



Human Rights Council

39th session

Clustered Interactive Dialogue with the Special Rapporteur on the Rights of Indigenous Peoples and the Expert Mechanism on the Rights of Indigenous Peoples (EMRIP)

19 September 2018

Statement on behalf of the Nordic countries

Mr. President,

I have the honour to speak on behalf of the Nordic countries: Finland, Denmark together with Greenland, Iceland, Norway and Sweden.

We welcome the report presented by the Special Rapporteur and the study carried out by the Expert Mechanism.

The **study** provides insight how EMRIP understands free, prior and informed consent. We look forward to reading the final version, in light of the input that has been given on the draft version.

The UN Declaration on the Rights of Indigenous Peoples provides important guidance and declares that states should consult in good faith *in order to* obtain a free, prior and informed consent. The declaration should not be regarded as according indigenous peoples a general “veto power” over decisions that may affect them, but rather as establishing **consent** as the objective of consultations with indigenous peoples.

Free, prior and informed consent is closely connected to **consultations**, which serve as an important **tool** to secure participation from indigenous peoples in decision-making processes and as a tool to increase knowledge of indigenous peoples' issues in Government ministries and agencies. Consultations require resources as well as time. They must for example take place at a time where it is still possible to influence the legislative or administrative measures.

Turning to the report by the **Special Rapporteur**. We note with concern the findings of her report highlighting the unique vulnerability of indigenous human rights defenders towards attacks and criminalization.

The work of indigenous human rights defenders is highly important as it attests to the developments on the ground – for better or for worse – and provides important information to

this Council. The work of indigenous human rights defenders must be safeguarded and their efforts recognized for its importance in the advancement of the rights of indigenous peoples.

In closing, we would like to hear the Special Rapporteur's reflections on what good practices can be identified in implementation of human rights impact assessments for large scale development projects?

Thank you.