

15th Session of the UN Permanent Forum on Indigenous Issues

Joint Statement on behalf of the Nordic countries on agenda **item 3**:

“Follow-up on the World Conference on Indigenous Peoples”

Delivered by Denmark

Thank you Madam Chair,

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

The UN Declaration on the Rights of Indigenous Peoples was an important milestone in recognising the status and rights of indigenous peoples. Fulfilling the objectives of the Declaration requires continuous and consistent work. The World Conference on Indigenous Peoples reaffirmed the recognition of the rights of Indigenous Peoples and the outcome document of the Conference constituted a significant stock taking in terms of areas where full attention is needed if the rights of Indigenous Peoples are to be realised. The commitments made at the World Conference now call for action and our concerted efforts.

The Nordic countries greatly appreciate that several important initiatives have been launched in follow-up to the World Conference. I'll mention two:

Firstly, on the review of the mandate of the Expert Mechanisms on the Rights of Indigenous Peoples

In April this year, the Expert Workshop on the review of the mandate of the EMRIP took place in Geneva. As a unique subsidiary body of the Human Rights Council, the EMRIP addresses exclusively the rights of Indigenous Peoples from a human rights perspective. We believe this to be the main strength of the Mechanism. EMRIP combines important thinking, through research and dialogue, from a very specific angle – the angle of indigenous peoples – with direct access to the main UN human rights body. Arguments in favour of changing

this structure into a Special Procedures' working group or a monitoring body resembling treaty bodies are not convincing. Therefore we would argue in favour of maintaining the structure of the EMRIP.

We also believe that the mandate must remain complementary to the mandates of the other indigenous specific UN mechanisms – the Special Rapporteur and the Permanent Forum – although it may be necessary to accept a slight duplication of work. This healthy complementarity should mainly be in the interest of strengthening the combined work of the three mechanisms.

Madam Chair,

While arguing to maintain the current structure, we do envisage reforms of the current mandate. The Expert Mechanism should have a defined, specific and more independent mandate. The Human Rights Council should draw on EMRIP's indigenous expertise and take better advantage of it. This should be done by amending the HRC resolution 6/36. We recommend that EMRIP focusses its work on promoting the objectives of the UN Declaration on the Rights of Indigenous Peoples. This is to ensure more real impact on the ground. As a subsidiary body to the Human Rights Council, the EMRIP has a comparative advantage and special competences vis-à-vis promoting the rights enshrined in the Declaration.

As an important guardian of the Declaration, we believe that the EMRIP should be tasked to report annually on the worldwide status for the achievement of the objectives of the Declaration, as proposed by the report by the UN Secretary General of May last year. States should not be placed under an obligation to report on the Declaration, but be provided with an opportunity to share information and best practices on a voluntary basis. EMRIP should however be able to report on all country situations, including in cases where the state itself have not submitted information.

As stated in the outcome document of the World Conference, the EMRIP holds unique expertise on Indigenous Peoples rights and should therefore be more directly involved in the identification of technical assistance needs of Member States to monitor, evaluate and improve the implementation of these rights. The EMRIP could play a role in regard to the follow-up on recommendations made to Member States by relevant UN monitoring mechanisms through 1) giving general advice to the UN system on how support Member States to prepare action plans or strategies and, 2) facilitation of constructive dialogues between Member States and Indigenous Peoples at country level. These activities could be carried out in cases where obstacles or specific challenges to achieving the ends of the Declaration exist.

This approach would provide more attention to the important follow-up and implementation.

In order to strengthen the methods of work, to increase dialogue and interaction, the following three proposals could be valuable to look into:

1. An annual meeting of the chairs of relevant UN mechanisms working with indigenous issues.
2. The establishment of a referral system from the Special Rapporteur to the Expert Mechanism, and vice versa, with regards to exchange of information on issues of common interests and relevant to the respective mandates.
3. Regular dialogue between the Chair of EMRIP and the President of the Human Rights Council to ensure a more effective link to the Human Rights Council.

The second important initiative I wanted to highlight relates to the participation of Indigenous Peoples at the UN

The Nordic countries consider it of utmost importance that Indigenous Peoples' representatives, organisations and institutions have the possibility and space to exercise their

right to participate in meetings of all relevant UN bodies on issues affecting them. This right should not be limited to only ECOSOC and its subsidiary bodies.

To ensure effectiveness in Indigenous Peoples' participation, the participatory status of their representatives and institutions should be considered in detail. We underline the need for Indigenous Peoples to participate as such, and not as NGOs. The already existing categories do not seem to adequately reflect the unique features of Indigenous Peoples. We, therefore, look favourable at the creation of a new category for Indigenous Peoples.

The Nordic countries have submitted written contributions to the hearing launched by the Indigenous Peoples Advisors of the President of the General Assembly. We look forward to engaging in the consultation process on this tremendously important issue in parallel to the session of the Permanent Forum.

Thank you for your attention.