

9th Session of the Expert Mechanism on the Rights of Indigenous Peoples, 11 – 15 July 2016

Agenda 4: Follow up to the World Conference on Indigenous Peoples

Thank you, Mr. Chairperson,

Distinguished members of the EMRIP, Special Rapporteur on the rights of Indigenous Peoples, Elders, Delegates, Ladies and Gentlemen.

I am Pratima Gurung, speaking on behalf of Nepal Indigenous Disabled Association (NIDA), National Indigenous Disabled Women Association Nepal (NIDWAN) and Indigenous Persons with Disabilities Global Network (IPWDGN). I would like to present my statement on the follow up of World Conference on Indigenous Peoples' discussion and consultation process to enable the participation of Indigenous peoples' representatives and institutions in meeting in relevant UN bodies affecting them.

In this concern, I would like to draw your attention to the expert mechanism of 2013, Indigenous persons with disabilities from around the world came together, formed the Global Network and participated in the UN Permanent Forum for the first time as a group and now this is the first time that we Indigenous persons with disabilities' issues are included in the agenda item on 4 for the first time in EMRIP. We want this inclusion of IPWDs to continue in coming days with working in human right-based approach that helps to ensure no one leave behind.

I would like to focus on we 370 million indigenous people and 1 billion PWDS, and 45 million indigenous persons with disabilities from all around the world is having an alarming and urgent issue. More than 80% of indigenous peoples are from developing countries in particular from Asia. As Indigenous peoples, we share the same socio-economic issues impacting Indigenous peoples on a global level. However, for many of us, our lives are further challenged by war, disease, poor health condition, poverty, social and cultural isolation, lack of access to justice, facing oppressive and repressive laws and legislation, militarization and violence.

Furthermore, the wide rang effects of social and communal stigma and stereotyping feed into negative attitudes towards indigenous persons with disabilities. These attitudes, dramatically attack our human values and

worth and negatively affect expectations for inter alia, education, employment, leadership, independence, and participation in decision making in different array of organization and all of which create the marginalization, isolation, and degradation of our self-esteem, dignity and human rights which the United Nations *Declaration on the Rights of Indigenous Peoples* and the *Convention on the Rights of Persons with Disability* including the *WCIP outcome document* were created to protect.

The fine example of above mentioned situation of indigenous persons with disabilities is the recent disaster that happened in last May 2015 in Nepal, 12000 indigenous peoples have become disabled for the first time and they are still with out shelter, basic services and living in the vulnerable stage. In addition the internal and armed conflict that happens quite often to most indigenous peoples and climate change impacts has directly and indirectly forcing towards being disabled every day and every hour. Second the studies done in 12th session of permanent forum and other reports refers that indigenous persons with disabilities are double in population than other persons with disabilities all around the globe where indigenous peoples resides.

In this regard, we understand and feel that the UNDRIP, WCIP outcome document specially in paragraph 8,9 and 18 including ILO 169 and other international documents and UN mechanism like UNPFII, EMRIP, IASG, Special Rapportuer mandate and others has special role to play to protect and promote the rights of IPWDS as we are distinct than others groups and need special attention. Now, it is the time to realize among us including the EMRIP members and UN agencies and right holders that what have we initiated for these groups forming the policies and programmes for them and with full implementation to live their lives with dignity and respect in the society.

As Indigenous persons with disabilities, through our lived experiences, struggling through the multiple identities of being disabled, indigenous, women, poor from the rural areas, we believe we are the experts on our issues and we can frame the solution to these urgent issues.

The challenge for us as Indigenous persons with disabilities, is knowing how best to use these international instruments in a way that fully recognizes our rights as Indigenous peoples and persons with disabilities.

Historically, Indigenous persons with disabilities did not have the means or opportunity of being at the tables when these international instruments were being negotiated and developed. Our challenge now is to nonetheless strategically use them to fully implement our rights and to ensure our full and meaningful inclusion and participation in relation to the implementation of the outcome document and declaration in national legislation by enabling the participation of indigenous persons with disabilities representatives and institutions.

In this concern, we would recommend the Expert mechanism as:

- 1) We request for the mandatory representation and participation of indigenous persons with disabilities and their institution in the briefing session, discussion and consultation process of the relevant United Nation three bodies and others affecting indigenous persons with disabilities in the national follow up of Outcome document and implementation at national level.
- 2) We urge the expert mechanism to consider including representation of Indigenous persons with disabilities as a criterion in determining the election of EMRIP to ensure the full inclusion and participation IPWDs in all processes relating them.
- 3) We request to include the issues of IPWDS in the mandate of members as a follow up in next session of EMRIP to highlight in several framework of IPs as a cross cutting issues in regard to the paragraph 8 of the Outcome document to conduct a research utilizing holistic indicators of indigenous peoples' well-being to address the situation and needs of indigenous peoples and individuals, in particular older persons, women, youth, children and persons with disabilities.
- 4) We also request the OHCHR, UN agencies, UN voluntary Fund including others agencies to develop a handbook from indigenous perspective based on the framework of UNCRPD and WCIP on the rights of Indigenous persons with disabilities to sensitize on it at national and at grass root level among the right holders.

Thank you, distinguished Chair.