selection criteria

- Indigenous Peoples should consider to comment on these key questions:
 - How would a new mechanism for the accreditation of Indigenous Peoples' representatives and institutions facilitate the process?
 - What would be the nature and the membership of such mechanism?
 - Which powers would the mechanism have? Which other existing UN bodies could be involved in the decision on accreditations? How would its decisions be appealed?

Recommendations & Guiding Questions

Guiding questions on selection mechanism

- Indigenous Peoples should consider to comment on these key questions:
 - What factors should be considered to assess if applicants are Indigenous?
 - Which credentials would be necessary for representatives of Indigenous Peoples' institutions to be considered eligible?
 - Which process would the new established mechanism apply in granting the status of the new category of participation? Are there similar existing accreditations processes that could be considered?

Merci!