

**Human Rights Council
Expert Mechanism on the Rights of Indigenous Peoples
Sixth session, 8 - 12 July 2013**

United Nations Office, Geneva, Switzerland

**Agenda Item 7: Proposals to be submitted to the Human Rights Council for its consideration
and approval**

Delivered by Binota Moy Dhamai, on behalf of the Global Caucus

Thank you Mr. Chairman,

The Global Indigenous Peoples Caucus at the 6th session of the UN Expert Mechanism on the Rights of Indigenous Peoples thanks and expresses appreciation to the EMRIP members for the current study on access to justice in the promotion and protection of the rights of indigenous peoples. We acknowledge all those who provided invaluable inputs and contributions to this study including the presentations by Indigenous delegations made at this session.

It remains clear that Indigenous Peoples continue to face many challenges relating to access to true and restorative justice and that the denial of access to justice continues to deprive them ~~from~~ the enjoyment of their civil, political, cultural, social and economic rights in all regions of the world. In addition, the rapid pace of globalization has accelerated conflicts and indigenous peoples, like all other peoples, need access to mechanisms for peaceful conflict resolution.

Peace and justice are prerequisites for progress and cornerstones of sustainable development.

The current EMRIP study on the access to justice has addressed a range of important issues that, in our view, require further study, exploration and inputs. The discussions at this session have provided an opportunity to explore key issues in further depth, identify gaps and challenges, and share best practices and lessons learned. Key issues that have been brought forward that would greatly benefit from further input and discussion include, inter alia: Challenges and barriers for access to justice for women, children, youth and disabled Indigenous Peoples; Indigenous human rights defenders; access to justice and peace including in peace and conflict resolution processes; access to justice related to lands, territories and resources; Indigenous Peoples understanding of restorative justice; non-repetition and non-recurrence; justice for historic human rights violations including those which have inter-generational and ongoing impacts; the role of Indigenous Peoples' traditional justice systems, traditional authorities and institutions; and the role of Treaties, agreements and other constructive arrangements between States and Indigenous Peoples.

With this, we urge the EMRIP to advise the Human Rights Council of the need to continue their Study on Access to Justice for an additional year, to continue and deepen dialogue with Indigenous Peoples, States, experts and UN agencies.

Thank you.