

Human Rights Council

Expert Mechanism on the Rights of Indigenous Peoples

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Agenda Item 5: Proposals to be submitted to the Human Rights Council for its consideration and approval

Statement by Hawai'i Institute for Human Rights

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Thank you Mr. Chairperson,

We know time is very precious. Therefore, we will directly provide a rainbow of recommendations of possible proposals based on listening to indigenous peoples throughout the advocacy efforts in Asia Pacific and global advocacy via the Asia Pacific Leadership Program year long program to visit indigenous communities directly and continue our partnership around the planet.

Our recommendations begin with our youth. The first set of recommendations support studies to examine indigenous models of higher education to build upon the initial study on education. This would bring together indigenous students, educators, administrators and elders to examine various existing models in indigenous communities and explore new models that don't compartmentalize majors but approach with holistic approach of knowledge. A roundtable of this important initiative would be hosted on an indigenous campus or department.

Another recommendation would be a study on the UN High Commissioner for Human Rights Indigenous Fellowship program and its role to support indigenous youth to engage in international diplomacy. In this room, there are a handful who have gone on to play positive leadership roles in their communities and global civil society. Another element would be to review the new fellowships that have been created such as with the International Labor Organization and the World Intellectual Property Organization. A study could measure the importance of this career initiative and how to expand into other UN specialized agencies, programs and funds.

Relating to the environment and human rights, we believe there is important research and analysis that is crucial to promote and protect

human rights of indigenous peoples. We believe that climate change and human rights dialogue has evolved since our initial studies and questionnaires in the UN Working Group on Indigenous Peoples in 2004. We believe a study on the UN Framework Convention on Climate Change and Indigenous Peoples Involvement is essential to examine the impact of climate change in homelands of indigenous peoples from the Arctic to Oceania. A series of studies and workshops should take place over multiple years that is hosted by indigenous peoples in the seven regions of the world so we can see and experience climate change firsthand.

The meetings of research be undertaken to substantiate the link between diet and climate change, the effect on indigenous peoples in terms of the enjoyment of our indigenous rights, but most importantly to recommend processes by which States and indigenous peoples can work together to dramatically transform this situation regarding climate change and human rights.

Another recommendation focuses on human rights of indigenous peoples in the regional human rights mechanisms. A study should be conducted to review the legal cases already decided and also examination of how indigenous peoples can engage with the regional commissions and courts from the new ASEAN Intergovernmental Commission on Human Rights to the American and African Commissions and Courts along with the European Court of Human Rights. A workshop could bring together commissioners and indigenous peoples to discuss new developments in international human rights law.

Another recommendation is to make sure that indigenous peoples have a voice in institutions that impact upon indigenous peoples. A study should examine how the agendas of the series of economic summits focusing predominantly on economy include the human rights of indigenous peoples. From the G8 to the G20 summits, a study can see the potential how issues decided in these elite institutions. We propose a workshop to be hosted in Hawaii when it hosts the Asia Pacific Economic Cooperation in 2011. The November 12 – 20, 2011 meeting will attract the leaders of APECs 21 heads of state, 63 ministers of industry and foreign affairs and more than 16,000 foreign diplomats. Oahu born President Barack Obama, will also attend. How many indigenous peoples will be there?

The final area is focusing on holistic justice. One important focus is Truth and Reconciliation Commissions. An expert group meeting should take place and should include consideration and assessment of Truth and

Reconciliation procedures. Of the 61 Truth Commissions that have been created around the world including most recently in the Solomon Islands approximately 22 directly impacted indigenous peoples.

We recommend the Human Rights Council authorise the Expert Group Meeting on Truth and Reconciliation Procedures.

The results and outcomes of such a meeting will contribute to EMRIP's analysis of good practice for promotion and protection of the rights of Indigenous Peoples.

The final recommendation is a study on the jurisprudence of the international human rights treaty bodies relating to the human rights of indigenous peoples. A workshop could also be conducted that brings together committee chairs and experts serving on the various committees along with indigenous peoples that have already engaged in the UN human rights treaty bodies.

Thank you