

**doCip and UNVFIP Training 6<sup>th</sup> Session of EMRIP**  
**Rosalee Gonzalez, PhD**  
**Continental Network of Indigenous Women of the Americas**

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### **What is the Expert Mechanism?**

The Expert Mechanism on the Rights of Indigenous Peoples (Expert Mechanism) was established in 2007 by the Human Rights Council, the main human rights body of the United Nations. The Expert Mechanism was created a few months after the adoption of the Declaration on the Rights of Indigenous Peoples in response to the lobbying efforts of Indigenous Peoples and was viewed as a major step forward in the promotion and protection of Indigenous Peoples' human rights.

The Expert Mechanism has five members who are independent experts on the rights of Indigenous Peoples. For a list of the current members of the Expert Mechanism see:

<http://www.ohchr.org/EN/Issues/IPeoples/EMRIP/Pages/Membership.aspx>

Names	Term expiring
Mr. Albert DETERVILLE ( <a href="#">Santa Lucia</a> )	2016
Mr. Edtami MANSAYAGAN (Philippines)	2017
Mr. Wilton LITTLECHILD (Canada)	2017
Mr. Danfred TITUS ( <a href="#">South Africa</a> )	2015
Mr. Alexey TSYKAREV ( <a href="#">Russian Federation</a> )	2016

- The Expert Mechanism is 1 of 3 mechanisms throughout the UN System with a mandate to promote and protect the rights of Indigenous Peoples.
  - UNPFII
  - UNSRIP
  - EMRIP
- The Expert Mechanism reports directly and provides its annual report at the same time as the Special Rapporteur on the rights of indigenous to the Human Rights Council.
- The Special Rapporteur, members of the Permanent Forum and the Expert Mechanism work in close coordination and attend each other's meetings.
- The Secretariat of the Expert Mechanism is located at the Office of the High Commissioner for Human Rights in Geneva, Switzerland.

## The Expert Mechanism

- ***Gives advice to the Human Rights Council***, in the form of studies and research, to provide a better understanding of the Declaration and other human rights standards concerning Indigenous Peoples.
- ***Reviews developments*** respecting the promotion and protection of Indigenous Peoples' rights including international standards, research by experts and submissions received from States, Indigenous Peoples and organizations, academic institutions, civil society and national human rights institutions (at the annual session and also inter-sessionally, also at expert seminars).
- **Reports annually** to the Human Rights Council on its work
- **Proposes study themes and recommendations** for review and approval by the Human Rights Council.
- ***Considers the Declaration, its interpretation and implementation***, at its annual sessions.
- Participates in national, regional and international activities to promote the rights of Indigenous Peoples

## How does the Expert Mechanism work?

### Annual Session

- The Expert Mechanism meets with representatives from States, Indigenous Peoples, Indigenous Peoples' organizations, civil society, inter-governmental organizations and academics in an annual session that lasts about five day
- EMRIP Sessions occur in July, in Geneva, Switzerland.
- The information gathered during the session may be used for Expert Mechanisms studies and advice.

Participation: ECOSOC status is NOT required to attend the Expert Mechanism sessions
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### Studies

- The Expert Mechanism's studies, which include advice to states, Indigenous Peoples, international organisations and others, ***involves significant research and often references the jurisprudence of all relevant international and regional human rights systems.***
- Each study is discussed by States, Indigenous Peoples, civil society, national human rights institutions and academics, especially during the annual session.

- The Mechanism may offer suggestions for future research to the Human Rights Council.
- **The Expert Mechanism's studies constitute authoritative interpretations of Indigenous Peoples' rights.** They are grounded in binding international human rights norms as applied to Indigenous Peoples, for example through the Declaration on the Rights of Indigenous Peoples.

The following studies have been undertaken by the Expert Mechanism:

Theme	Study/Report Title	Year	Advice
<b>Education</b>	Lesson learned and challenges to achieve the implementation of the right of Indigenous Peoples to Education.	2009	Advice No. 1
<b>Decision Making</b>	Indigenous Peoples and the right to participate in decision making.	2010	Advice No. 2
<b>Language &amp; Culture</b>	Study on the role of languages and culture in the promotion and protection of the rights and identity of Indigenous Peoples.	2012	Advice No. 3
<b>Decision Making- Extractive Industries</b>	Follow up report on Indigenous Peoples and the right to participate in decision – making, with a focus on extractive industries.	2012	Advice No. 4
<b>UN DRIP</b>	Summary of responses from the questionnaire seeking the views of States on best practices regarding possible appropriate measures and implementation strategies in order to attain the goals of the United Nations Declaration on the Rights of Indigenous Peoples	2012	Summary
<b>Access to Justice</b>	Access to justice in the promotion and protection of the rights of Indigenous Peoples.	2013	Advice No. 5
<b>Follow up Study on the Access to Justice</b>	Restorative justice, indigenous juridical systems, and access to justice for indigenous women, children and persons with disabilities.	2014	
<b>Disaster risk reduction</b>	Study on the promotion and protection of the rights of Indigenous Peoples in disaster risk reduction, prevention and preparedness initiatives. (Post-2015 Disaster Risk Reduction UN Agenda)	2014	

These studies can be found at:

<http://www.ohchr.org/EN/Issues/IPeoples/EMRIP/Pages/EMRIPIndex.aspx>.

The Mechanism also has a document summarizing its studies posted on its website

<http://www.ohchr.org/EN/Issues/IPeoples/EMRIP/Pages/EMRIPIndex.aspx>

The Expert Mechanism encourages written contributions to its studies from various partners through announcements on its website and other means.

### **How to prepare for your participation in the Expert Mechanism**

1. **Obtain a Nomination** – Observers of the Expert Mechanism are required to provide a letter on the official letterhead of the organization they are representing as part of the accreditation process. It is important to show that you have the support of the people you are representing and that you have permission to represent them.
2. **Review the draft program of work and the agenda** – These documents will be available on the Expert Mechanism website and they provide information about the specific topics that will be addressed during the session of the Expert Mechanism. The Expert Mechanism will divide its work into sections and will solicit interventions that are specific to the agenda items.
3. **Network and Advocate** – Attending the sessions of the Expert Mechanism provides an excellent opportunity to learn from other Indigenous Peoples’ representatives about their issues and strategies for promoting their rights. It is also a good idea to arrange meetings with UN representatives and non-governmental organization’s to raise awareness about your issues and seek their support.

### **PREPARATION TO PARTICIPATE**

Practical information **ahead of your participation** in the Expert Mechanism:

- Consult with your community.
- Review the agenda and schedule. Consider which the agenda item is most appropriate for you to speak to given to your situation or issue.

### **PROGRAM OF WORK**

- **The draft program of work for the annual session is prepared each year by the Expert Mechanism about three months prior to the session start date (April)**
- **It is publicly available one month prior to the session (June).**

**Agenda items can include:**

- **Current study**
- **Past studies**
- **The Declaration on the Rights of Indigenous Peoples**

### **Additional advice for Preparation to Participating**

- Meet with community members and leaders to discuss the issues you would like to raise and ask

them to provide input into your statement.

- Prepare and then practice your presentation.
- Locate DoCip at the session to obtain advice for your participation and help with the preparation of photocopies.
- Attend regional or national meetings to prepare or train for the Expert Mechanism.
- Set up meeting with the Special Rapporteur if you would like to raise a specific issue

## **UN Special Rapporteur**

If you intend on **meeting with the UN Special Rapporteur on the rights of Indigenous Peoples** at the Expert Mechanism send the request ahead of time to: [indigenous@ohchr.org](mailto:indigenous@ohchr.org)